(TENTATIVE) BOARD OF COMMISSIONERS REGULAR MEETING AGENDA

Effingham County Georgia
Board of Commissioners

October 20, 2026 – 5:00 PM
Effingham County Administrative Complex
Meeting Chambers
804 South Laurel Street, Springfield GA 31329

The Georgia Conflict of Interest in Zoning Action Statue (O.C.G.A. §§ 36-67A-1 et seq.) requires disclosure of certain campaign contributions made by applicants for rezoning actions and by opponents of rezoning application. A rezoning applicant or opponent of a rezoning application must disclose contributions or gifts which in aggregate total $250.00 or more if made within the last two years to a current member of Effingham County Planning Board, Board of Commissioners, or other Effingham County official who will consider the application. The campaign contribution disclosure requirement applies to an opponent of a rezoning application who publishes his or her opposition by appearance before the Planning Board or Board of Commissioners or by any other oral or written communication to a member or members of the Planning Board or Board of Commissioners. Disclosure must be reported to the Board of Commissioners by applicants within ten (10) days after the rezoning application is filed and by opponents at least five (5) days prior to the first hearing by the Planning Board. Any person knowing failing to comply with these requirements shall be guilty of a misdemeanor.

"Individuals with disabilities who require special needs to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities should contact the County Clerk at 912-754-2123 promptly to afford the County time to create reasonable accommodations for those persons."

****PLEASE TURN OFF YOUR CELL PHONE**

Agenda

Watch us live on our YouTube page:

https://www.youtube.com/channel/UC9wRzS6f2pHHZG3IgRk3OUQ

I. Call to Order

II. Roll Call

III. Invocation

IV. Pledge to the American Flag

V. Agenda Approval - Consideration of a resolution to approve the agenda.

VI. Minutes

1. Consideration to approve the October 6, 2026 regular commission meeting minutes

VII. Public Comments - Comments shall pertain to the agenda items only. Should you wish to make remarks, clearly state your full name into the microphone before commencing to speak.

VIII. Correspondence - The agenda packet for this meeting is posted on the county's . Any additional documentation presented at the meeting shall be submitted to the Clerk for receipt, recording and distribution to the Board

IX. Consent Agenda - This section shall include all routine items for which there will be no discussion. Should a need arise for a debate, the item can be moved to the appropriate area of the agenda.

1. **[2026-482 Agreement]**

   Consideration to approve the Utility Relocation Agreement with Georgia Power Company for the McCall Road at Rahn Station Roundabout, PI L13335.

2. **[2026-483 Agreement]**

   Consideration to approve the Utility Relocation Agreement with Georgia Power Company for the Sand Hill Road at Blue Jay Road Roundabout, PI L13303

3. **[2026-484 Contract]**

   Consideration to approve the Coastal Regional Commission (CRC) Area Agency on Aging Contract# 2027-08 for fiscal year 2027

4. **[2026-485 Application]**

   Consideration to ratify and affirm the corrected signature pages for the FY 2026 Local Road Assistance (LRA) Supplemental funding application *(previously approved by the Board of Commissioners on June 2, 2026)*

X. Unfinished Business - Contains items held from a previous agenda.

1. **[2026-466 Quote]** *Danielle Carver*

   Consideration to approve a Quote for the purchase of one Kubota M6 tractor with rotary cutter from Shea Tractor & Equipment Company for the In-house Mowing Program *(Postponed by the commission, 10/06/2026)*

XI. New Business

1. **[2026-486 Proclamation]** *Stephanie Johnson*

   Consideration to approve a Proclamation celebrating November 1, 2026 as Retired Educators Day

2. **[2026-488 Proposal]** *Tim Callanan*

   Consideration of a Proposal submitted by Charles Abbott Associates, Inc. (CAA) to provide professional services for Phase 1 development review, building and structural plan review, construction inspection, fire plan review, civil/site review, project administration, and related regulatory oversight services

3. **[2026-489 Grant]** *Mark Barnes*

   Consideration to approve acceptance of a $35,430.40 Grant Award from the Georgia Governor's Office of Highway Safety (GOHS) State and Community Highway Safety Grant Program for TEN - South East Area, grant number TEN-2027-EffinghamSO-036

4. **[2026-490 Grant]** *Mark Barnes*

   Consideration to accept a $289,692.00 Grant Award from the Georgia Governor's Office of Highway Safety (GOHS) for the Effingham County Sheriff's Office H.E.A.T. Project, grant number GA-2027+EffinghamSO-076

5. **[2026-491 Change Order]** *Tre Wilkins*

   Consideration to approve Change Order# 17 with Paul Akins Company for revisions at the Historic Central Renovation Project

6. **[2026-492 Application]** *Tre Wilkins*

   Consideration to approve submission an Application for the Georgia Environmental Finance Authority (GEFA) WaterFirst program on behalf of Effingham County

XII. Reports from Commissioners & Administrative Staff

XIII. **Executive Session** - Discussion of Personnel, Property and Pending Litigation

XIV. **Executive Session Minutes** - Consideration to approve the October 6, 2026 executive session minutes

XV. **Planning Board Unfinished Business** - 6:00 pm

1. **[2026-474 Public Hearing]** *Kimberly Barlett*

   Planning Board recommends approving an application submitted by **Boltin Teeter as agent for Mark Cooper** to **rezone** +/- 99 acres located at 1180 Old River Road from **AR-1 to LI** to allow for permitted uses in LI **Map # 304 Parcel # 10** in the **First District** *(Postponed by the commission, 10/06/2026)*

2. **[2026-475 Second Reading]**

   Consideration to approve the Second Reading of an application submitted by **Boltin Teeter as agent for Mark Cooper** to **rezone** +/- 99 acres located at 1180 Old River Road from **AR-1 to LI** to allow for permitted uses in LI. **Map # 304 Parcel # 10** in the **First District** *(Postponed by the commission, 10/06/2026)*

XVI. **Planning Board** - 6:00 pm

1. **[2026-487 Ordinance, Public Hearing]** *Akela Wright*

   Consideration to approve the First Reading of the adoption of the Zoning Ordinance of Effingham County, Georgia, and the adoption of the Official Zoning Map of Effingham County

2. **[2026-488 Ordinance, Public Hearing]** *Akela Wright*

   Consideration to approve the Second Reading of the adoption of the Zoning Ordinance of Effingham County, Georgia, and the adoption of the Official Zoning Map of Effingham County

XVII. **Adjournment**

Effingham County Georgia
Board of Commissioners

Damon M. Rahn, Chairman at Large
Forrest F. Floyd, District 1
Roger Burdette, District 2
Jamie Deloach, District 3
Elizabeth Helmly, District 4
Phil Kieffer, District 5

REGULAR SESSION MEETING MINUTES
October 6, 2026

The Board of Commissioners of Effingham County, Georgia, Mr. Damon Rahn, Mr. Roger Burdette, Mr. Jamie Deloach, Ms. Elizabeth Helmly, and Mr. Phil Kieffer met in regular session at 5:00 pm on Tuesday, October 6, 2026 in the Commissioners Meeting Chambers at the Effingham County Administrative Complex located at 804 South Laurel Street Springfield, Georgia 31329.

STAFF PARTICIPATION

Mr. Tim Callanan – County Manager, Mr. Edward Newberry – County Attorney, Ms. Stephanie Johnson – County Clerk, Ms. Tasheena Shiggs – Deputy Clerk Mr. Clint Hodges – Fire Chief & EMA Director, Ms. Marie Todd – Executive Assistant, Mr. Michael King – Assistant County Manager, Ms. Marayah Durham – IT Specialist, Ms. Sarah Mausolf – Director of Human Resources, Ms. Pamela Melser – Director of Development Services, Ms. Akela Wright – Planning Manager, Ms. Kimberly Barlett – Senior Planner, Ms. Lauren Shuman – Engineer Project Coordinator, Ms. Syndney Edwards – Purchasing Coordinator, Mr. Tre Wilkins – Project Manager, Mr. Josh Moody – Building Official, Ms. Brooke Sutherland– Engineering Project Coordinator, Mr. Ted Goudeau – Facilities Maintenance Director, and Mr. Mark Lastinger – Public Information Coordinator.

CITIZEN PARTICIPATION

Ada Carter, Ruth Bell, Betty Crosby, Holly Brinson Tatum, William Cox, Any Carter, Jason Liguori, and Clifton McCarley.

I- CALL TO ORDER

Vice Chair Kieffer called the meeting to order at 5:02pm

II- ROLL CALL

Damon Rahn, Chairman – *Joined at 5:12pm*
Forrest Floyd – *Absent*
Roger Burdette
Jamie Deloach
Beth Helmly
Phil Kieffer, Vice Chairman

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III – INVOCATION

Hadley Baumann, a student at Effingham County Middle School and member of Effingham County 4-H, offered the invocation.

IV– PLEDGE TO THE AMERICAN FLAG

The pledge was led by Hadley Baumann.

V – AGENDA APPROVAL

County Clerk Johnson announced that New Business item #10 was postponed to the 10/20/2026 commission meeting at the Board's request. Planning Board items #1 and #2 were postponed to the 11/17/2026 commission meeting, and Planning Board items #7 and #8 were postponed to the 10/20/2026 commission meeting, both at Commissioner Floyd's request.

Commissioner Deloach made a motion to approve the agenda with the noted changes. Commissioner Burdette seconded the motion. The motion carried unanimously.

VI – MINUTES

CONSIDERATION TO APPROVE THE SEPTEMBER 15, 2026 WORK SESSION AND REGULAR BOARD OF COMMISSIONERS MEETING MINUTES (1):

Commissioner Deloach made a motion to approve the meeting minutes as presented. Commissioner Burdette seconded the motion. The motion carried unanimously.

VII – PUBLIC COMMENTS

Vice Chair Kieffer stated comments shall pertain to the agenda items only. Should you wish to make remarks, clearly state your full name into the microphone before commencing to speak.

VIII – CORRESPONDENCE

Vice Chair Kieffer stated documents from this meeting are located in the Clerk's office and on the Board of Commissioner's website.

IX – PRESENTATION

5:10 PM - Honor Award Presentation (to Jonathan Hulme)

County Manager Callanan presented outgoing County Engineer Jonathan Hulme with the Effingham County Challenge Coin for Service in recognition of his two-year tenure. Over his two years with the county, Mr. Hulme directed hundreds of millions of dollars in vital infrastructure developments paving hundreds of miles of roadways and delivering key drainage improvements. He also leaves a lasting legacy after rewriting the county's stormwater manual and instituting a strategic road pavement assessment framework to guide ongoing maintenance.

Mr. Jonathan Hulme offered brief remarks, thanking the Board, county staff, County Manager Callanan, and his family for their support during his tenure.

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X – CONSENT AGENDA

Commissioner Deloach made a motion to approve the following Consent Agenda items: **(2026-451)** Consideration to approve an Underground Easement with Georgia Power Company for installation and maintenance of electrical distribution facilities on County-owned property along General Way in Rincon **(2026-452)** Consideration to approve the Georgia Power Lighting Services Agreement for roadway lighting improvements at the Old Augusta Road Roundabout **(2026-453)** Consideration to approve submission of the TREES Act Grant Application to the Georgia Department of Revenue **(2026-454)** Consideration to approve an Engagement Letter with Nichols, Cauley & Associates LLC for audit services for the fiscal year ended June 30, 2026 **(2026-455)** Consideration to ratify and affirm a Form to appoint Jamie Deloach as voting delegate for the ACCG 2026 Policy Agenda adoption at the Legislative Leadership Conference **(2026-456)** Consideration to approve an Assemblage Permit for an event titled "Royal Oak Plantation Subdivision Halloween Event ", to be held at Royal Oak Subdivision on Saturday, October 31, 2026, application made by with Deanne Gordon. Commissioner Helmly seconded the motion. The motion carried unanimously.

XI – UNFINISHED BUSINESS

CONSIDERATION TO APPROVE THE SECOND READING OF AN APPLICATION BY JOSEPH KELTON FOR A CONDITIONAL USE TO ALLOW FOR AUTOMOBILE PAINT & BODY IN AR-1 LOCATED AT 122 THIRD STREET SOUTH MAP # 296A PARCEL # 99 IN THE FIRST DISTRICT (*Postponed, 09/15/2026 due to added stipulation*) (1):

Senior Planner Kimberly Barlett confirmed for the record that the approved stipulation reads: the conditional use approval is limited to the business and operation approved by the Board and shall not automatically transfer to a subsequent operator.

Commissioner Deloach made a motion to approve the 2nd Reading. Vice Chair Kieffer seconded the motion. The motion carried unanimously.

XII – NEW BUSINESS

CONSIDERATION TO APPROVE A PROCLAMATION DECLARING OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH (1):

County Clerk Johnson presented the annual proclamation declaring October 2026 as Domestic Violence Awareness Month on behalf of the Effingham County Victim Witness Assistance Program and Safe Haven. Both organizations are 501(c)(3) nonprofits providing 24/7 crisis intervention and legal advocacy at no charge.

Holly Brinson Tatum, Executive Director of Effingham County Victim Witness Assistance, addressed the Board to thank commissioners for their continued recognition of the observance.

Commissioner Burdette made a motion to approve the Proclamation as presented. Commissioner Helmly seconded the motion. The motion carried unanimously.

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CONSIDERATION TO APPROVE RESOLUTION# 026-032 TO INTRODUCE AND ENACT LOCAL LEGISLATION AUTHORIZING AN INCREASE OF THE SENIOR CITIZEN HOMESTEAD EXEMPTION FROM SCHOOL DISTRICT AD VALOREM TAXES (2):

Tax Commissioner Rodewolt explained Resolution #026-032, proposing an increase in the S-4 senior citizen homestead exemption from school district ad valorem taxes from $20,000 to $100,000. The exemption applies to seniors on fixed incomes earning no more than $10,000 (excluding retirement and Social Security). Commissioner Rodewolt estimated approximately 2,400 parcels currently carry the S-4 exemption, and the increase would fully exempt approximately 76% of those holders. He noted the proposal would require collaboration with the IDA and school board and must be placed on a voter referendum ballot, anticipated for 2027.

Commissioner Burdette made a motion to approve Resolution. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE THE SECOND READING OF AN ORDINANCE TO AMEND PART II, CHAPTER 70, ARTICLE I, SECTION 70-5 - FIRE AND RESCUE SERVICES OF THE EFFINGHAM COUNTY CODE OF ORDINANCES (*1st reading approved, 09/15/2026*) (3):

Commissioner Deloach made a motion to approve the 2nd Reading. Commissioner Burdette seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE CHANGE ORDER NO. 6 WITH J.A. LONG, INC. FOR CONSTRUCTION REVISIONS ASSOCIATED WITH THE HODGEVILLE ROAD AT BLUE JAY ROAD ROUNDABOUT PROJECT (4):

Engineering Project Coordinator Shuman explained that Change Order No. 6 with J.A. Long, Inc. for the Hodgeville Road at Blue Jay Road Roundabout project. The change replaces the originally designed curb-and-gutter with concrete cap splitter islands with a 6-inch concrete median, resulting in a credit of $7,175 to the county and reducing the contract total to $3,768,000.

Commissioner Helmly made a motion to approve Change Order No. 6 with J.A. Long, Inc. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A RESOLUTION# 026-033 TRANSMITTING THE FY2026 CAPITAL IMPROVEMENT ELEMENT (CIE) ANNUAL UPDATE TO THE COASTAL REGIONAL COMMISSION (CRC) AND THE DEPARTMENT OF COMMUNITY AFFAIRS FOR REVIEW (5):

Senior Planner Barlett explained Resolution #026-033 to transmit the FY2026 Capital Improvement Element (CIE) annual update to the Coastal Regional Commission and the Department of Community Affairs for review.

Commissioner Deloach made a motion to approve the resolution transmitting the FY 2026 CIE annual update for review. Vice Chair Kieffer seconded the motion. The

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motion carried unanimously.

CONSIDERATION TO APPROVE A MEMORANDUM OF UNDERSTANDING AND REAL PROPERTY EXCHANGE AGREEMENT BETWEEN THE EFFINGHAM COUNTY BOARD OF COMMISSIONERS AND SPRINGFIELD LIVING, LLC FOR THE EXCHANGE OF REAL PROPERTY ASSOCIATED WITH THE EXTENSION AND CONNECTION OF MCCALL ROAD TO COURTHOUSE ROAD (6):

Commissioner Helmly recused herself from voting on this item.

County Manager Callanan explained the Effingham County Board of Commissioners approved a land swap with Springfield Living, LLC to extend McCall Road to Courthouse Road, relocating the intersection south of Highway 21, and incorporating a new roundabout. The net settlement payment is $1,310,351.92.

Commissioner Deloach made a motion to approve the Memorandum of Understanding and Real Property Exchange Agreement with Springfield Living, LLC and authorize the Chairman to execute the Agreement and any necessary documents associated with the property exchange. Commissioner Burdette seconded the motion. The motion carried unanimously.

Commissioner Helmly returned.

CONSIDERATION TO APPROVE RESOLUTION# 026-034 TO AMEND THE FISCAL YEAR 2027 BUDGET (7):

Finance Director Barnes explained Resolution #026-034 to amend the FY2027 budget. The amendment addresses a recalculation of workers' compensation costs, allocates a portion of the former library system's fund balance toward carpet and paint improvements at the Rincon and Springfield library branches, and adjusts two interfund transfers between accounting funds.

Commissioner Deloach made a motion to approve the resolution to amend the budget for FY27. Vice Chair Kieffer seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE AN OCCUPANCY LICENSE AGREEMENT WITH GEORGIA CENTRAL RAILWAY L.P. RELATED TO THE REGIONAL WATER SUPPLY PROJECT (8):

Project Manager Wilkins explained an Occupancy License Agreement with Georgia Central Railway L.P. to allow a water line crossing near Meldrim. The agreement requires a $2,000 per year licensing fee, escalating at a maximum of 3% annually.

Commissioner Deloach made a motion to approve the License Agreement. Commissioner Burdette seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A DEVELOPMENT AGREEMENT WITH SAV 21, LLC FOR WATER FACILITIES LOCATED AT 195 COMMERCE DRIVE, RINCON (9):

Project Manager Wilkins explained a standard water development agreement with SAV 21, LLC for a project at 195 Commerce Drive in Rincon, consisting of flex space

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and a batting facility. The project includes a water line extension that will be dedicated to the county upon completion. Sewer service was not included as the project's single small lift station does not meet the threshold for acceptance into the municipal system.

Vice Chair Kieffer made a motion to approve the Development Agreement. Commissioner Deloach seconded the motion. The motion carried unanimously.

CONSIDERATION TO APPROVE A QUOTE FOR THE PURCHASE OF ONE KUBOTA M6 TRACTOR WITH ROTARY CUTTER FROM SHEA TRACTOR & EQUIPMENT COMPANY FOR THE IN-HOUSE MOWING PROGRAM (10):

This item was postponed to the October 20, 2026 meeting at the Board's request at agenda approval.

CONSIDERATION TO APPROVE THE 9-1-1 SERVICES AND SOFTWARE LICENSE AGREEMENT AND ADDENDUM WITH COMMUNICATIONS VENTURE CORPORATION D/B/A INDIGITAL (11):

Procurement and Contracts Manager Carver explained the 9-1-1 Services and Software License Agreement and Addendum with Communications Venture Corporation d/b/a INDigital to upgrade the county's emergency communications system.

9-1-1 Deputy Director Justin Wilson explained that the upgrade transitions the county from a legacy, copper-based 9-1-1 system originating from the late 1980s to a Next Generation (NG) 9-1-1 system running on fiber optic cable with dual connections and enhanced redundancy.

Vice Chair Kieffer made a motion to approve the 9-1-1 Services and Software License Agreement and Addendum with Communications Venture Corporation d/b/a INDigital. Commissioner Deloach seconded the motion. The motion carried unanimously.

XIII – REPORTS FROM COMMISSIONERS & ADMINISTRATIVE STAFF

County Clerk Johnson

- Announced the Sports and Recreation Services 2026 GRPA First District Banquet, to be held at Stillwell Pines on October 21, 2026, with a social at 6:00 PM and dinner at 7:00 PM.

County Manager Callanan

- Announced that Kerrie Carroll, a Senior Accountant in the Finance Department with approximately 12 years of county service, has been appointed as the new Fleet Manager.
- Effingham County Fall Fun Fest: Scheduled for Saturday, October 10, 2026, starting at 12:00 PM at Clarence Morgan Park, with indoor contingency plans reserved in the event of inclement weather.
- Clyo Community Park Grand Opening: Ribbon-cutting ceremony for the Clyo Community Park and renovated community center scheduled for Saturday, October 31, 2026, at 10:00 AM.

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Commissioner Burdette

- Raised due to concerns regarding a development on Goshen Road; noted that current county code does not require screening for construction equipment parked along roadways.

Commissioner Deloach

- Expressed appreciation for the visible progress on improvements along Highway 119, cited positive community feedback on Pineora Park and Clyo Park, and thanked citizens for their support of SPLOST, which funded the projects.

Commissioner Helmly

- Requested an update on the Effingham Parkway project.

Commissioner Kieffer

- Expressed appreciation for senior center staff based on resident praise.

Chairman Rahn

- Requested an update on the status of the library fund balance transition from the Live Oak Regional Library System.

XIV – EXECUTIVE SESSION

At 6:38pm, Vice Chair Kieffer made a motion to go into an executive session for discussion of personnel, property, and pending litigation. Commissioner Burdette seconded the motion. The motion carried unanimously.

At 7:19pm, Commissioner Burdette made a motion to reconvene. Commissioner Helmly seconded the motion. The motion carried unanimously.

XV – EXECUTIVE SESSION MINUTES

Commissioner Helmly made a motion to approve the September 15, 2026 executive session meeting minutes. Vice Chair Kieffer seconded the motion. The motion carried unanimously.

XVI – PLANNING BOARD – 6:00 pm

C.W. MATTHEWS CONTRACTING CO. INC. as agent for **RIVER ROAD PARTNERS I, LLC– PUBLIC HEARING (01):** Consideration to approve an application by C.W. Matthews Contracting Co. Inc. as agent for River Road Partners I, LLC for a variance from Section 3.4, located at 1085 Old River Road to allow for a decrease in the required buffers in I-1 Map # 304 Parcel # 15 & 15A in the First District

This item was postponed to the November 17, 2026 meeting, at the Board's request at agenda approval.

C.W. MATTHEWS CONTRACTING CO. INC. as agent for **RIVER ROAD PARTNERS I, LLC – SECOND READING (02):** Consideration to approve the Second Reading for an application by C.W. Matthews Contracting Co., Inc. as agent for River Road Partners I, LLC for a variance from Section 3.4, located at 1085 Old River Road to allow for a

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decrease in required buffers in I-1 Map # 304 Parcel # 15 & 15A in the First District.

This item was postponed to the November 17, 2026 meeting, at the Board's request at agenda approval.

TIMOTHY HUTCHINGS – PUBLIC HEARING (03): Planning Board recommends approving an application submitted by Timothy Hutchings to rezone +/- 5.71 acres located at 4028 Blue Jay Road from R-1 to AR-1 to allow for permitted uses in AR-1 Map # 351B Parcel # 10 in the First District.

Senior Planner Barlett explained that the purpose of the request was to align the zoning with the property's existing rural character and allow for expanded agricultural activities, including livestock and the sale of eggs. The parcel is designated agricultural residential on the future land use map. No opposition was presented at either the Planning Board meeting or the public hearing. The Planning Board recommended approval.

Speaking for: Timonthy Hutchings confirmed the request was a down-zone to allow the property to be used for its intended agricultural purpose.

Commissioner Burdette made a motion to approve the application. Commissioner Deloach seconded the motion. The motion carried unanimously.

TIMOTHY HUTCHINGS – SECOND READING (04): Consideration to approve the Second Reading of an application submitted by Timothy Hutchings to rezone +/- 5.71 acres located at 4028 Blue Jay Road from R-1 to AR-1 to allow for permitted uses in AR-1. Map # 351B Parcel # 10 in the First District

Commissioner Burdette made a motion to approve the 2nd Reading. Commissioner Deloach seconded the motion. The motion carried unanimously.

WILLIAM COX – PUBLIC HEARING (05): Planning Board recommends approving an application submitted by William Cox to rezone +/- 1.00 acres located at 890 Herbert Kessler Road from AR-1 to AR-2 to allow for permitted uses in AR-2 Map # 395 Parcel # 1C in the Second District

Senior Planner Barlett presented the application to allow the parcel to be subdivided and conveyed to a family member for residential use. County GIS data indicated wetlands on a portion of the property.

Speaking for: William Cox stated that since the Planning Board meeting, he had secured a permanent driveway lease agreement with an adjacent landowner, routing the driveway outside of the wetland area and along the property line.

Speaking in objection: Ada Carter raised concerns about potential drainage impacts to her adjacent pond, the suitability of the soil for septic installation, and the proximity of proposed construction to her property line.

The Board focused on ensuring regulatory compliance and protecting neighboring properties from illegal stormwater runoff, while acknowledging the applicant's existing property rights.

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Commissioner Burdette made a motion to approve the application. Vice Chair Kieffer seconded the motion. The motion carried unanimously.

WILLIAM COX – SECOND READING (06): Consideration to approve the Second Reading of an application submitted by William Cox to rezone +/- 2.14 acres located at 890 Herbert Kessler Road from AR-1 to AR-2 to allow for permitted uses in AR-2. Map # 395 Parcel # 1C in the Second District

Commissioner Burdette made a motion to approve the 2nd Reading. Vice Chair Kieffer seconded the motion. The motion carried unanimously.

BOLTIN TEETER as agent for **MARK COOPER – PUBLIC HEARING (07):** Planning Board recommends approving an application submitted by Boltin Teeter as agent for Mark Cooper to rezone +/- 99 acres located at 1180 Old River Road from AR 1 to I-1 to allow for permitted uses in I-1 Map # 304 Parcel # 10 in the First District

This item was postponed to the October 20, 2026 meeting, at the Board's request.

BOLTIN TEETER as agent for **MARK COOPER – SECOND READING (08):** Consideration to approve the Second Reading of an application submitted by Boltin Teeter as agent for Mark Cooper to rezone +/- 99 acres located at 1180 Old River Road from AR-1 to LI to allow for permitted uses in LI. Map # 304 Parcel # 10 in the First District

This item was postponed to the October 20, 2026 meeting, at the Board's request.

JASON LIGUORI – PUBLIC HEARING (09): Consideration to approve an application by Jason Liguori for a variance from Section 3.41.3, located at 153 Laurel Lane, to allow for a decrease in the required minimum setbacks for pools in R-1 Map # 374C Parcel # 51 in the Second District

Planner I Xu explained the application by Jason Liguori for a variance to reduce the required separation between a swimming pool and the principal structure from 10 feet to 5 feet.

Speaking for: Jason Liguori stated that pine trees near the property line restrict available space for pool placement, and that a previously existing above-ground pool has since been removed.

The Board discussed updating the county ordinance to align with industry practices, recognizing that this same issue will likely come up again with other projects.

Commissioner Burdette made a motion to approve the application. Vice Chair Kieffer seconded the motion. The motion carried unanimously.

JASON LIGUORI – SECOND READING (10): Consideration to approve the Second Reading for an application by Jason Liguori for a variance from Section 3.41.3, located at 153 Laurel Lane to allow for a decrease in the required setbacks for pools in R-1 Map # 374C Parcel # 51 in the Second District

Commissioner Burdette made a motion to approve the 2nd Reading. Vice Chair Kieffer

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seconded the motion. The motion carried unanimously.

CLIFTON MCCARLEY as agent for **CHRISTOPHER MCCARLEY – PUBLIC HEARING (11):** Consideration to approve an application by Clifton McCarley as agent for Christopher McCarley for a variance from Section 3.21.1, located at 402 Rose Bud Place, to allow for the occupation of a RV/Camper in AR-1 Map # 347C Parcel # 92 in the Fourth District

Planner I Xu explained the application is for a one-year extension of a previously approved variance at 402 Rose Bud Place to continue occupying an RV/camper while the existing residence undergoes remodeling. The extension was necessitated by the applicant's ongoing health issues and the limited pace of renovation being completed by his son outside of regular work hours.

The Board noted the applicant has already received two years under prior variances, and this request would extend to a third year.

Commissioner Helmly made a motion to approve the application. Commissioner Deloach seconded the motion. The motion carried unanimously.

CLIFTON MCCARLEY as agent for **CHRISTOPHER MCCARLEY – SECOND READING (12):** Consideration to approve the Second Reading for an application by Clifton McCarley as agent for Christopher McCarley for a variance from Section 3.21.1, located at 402 Rose Bud Place to allow for the occupation of a RV/Camper in AR-1 Map # 347C Parcel # 92 in the Fourth District

Commissioner Helmly made a motion to approve the 2nd Reading. Commissioner Deloach seconded the motion. The motion carried unanimously.

BETTY CROSBY – PUBLIC HEARING (13): Consideration to approve an application by Betty Crosby for a variance from Section 5.1, located at 120 Second Street, to allow for a decrease in the required setbacks in AR 1 Map # 296A Parcel # 23 in the First District

Planner I Xu explained that the application by Betty Crosby for a rear setback variance from Section 5.1 at 120 Second Street to reduce the required rear setback from 50 feet to 25 feet to accommodate placement of a 16- by 76-foot mobile home on the site of a previously demolished residence. The parcel is a legal nonconforming lot of record.

Speaking for: Betty Crosby and her renter, Ruth Bell, addressed the Board, explaining that Ms. Bell would occupy the mobile home and serve as a caregiver for Ms. Crosby's two adult sons, one of whom has epilepsy and the other of whom is a high-functioning individual with autism.

Commissioner Deloach made a motion to approve the variance application. Commissioner Burdette seconded the motion. The motion carried unanimously.

BETTY CROSBY – SECOND READING (14): Consideration to approve the Second Reading for an application by Betty Crosby for a variance from Section 5.1, located at 120 Second Street to allow for the decrease in the required setbacks in AR-1 Map #

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296A Parcel # 23 in the First District

Commissioner Deloach made a motion to approve the 2nd Reading. Commissioner Burdette seconded the motion. The motion carried unanimously.

XVI – ADJOURNMENT

At 7:19 pm, there being no further business, Vice Chair Kieffer made a motion to adjourn the meeting. Commissioner Burdette seconded the motion. The motion carried unanimously.

Damon Rahn, Chairman

Stephanie D. Johnson, County Clerk

APPROVED BY THE BOARD OF COMMISSIONERS
OCTOBER 20, 2026

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Staff Report

Subject: Approval of Georgia Power Utility Relocation Agreement for the McCall Road at Rahn Station Roundabout
Author: Brooke Sutherland, Engineering Project Coordinator
Department: Procurement, Engineering
Meeting Date: October 20th, 2026
Item Description: Consideration to approve the Utility Relocation Agreement with Georgia Power Company for the McCall Road at Rahn Station Roundabout, PI L13335.

Summary Recommendation: Staff recommends approval of the Utility Relocation Agreement with Georgia Power Company for the relocation and adjustment of existing utility facilities associated with the McCall Road at Rahn Station Roundabout.

Executive Summary / Background:
Georgia Power Company submitted a Utility Relocation Agreement for the McCall Road at Rahn Station Roundabout, PI L13335. Construction of the project requires Georgia Power to remove, relocate, or adjust existing utility facilities that conflict with the proposed roadway improvements. Georgia Power will perform the necessary relocation work in accordance with the scope and estimate included with the agreement.

The total estimated relocation cost is $160,901.00. Georgia Power is claiming reimbursement for 100% of the relocation costs based on compensable property interests. Supporting prior-rights documentation identifies existing distribution easements dating to 1946 at the project conflict locations. The agreement provides a process for the County to review the supporting documentation and determine Georgia Power's compensable property interests before final reimbursement is determined.

Upon completion of the work and determination of the prior-rights claim, the County will pay the lesser of $160,901.00 or the applicable percentage of actual relocation costs determined to be compensable. Georgia Power will not begin the relocation work until the agreement is executed and the County authorizes the work to proceed.

Alternatives for Commission to Consider:

1. Approve the Utility Relocation Agreement with Georgia Power Company.
2. Do not approve
3. Provide staff with direction

Recommended Alternative: 1
Other Alternatives: 2, 3
Department Review: Procurement, Engineering
Funding Source: Capital Improvement Budget
Attachments: Georgia Power Utility Relocation Agreement – McCall Road at Rahn Station Roundabout, PI L13335

Georgia Power

September 9, 2026

Tim Callanan
Effingham County Manager
County Board of Commissioners
601 N. Laurel Street
Springfield, Georgia 31329

RE: **PI# L13335**
MCCALL RD AT RAHN STATION ROUNDABOUT

Mr. Callanan,

Attached is a copy of the New Relocation Agreement between Georgia Power Company and Effingham County for the above referenced project.

Please sign and return the copy to the email address below:

Georgia Power Company
Attn: Jalexis Susana
jsusana@southernco.com

After they have been executed by Georgia Power Company we will email you a copy.

Both the total estimated cost for relocation and the Payment Amount are valid only for a period of one (1) year following the date set forth on the enclosed estimate. Further, Georgia Power will not commence any work unless, the County executes and returns the enclosed Relocation Agreement and authorizes commencement of the work. Work must commence within 6 months of the executed relocation agreement.

If you have any questions, please contact Tim Nipper at 478-451-7044.

Sincerely,

Jalexis Susana

Jalexis Susana
jsusana@southernco.com

Attachments

Please sign the agreement, and send the electronic copy of the executed agreement to the email address below for our records:

Jalexis Susana (jsusana@southernco.com)

For United States Postal System (USPS):

Georgia Power Company

(Attn: Salanda Westry)

96 Annex

Atlanta, GA 30396

For FedEx, UPS, etc.:

Georgia Power Company

(Attn: Salanda Westry)

241 Ralph McGill Blvd NE (FedEx, UPS, etc.)

Atlanta, GA 30396

You MUST reference the invoice and or PI# number on the check. There may be only one check per invoice. We are unable to process a check written for multiple invoices or PI.

UTILITY RELOCATION AGREEMENT

PROJECT NAME: **MCCALL RD AT RAHN STATION ROUNDABOUT**
PROJECT NUMBER: **L13335**
GDOT PROJECT NUMBER: _____

THIS AGREEMENT is made and entered into as of the ____day of _____, 20__, by and between **EFFINGHAM COUNTY**, State of Georgia (hereinafter referred to as the "County"), and **GEORGIA POWER COMPANY (**hereinafter referred to as the "Company"). This Agreement may refer to either County or Company, or both, as a "Party" or "Parties."

W I T N E S S E T H :

WHEREAS, the County proposes under the above written Project to construct MCCALL RD AT RAHN STATION ROUNDABOUT (hereinafter referred to as the "Project"); and

WHEREAS, due to the construction of the Project, it will become necessary for the Company to remove, relocate or make certain adjustments to the Company's existing facilities (such facilities, including but not limited to overhead and underground electric transmission, distribution and communication lines, towers, frames, poles, facilities, wires, transformers, service pedestals, apparatus, manholes, conduits, fixtures, appliances, cables, protective wires and devices all being hereinafter referred to collectively as the "Facilities" or individually as the "Facility"); and

WHEREAS, the Company, as hereinafter provided, may assert that it has certain property interests and rights and utilized such property interests and rights for the placement of its Facilities prior in time to County's acquisition of the road right(s)-of-way, all as involved in said Project; and

NOW, THEREFORE, in consideration of the promises and the mutual covenants of the Parties hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Parties, the Parties agree as follows:

Section 1 THE WORK

1.1 Company Facilities

Company, with its regular construction or maintenance crews and personnel, at its standard schedule of wages and working hours (as may be applicable from time to time during the term of this Agreement), and working in accordance with the terms of its agreements with such employees, will remove, relocate or make adjustments to its Facilities in accordance with the scope of work and Estimate (defined below) attached hereto as Exhibit "A" and incorporated herein by reference (the "Work"). Company shall make all technical decisions concerning the Work and may elect to contract any portion of the Work.

1.2 **Road Right-of-Way**

Prior to Company commencing the Work, County will provide written assurances to Company that it has acquired the necessary new road right-of-way (including information on the property rights acquired).

1.3 **Traffic Control**

Company shall make a reasonable effort to provide signing and other traffic control measures during the Work, in accordance with PART VI of the U. S. Department of Transportation Manual on Uniform Traffic Control Devices, current edition, all at the expense of the County.

Section 2 COSTS AND PAYMENT

2.1 **Compensable Property Interests**.

Company shall perform the Work in accordance with the estimate attached hereto as Exhibit "A" and incorporated herein by reference (the "Total Estimate"). The total amount of the Total Estimate is ONE HUNDRED SIXTY THOUSAND AND NINE HUNDRED ONE Dollars ($160,901.00). The amount of the Total Estimate that corresponds to Company's claim that it has compensable property interests with respect to the Project (the "Reimbursement Claim") is ONE HUNDRED SIXTY THOUSAND AND NINE HUNDRED ONE Dollars ($160,901.00), otherwise reflected as **ONE HUNDRED percent (100%)** of the Total Estimate. The Reimbursement Claim is limited to: (a) the costs of removing, relocating or adjusting those Facilities which are physically in place and in conflict with the proposed construction and/or maintenance; (b) where replacement is necessary, the costs of replacement in kind, and any improvements or betterments made necessary by the proposed construction and/or maintenance; and (c) the costs incurred in acquiring additional easements or private rights-of-way, including without limitation easements for lines, access, tree trimming, guy wires, anchors and other devices, appliances and other equipment, and any and all other such easements and property rights as may be reasonably necessary for the Company's installation, operation and maintenance of its Facilities (collectively, the "Relocation Costs").

The cost of any improvements or betterments that are not made necessary by the proposed construction or maintenance shall not be subject to the percentage split contemplated above. Such costs shall be paid as follows: (a) the costs of any improvements or betterments of a Facility being made solely at Company's option (and not being made necessary by the proposed construction and/or maintenance) shall be fully paid by Company; and (b) the costs of any improvements or betterments of a Facility being made solely at County's request (and not being made necessary by the proposed construction and/or maintenance) shall be fully paid by County.

Upon completion by Company of the Work and subject to determination of Company's Prior Rights Claim in accordance with Sections 3 and 4 below, County will pay Company a sum equal to the lesser of (a) ONE HUNDRED SIXTY THOUSAND AND NINE HUNDRED ONE Dollars ($160,901.00), otherwise reflected as **ONE HUNDRED percent (100%)** of the Total Estimate and representing the aforementioned Reimbursement Claim, or (b) the corresponding percentage of actual Relocation Costs representing Company's compensable property interests with respect to the Project. County will also pay Company for the costs of any improvements or

betterments of a Facility being made solely at County's request and not being made necessary by the proposed construction and/or maintenance.

2.2 **Progress Payments**

If Company chooses to submit invoices for progress payments, County will pay same within thirty (30) days from receipt of the invoice, subject to Verification (as defined below) thereof by the County. Upon completion of the Work, Company shall submit a final bill to County and County shall make a final payment within thirty (30) days from receipt of the final bill, subject to Verification thereof by the County.

2.3 **Change in Scope**

In the event there is a change in the Project, including without limitation a change in scope, design, plans, service, property interests to be acquired, engineering or costs, due to either (a) events or circumstances beyond Company's reasonable control, or (b) County's request, the Parties will negotiate in good faith a mutually acceptable agreement or amendment to this Agreement, in writing, to address such change and any increase in costs above those set forth in the Estimate.

Section 3 DETERMINATION OF COMPENSABLE PROPERTY INTEREST

3.1 If Company determines it has compensable property interests with respect to the Project, Company will submit a Reimbursement Claim. The Parties agree that they will in good faith share non-privileged information with each other related to the issue of prior rights for the Project. If County determines that Company's evidence is insufficient to make a determination as to Company's compensable property interests and the percentage of the Relocation Costs to be paid by Company based upon such compensable property interests, County will provide Company with a written basis for such insufficiency and request that Company provide additional information. County will make a determination as to any asserted Reimbursement Claim before the earlier of: (a) the date that is thirty (30) days after receipt of the Reimbursement Claim; and (b) the date on which Company needs to commence the Work in order to prevent a Project delay (the "Commencement Date").

3.2 In the event that a determination cannot reasonably be made prior to the Commencement Date, provided that County certifies in writing to Company that the Project is time-sensitive due to construction scheduling with the possibility of damages for delay, safety concerns, or critical funding deadlines, Company will commence the Work without a written determination having been made. In such case, the Party's rights, claims and defenses with regard to the issue of compensable property interests and prior rights will not be waived or affected in any manner. If County does not thereafter make a determination regarding the Reimbursement Claim within six (6) months from the date of County's receipt of same, the Reimbursement Claim will be deemed approved by County.

Section 4 DISPUTE RESOLUTION

4.1 Disagreement

If Company disagrees with County's determination with regard to the Reimbursement Claim and the Parties are unable to settle the issue through informal negotiations, then, at the request of either Party, the Parties agree to escalate the matter pursuant to Section 4.2 below.

4.2 Dispute Notice

Except as otherwise set forth in this Agreement, any controversy or claim arising out of or relating to this Agreement, or the breach thereof, will be settled: (a) first, by good faith efforts to reach mutual agreement of the Parties; and (b) second, if mutual agreement is not reached within thirty (30) calendar days of a written request by a Party to resolve the controversy or claim (the "Dispute Notice"), each of the Parties will appoint a designated representative who has authority to settle the dispute (or who has authority to recommend to the governing body of such Party a settlement of the dispute) and who is at a higher level of management than the persons with direct responsibility for administration of this Agreement. The designated representatives will meet as often as they reasonably deem necessary in order to discuss the dispute and negotiate in good faith in an effort to resolve such dispute. The specific format for such discussions will be left to the discretion of the designated representatives, provided, however, that all reasonable requests for relevant information made by one Party to the other Party will be honored if such information is reasonably available. If within sixty (60) days after issuance of a Dispute Notice (a) the Parties are unable to resolve issues related to the dispute, or (b) County fails to approve any tentative agreement reached, the Parties agree to participate in confidential, non-binding mediation pursuant to Section 4.3 below, it being understood, however, that nothing herein will diminish or relieve either Party of its rights or obligations under this Section 4.

4.3 Mediation

If the Parties are unable to resolve a dispute through informal negotiations or pursuant to Section 4.2, the Parties agree to participate in confidential, non-binding mediation by an impartial, third party mediator mutually agreed upon by the Parties, at a mutually convenient location. The Parties agree that a potential mediator's experience in prior rights and real estate law will be relevant factors in selecting a mediator. In the event the Parties are unable to agree on a third party mediator within ninety (90) days of issuance of the Dispute Notice, each Party shall designate a mediation representative, and the two mediator representatives shall in good faith select a third party mediator. Each Party shall be responsible for its own attorneys' fees and expenses and for providing its own information and documentation applicable to the dispute to the mediator. All other agreed upon costs of the mediation will be apportioned equally to each Party. Any dispute not resolved by negotiation, escalation or mediation may then be submitted to a court of competent jurisdiction, and either Party may invoke any remedies at law or in equity. Nothing contained herein, however, will preclude the Parties from first seeking temporary injunctive or other equitable relief. The Parties agree that any statute of limitations, equity or other time-based periods shall be tolled as of and from the date of the Dispute Notice until a complaint, if any, is filed.

Section 5 VERIFICATION

5.1 Material Discrepancy

For purposes of this Section 5, "Verification" means that County has reasonably determined that there is a material discrepancy between Company's invoiced charges and County's calculation of charges owed, which invoiced charges are subject to a bona fide dispute; provided, however, County agrees to provide the Company with written notice, including supporting documentation, illustrating the basis for such bona fide dispute, within sixty (60) days of receipt of the invoice in dispute. Should County fail to provide such documentation within the specified time period, County must pay the disputed amount. County must pay any undisputed portion of the invoice total within thirty (30) days after its receipt of the invoice. County must pay any disputed portion of the invoice total within thirty (30) days of the date the dispute is resolved, to the extent the dispute is resolved in favor of Company.

5.2 Audit

At any time within thirty-six (36) months after the date of final payment, County, at its sole expense, may audit the non-privileged cost records, support documentation and accounts of Company pertaining to this Project to solely assess the accuracy of the invoices submitted by Company and notify Company of any amount of any unallowable expenditure made in the final payment under this Agreement, or, if no unallowable expenditure is found, notify Company of that fact in writing. Any such audit will be conducted by representatives of County or, if applicable, the Georgia Department of Transportation or the Federal Highway Administration, after reasonable advance written notice to Company and during regular business hours at the offices of Company in a manner that does not unreasonably interfere with Company's business activities and subject to Company's reasonable security requirements. As a prerequisite to conducting such audit, County or, if applicable, the Georgia Department of Transportation or the Federal Highway Administration, will sign Company's Nondisclosure Agreement. Company may redact from its records provided to County information that is confidential and irrelevant to the purposes of the audit. Company will reasonably cooperate in any such audit, providing access to Company records that are reasonably necessary to enable County to test the accuracy of the invoices to which the audit pertains, provided that County or, if applicable, the Georgia Department of Transportation or the Federal Highway Administration, may only review, but not copy, such records. If Company agrees with the audit results and does not pay any such bill within ninety (90) days of receipt of the bill from County (based on the mutually agreed upon audit results), County may set off the amount of such bill against the amounts owed Company on any then-current contract between Company and County. If, following the audit, the Parties are unable to resolve any dispute concerning the results of the audit through informal negotiation, the provisions of Sections 4.2 and 4.3 will govern the resolution of the dispute. County may not perform an audit pursuant to this Agreement more frequently than once per calendar year and may not conduct audits twice within any six (6) months.

Section 6 COUNTY AS PARTY

County acknowledges that this Agreement is "proprietary" in nature under applicable Georgia law, as permitted by O.C.G.A. § 36-60-13(j), and not "governmental" or "legislative," as prohibited by O.C.G.A. § 36-30-3(a). County further represents and warrants that this Agreement will comply with all applicable laws concerning County actions and approvals and execution of binding agreements. County covenants to undertake all actions necessary to bind County.

Section 7 COMMENCEMENT AND TERMINATION CONDITIONS

Company is not obligated to commence the Work until Parties agree on the removal, relocation and/or adjustment to Company's facilities required by the Project. If County fails to authorize commencement of the Work by September 9, 2027, Company will have no obligation to begin the Work and may terminate this Agreement without penalty by providing County with notice in writing. If County fails to sign and return this Agreement to Company September 9, 2027, any offer made by Company pursuant to the Agreement is automatically revoked and the agreement is void and of no effect.

Section 8 MISCELLANEOUS PROVISIONS

Duplicate originals of this Agreement will be executed, each of which will be deemed an original but both of which together will constitute one and the same instrument. This Agreement may be modified only by an amendment executed in writing by a duly authorized representative for each Party. This Agreement contains the entire agreement of the Parties, and all prior oral agreements are superseded and integrated into this Agreement. This Agreement will be governed by and construed in accordance with the laws of the State of Georgia. This Agreement shall accrue to the benefit of and be binding upon the successors and assigns of the Parties. The Parties agree that this Agreement shall be deemed to have been executed in Georgia.

[SIGNATURES ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the Parties have executed this Contract in four (4) counterparts, each of which shall be deemed an original in the year and day first above mentioned.

ATTEST:

By: _____

Title: _____

Witness: _____

Notary: _____
(SEAL)

EFFINGHAM County, GEORGIA

By: _____
Chairman, Board of Commissioners

(SEAL)

Approved as to Form by:

_____
Effingham County Department of Transportation

Recorded on the Minutes of the County Commission at Minute Book ____, Page_____.

ATTEST:

By: _____

Title: _____

Witness: _____

Notary: _____
(SEAL)

GEORGIA POWER COMPANY

By: _____

Date: _____

[Give proper title of each person executing Agreement. Attach seal as required.]

Georgia Power

DOT Prior Rights Research PI# L13335
McCall Rd @ Rahn Station Roundabout
Effingham County

Prepared By: Debra Andrews
Date: March 11, 2026

Prior rights research for the above DOT project in Effingham County is complete. A thorough search has been performed in the Georgia Power Company LIMS database, Effingham County Tax Assessors website, GDOT GeoPI website and GSCCCA.org website by Land District, property owners and address. The project is in the 9th GMD Land District of Effingham County. The conflict locations are along McCall Rd @ Rahn Station Roundabout, involving Little McCall Road, McCall Road and Rahn Station Road.

Distribution:

Distribution Base Map Number: 1338-0752.

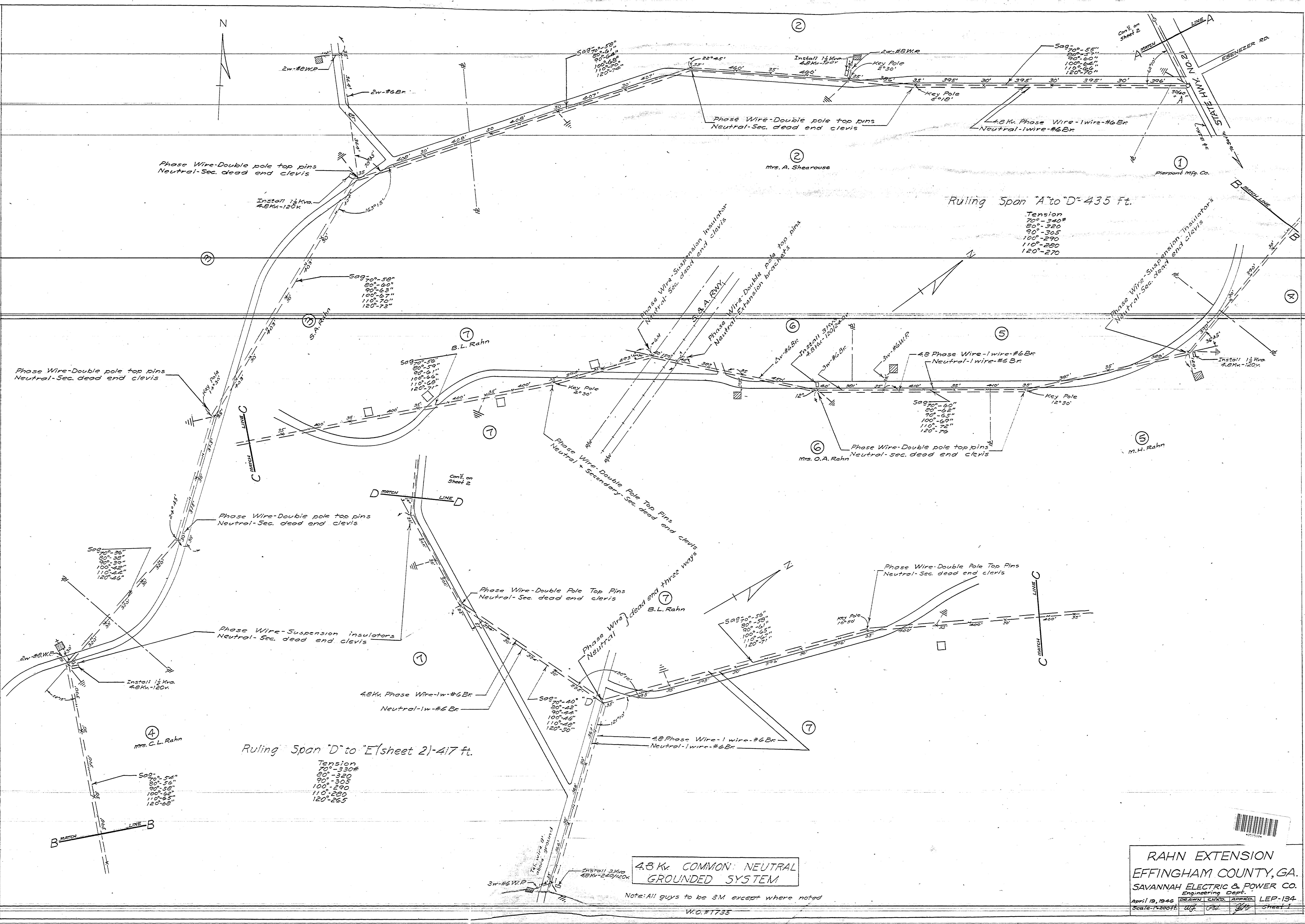
Georgia Power Company first placed distribution facilities along the project area of McCall Road and Little McCall Road, also known as Rahn Extension, dated April 23, 1946, acquiring an easement which covers all locations in conflict from B L Rahn, PSN 525324, dated 1946 and also as shown on Exhibit A and attached documentation.

Conclusion:

Georgia Power Company placed distribution facilities within private easements beginning in 1946. GDOT would need to provide earlier evidence of right-of-way if claiming prior rights.

EXHIBIT "A"
EFFINGHAM COUNTY
MCCALL RD AT RAHN STATION ROUNDABOUT
PI# L13335
11-Mar-26

Sht/Loc#	Reimb	Non-Reimb	Comments
24-0001			
LOC 2	X		D.L. Easement from B. L. Rahn, PSN 525324, dated 1946. B.L Rahn owned the property both sides of McCall Road, in 1942 per plat book E page 399. Rahn Extension dated April 23, 1946, LEP 134 sheet 1, dated 1946.
LOC 3	X		See LOC 2
24-0002			
LOC 4	X		See LOC 2
LOC 4	X		See LOC 2
24-0003			
LOC 6	X		See LOC 2
24-0004			No Conflict
24-0005			No Conflict
24-0006			
LOC 13	X		See LOC 2
LOC 14	X		See LOC 2
24-0007			No Conflict



4.8 Kv. COMMON NEUTRAL
GROUNDED SYSTEM

Note: All guys to be 3M except where noted

W.O. #1735

RAHN EXTENSION
EFFINGHAM COUNTY, GA.
SAVANNAH ELECTRIC & POWER CO.
Engineering Dept.

April 19, 1946	DRAWN	CHKD.	APPR'D.	LEP-134
Scale-1"=200 ft.	W.J.	P.d.		Sheet 1

PSN 525324
5/15/1946

07736

Eff 05/15/46,000

Item IX. 1.

STATE OF GEORGIA

COUNTY OF Effingham

For and in consideration of the sum of One Dollar, receipt of which is hereby acknowledged, the undersigned hereby grant S to the SAVANNAH ELECTRIC AND POWER COMPANY, its successors and assigns, the right to construct and maintain an electric transmission and distribution system over and across the land, or upon and along the road adjoining the said land in the County of Effingham State of Georgia, described as follows:

All that certain lot, tract or parcel of land situate, lying and being in the 9th District, G. M., Effingham County, Georgia, lying along or near the Public Road leading from State Highway No. 21, to the home place of Mrs. O. A. Rahn, and Westwardly, bounded on the Northeast by lands of Mrs. O. A. Rahn; and on the Northwest by lands of Jaudon Brothers. Said property being shown on map of Savannah Electric and Power Company known as "Rahn Extension" dated April 23, 1946, as Parcel No. Seven (7), to which map reference is herein expressly had for a better description.

Also, all that tract of land in said District, bounded on the Northeast by lands of Mrs. J. N. McLeod and of Jaudon Brothers, and on the Southwest by lands of M. B. Rahn. Said tract of land being shown on said map as Parcel No. 19, and lying along and near said Public Road, reference being herein expressly had to said map for a better description of the property affected by this right of way easment.

Said electric transmission and distribution system with accompanying poles, wires, crossarms, guys and other equipment is to be constructed in such manner as the Grantee may deem necessary, and permission is hereby given to patrol, repair and renew the same from time to time, and to cut or trim at any time trees which in the judgment of the Grantee will interfere with the construction, operation or maintenance of said electric transmission and distribution system.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, this 15th day of May, 1946.

Signed, sealed and delivered in the presence of:

E. C. Rahn

F. C. Rahn

Notary Public, ~~State of Georgia~~

County of Eff Co Ga

B. L. Rahn (L.S.)

(L.S.)

DOCUMENT FILE

Item IX. 1.

—9-45 389

EASEMENT

From

B. L. Rahn

To

Savannah Electric & Power Co.

STATE OF GEORGIA, EFFINGHAM COUNTY

I hereby certify this instrument was filed for Record in the Clerk's Office Superior Court, said County on the

day of MAY 15 1946 194 at

o'clock 9 M. and Recorded in Book

No. 98 Page 389 this

day of MAY 28 1946 194

J. T. Shannon

Clerk Superior Court, Effingham County

Received for record day of

19, o'clock M.

Clerk, Superior Court.

EFF 47, 48, 68.

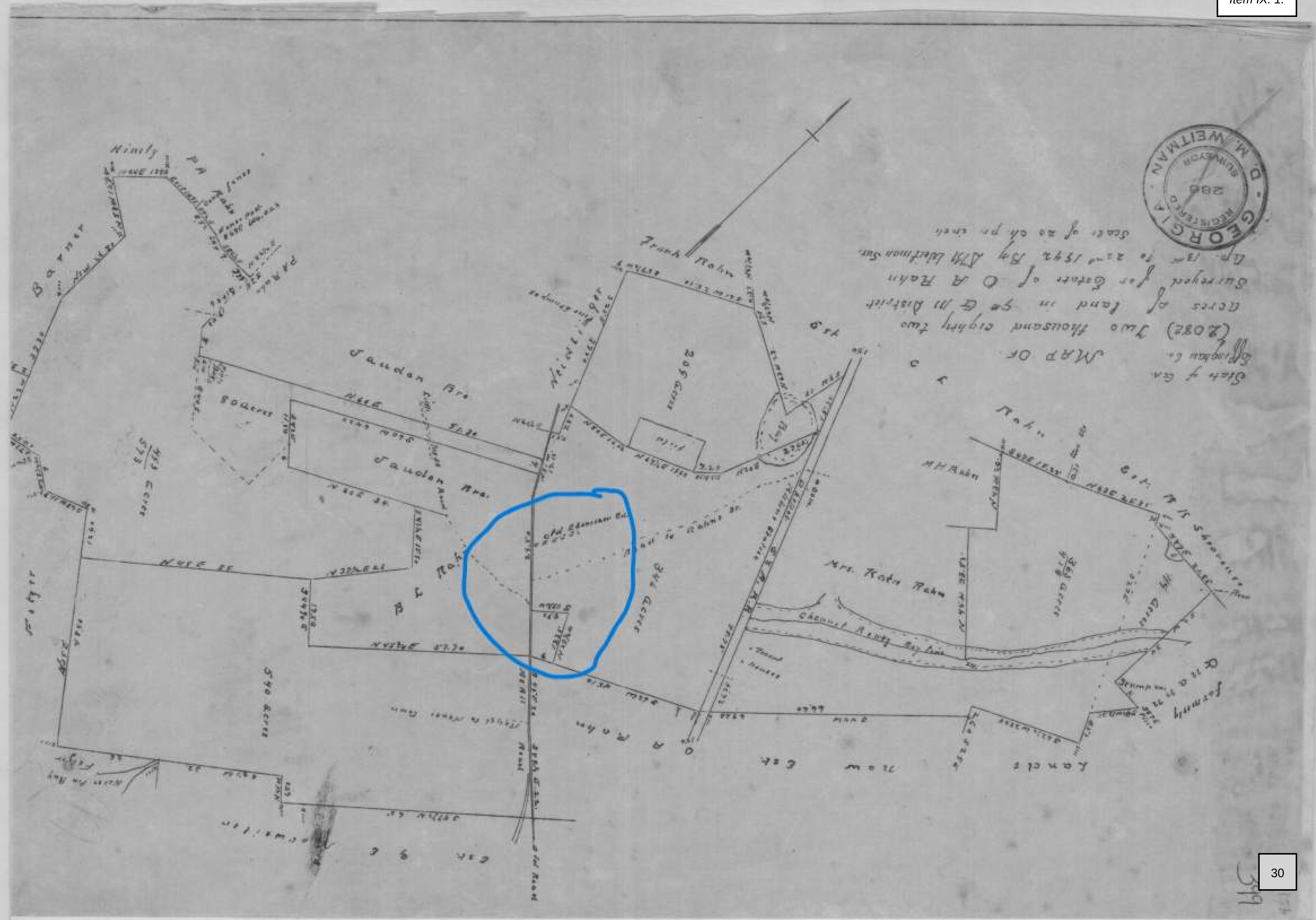
EFF 47, 48, 68.

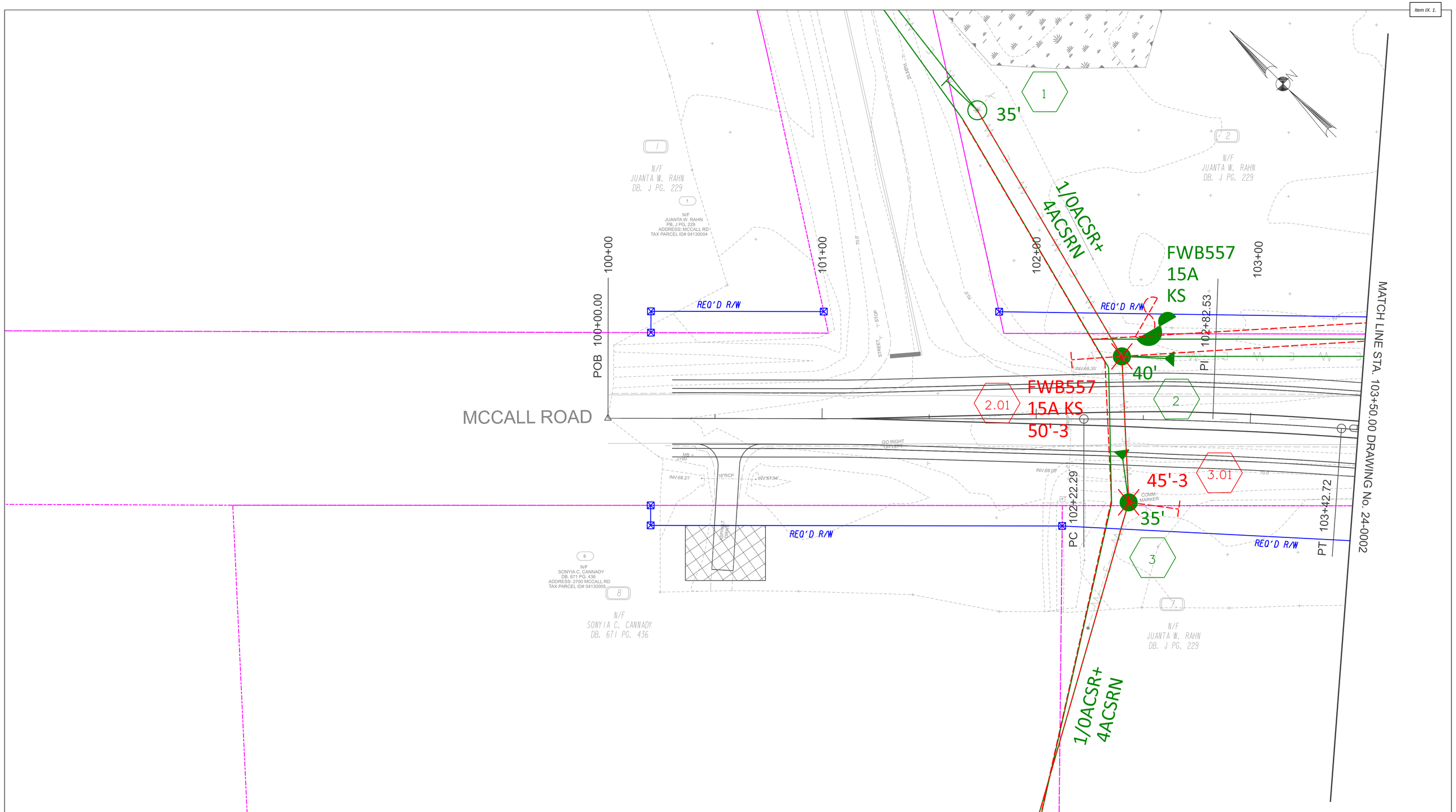
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Book E Page 399

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Item IX. 1.





SCALE IN FEET

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ELECTRONIC FILE DATE	CONSTRUCTION REVISION DATE
PLANS DATE: 09/23/2026	REVISION DATE:
PLANS DATE:	REVISION DATE:
PLANS DATE:	REVISION DATE:
PLANS DATE:	REVISION DATE:
PLANS DATE:	REVISION DATE:

ENGINEERED BY: TIMOTHY AARON NIPPER DATE: JAN 2026
PROJECT TITLE: McCALL RD AT RAHN STATION ROUNDABOUT
PROJECT #:
WORK ORDER #: PI: L13335
REGION: COASTAL HQ: SPRINGFIELD
COUNTY: EFFINGHAM
MAP REFERENCE: 1338-0752 DWG #: 24-0001

Georgia Power

MATCH LINE STA. 218+00.00 DRAWING No. 24-0005

MATCH LINE STA. 103+50.00 DRAWING No. 24-0001

MATCH LINE STA. 109+50.00 DRAWING No. 24-0003

MATCH LINE STA. 301+50.00 DRAWING No. 24-0006

RAHN STATION RD
218+97.04
RAB 0+57.34

MCCALL RD
106+90.88
RAB 3+36.98

RAB
POB 0+00.00
POE 3+89.55

MCCALL RD
105+66.88
RAB 1+48.78

LITTLE MCCALL RD
300+62.00
RAB 2+43.08

MCCALL ROAD

POB 300+00.00

PC 103+77.22

PI 104+65.75

PT 105+52.76

PT 218+69.90

PC 107+07.63

PI 107+72.59

PT 108+36.95

PC 109+02.16

PC 301+12.87

104+00

105+00

106+00

107+00

108+00

109+00

110+00

219+00

290'
1/0ACSR+1/0ACSRN

214'
1/0ACSR+1/0ACSRN

225'
1/0ACSR+1/0ACSRN

1/0ACSR+
4ACSRN

35'

55'-3

55'-3

3

3

3

224'
1/0ACSR+1/0ACSRN

153'
24ALTPX

24ALTPX

1/0ACSR+
4ACSRN

30'
301+30.00

REQ'D R/W

4.01

4.02

4

5

N/F
JUANTA W. RAHN
DB. J PG. 229

N/F
JUANTA W. RAHN
PB. J PG. 229
ADDRESS: MCCALL RD
TAX PARCEL ID# 0413004

PASS WITH CARE

CAUTION

COMM. MARKER

GRAVEL

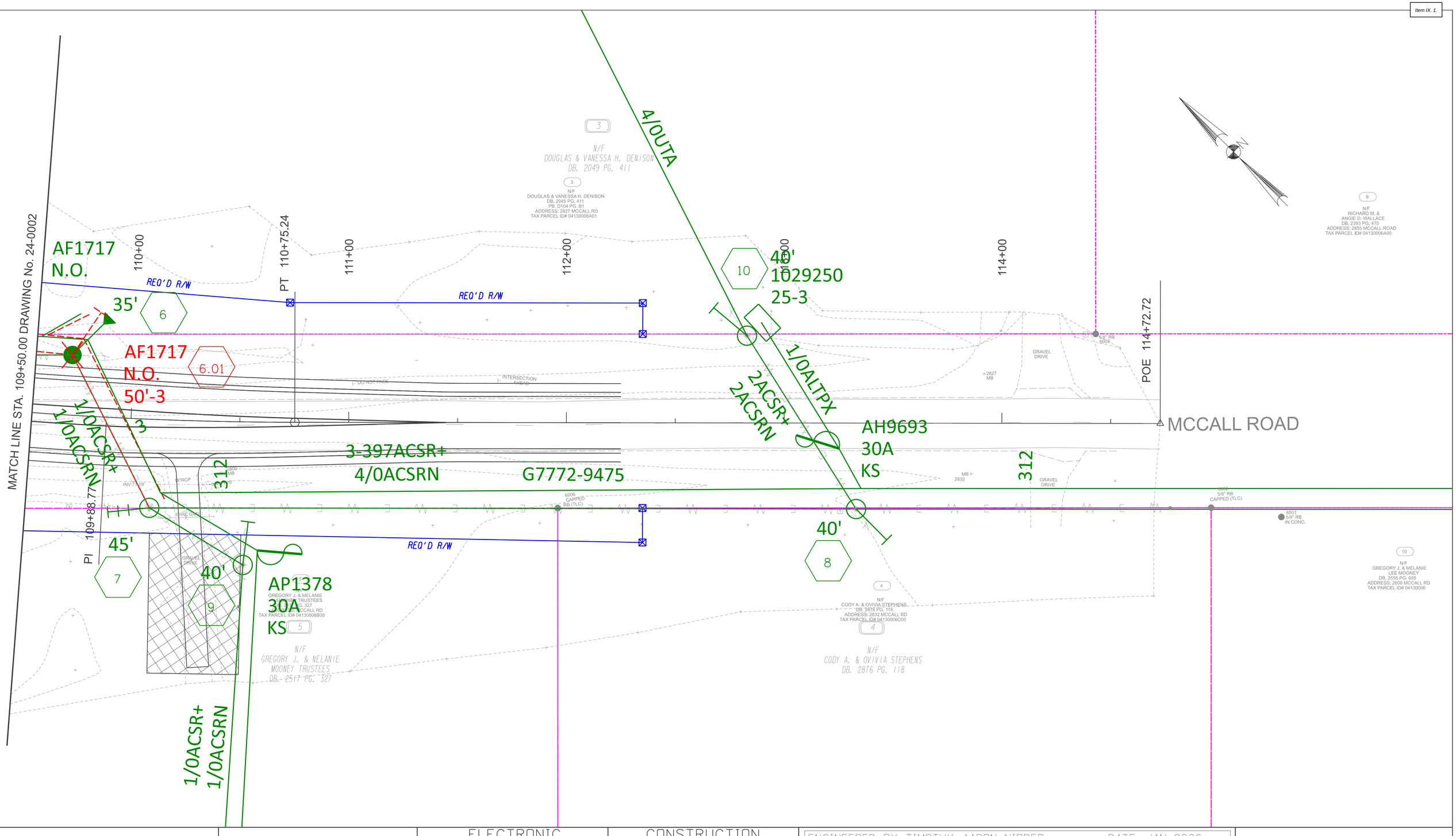
WETLANDS UNMARKED BY OTHERS

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ELECTRONIC FILE DATE	CONSTRUCTION REVISION DATE
PLANS DATE: 09/23/2026	REVISION DATE:
PLANS DATE:	REVISION DATE:
PLANS DATE:	REVISION DATE:
PLANS DATE:	REVISION DATE:
PLANS DATE:	REVISION DATE:

ENGINEERED BY: TIMOTHY AARON NIPPER DATE: JAN 2026
PROJECT TITLE: McCALL RD AT RAHN STATION ROUNDABOUT
PROJECT #:
WORK ORDER #: PI: L13335
REGION: COASTAL HQ: SPRINGFIELD
COUNTY: EFFINGHAM
MAP REFERENCE: 1338-0752 DWG #: 24-0002

Georgia Power

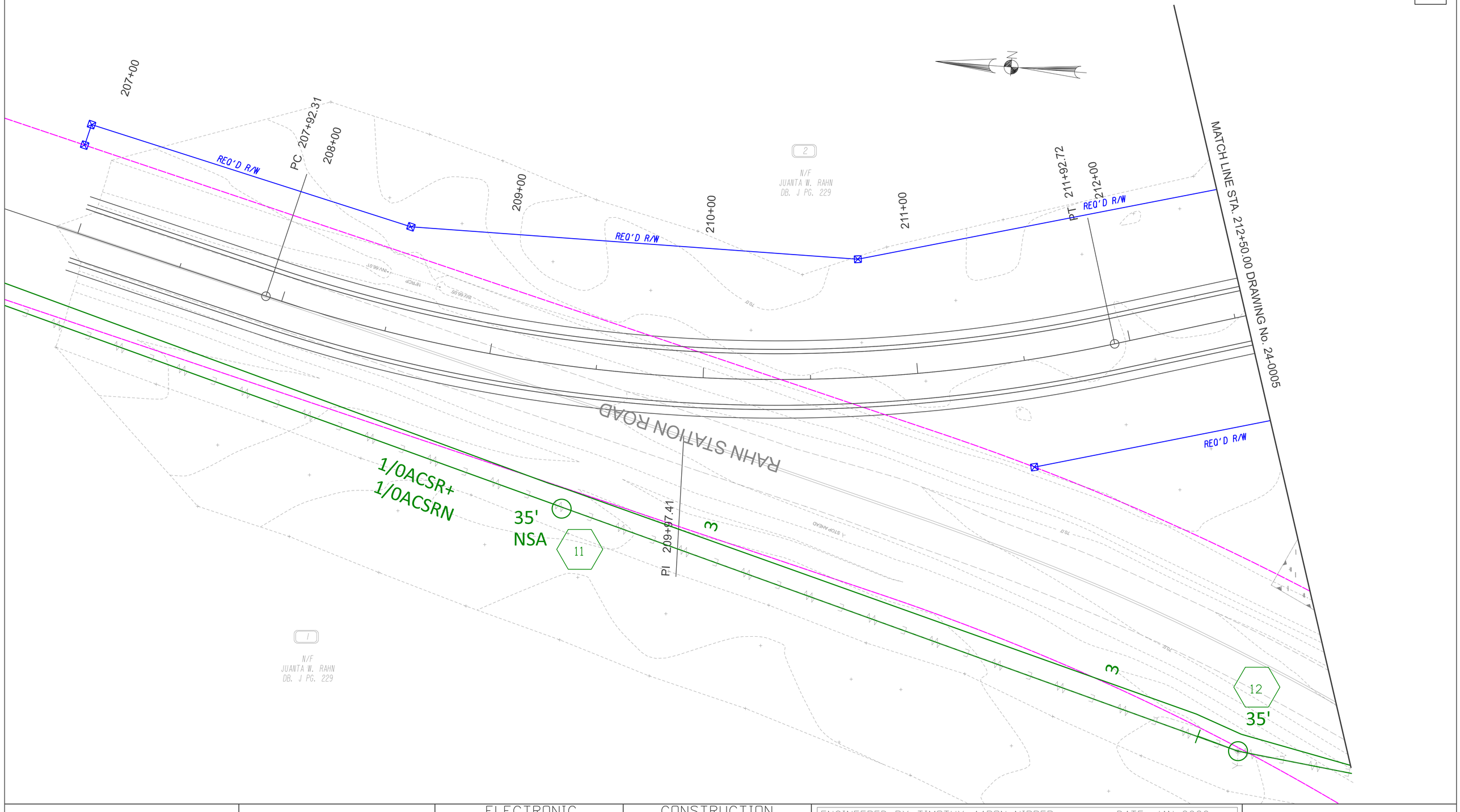


SCALE IN FEET
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ELECTRONIC FILE DATE	CONSTRUCTION REVISION DATE
PLANS DATE: 09/23/2026	REVISION DATE:
PLANS DATE:	REVISION DATE:
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PLANS DATE:	REVISION DATE:

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PROJECT #:
WORK ORDER #: PI: L13335
REGION: COASTAL HQ: SPRINGFIELD
COUNTY: EFFINGHAM
MAP REFERENCE: 1338-0752 DWG #: 24-0003

Georgia Power



SCALE IN FEET
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ELECTRONIC FILE DATE	CONSTRUCTION REVISION DATE
PLANS DATE: 09/23/2026	REVISION DATE:
PLANS DATE:	REVISION DATE:
PLANS DATE:	REVISION DATE:
PLANS DATE:	REVISION DATE:
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PROJECT #:
WORK ORDER #: PI: L13335
REGION: COASTAL HQ: SPRINGFIELD
COUNTY: EFFINGHAM
MAP REFERENCE: 1338-0752 DWG #: 24-0004

Georgia Power

MATCH LINE STA. 212+50.00 DRAWING No. 24-0004

213+00

214+00

215+00

216+00

217+00

PI 217+19.66

218+00

MATCH LINE STA. 218+00.00 DRAWING No. 24-0002

PC 215+51.48

REQ'D R/W

REQ'D R/W

REQ'D R/W

REQ'D R/W

REQ'D R/W

N/F
JUANTA W. RAHN
DB. J PG. 229

2

N/F
JUANTA W. RAHN
DB. J PG. 229

2

WETLANDS MARKED BY MICHELLE MORELOS OTHERS

WETLANDS MARKED BY MICHELLE MORELOS OTHERS

WETLANDS MARKED BY MICHELLE MORELOS OTHERS

F

70.0'

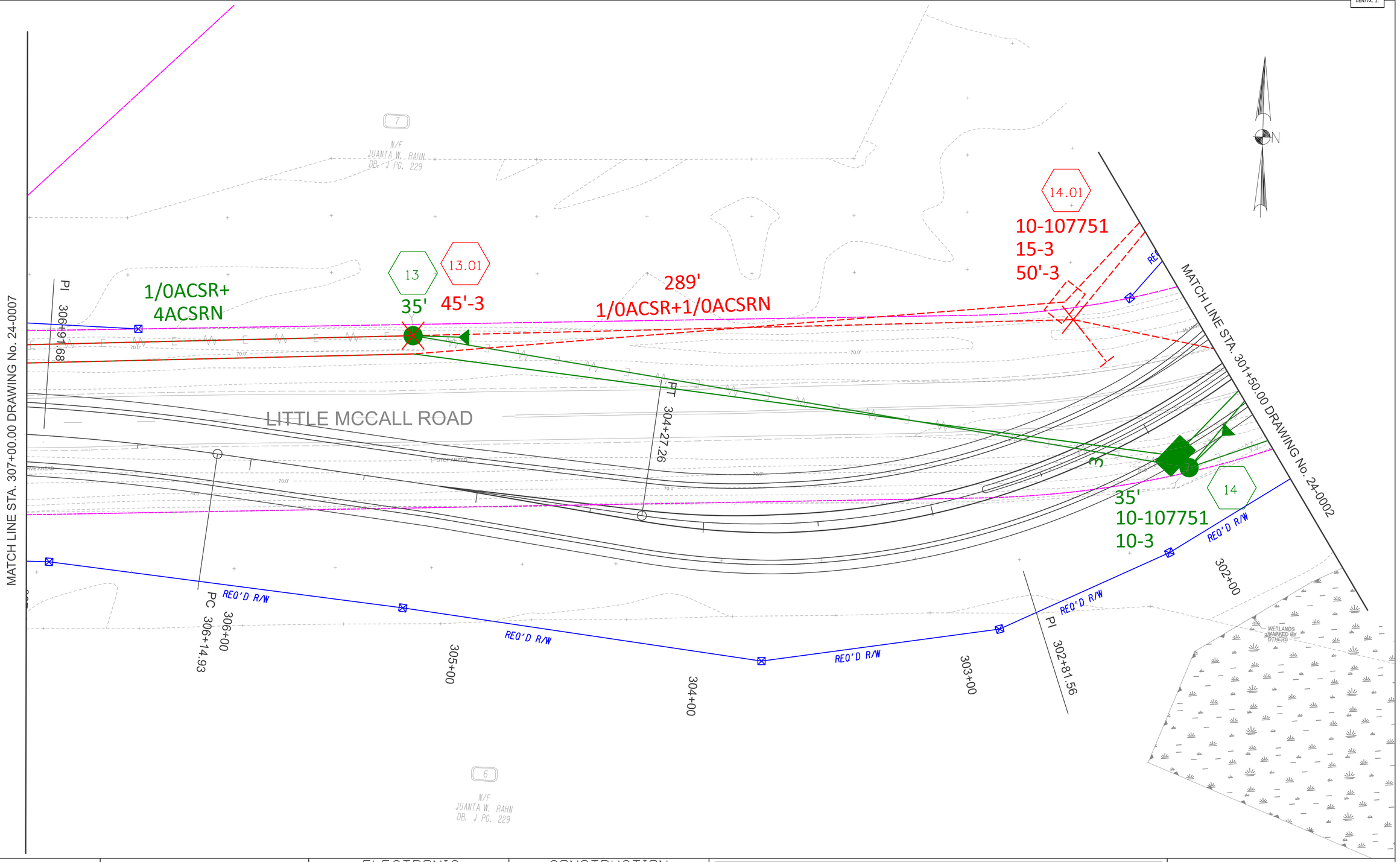
SCALE IN FEET

0 20 40 80

ELECTRONIC FILE DATE	CONSTRUCTION REVISION DATE
PLANS DATE: 09/23/2026	REVISION DATE:
PLANS DATE:	REVISION DATE:
PLANS DATE:	REVISION DATE:
PLANS DATE:	REVISION DATE:
PLANS DATE:	REVISION DATE:

ENGINEERED BY: TIMOTHY AARON NIPPER DATE: JAN 2026
PROJECT TITLE: McCALL RD AT RAHN STATION ROUNDABOUT
PROJECT #:
WORK ORDER #: PI: L13335
REGION: COASTAL HQ: SPRINGFIELD
COUNTY: EFFINGHAM
MAP REFERENCE: 1338-0752 DWG #: 24-0005

Georgia Power

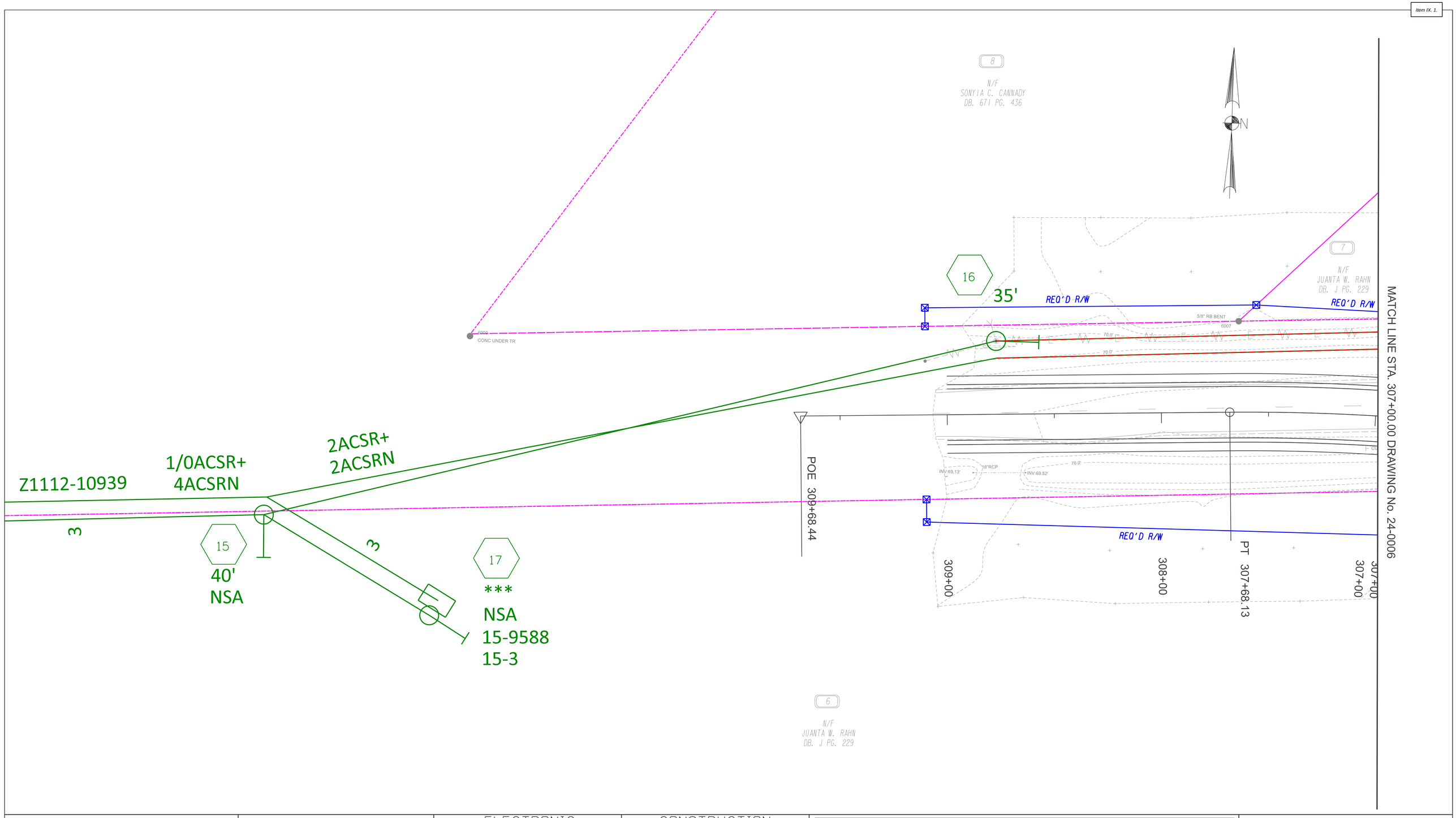


SCALE IN FEET
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ELECTRONIC FILE DATE	CONSTRUCTION REVISION DATE
PLANS DATE: 09/23/2026	REVISION DATE:
PLANS DATE:	REVISION DATE:
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Georgia Power



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0 20 40 80

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COUNTY: EFFINGHAM
MAP REFERENCE: 1338-0752 DWG #: 24-0007

Georgia Power

Staff Report

Subject: Approval of Georgia Power Utility Relocation Agreement for the Sand Hill Road at Blue Jay Road Roundabout
Author: Brooke Sutherland, Engineering Project Coordinator
Department: Procurement, Engineering
Meeting Date: October 20th, 2026
Item Description: Consideration to approve the Utility Relocation Agreement with Georgia Power Company for the Sand Hill Road at Blue Jay Road Roundabout, PI L13303.

Summary Recommendation: Staff recommends approval of the Utility Relocation Agreement with Georgia Power Company for the relocation and adjustment of existing utility facilities associated with the Sand Hill Road at Blue Jay Road Roundabout.

Executive Summary / Background:
Georgia Power Company submitted a Utility Relocation Agreement for the Sand Hill Road at Blue Jay Road Roundabout, PI L13303. Construction of the project requires Georgia Power to remove, relocate, or adjust existing utility facilities that conflict with the proposed roadway improvements. Georgia Power will perform the necessary relocation work in accordance with the scope and estimate included with the agreement.

The total estimated relocation cost is $330,796.00. Georgia Power is claiming reimbursement for 100% of the relocation costs based on compensable property interests. Supporting prior-rights documentation identifies existing distribution easements dating to 1946 at the project conflict locations. The agreement provides a process for the County to review the supporting documentation and determine Georgia Power's compensable property interests before final reimbursement is determined.

Upon completion of the work and determination of the prior-rights claim, the County will pay the lesser of $330,796.00 or the applicable percentage of actual relocation costs determined to be compensable. Georgia Power will not begin the relocation work until the agreement is executed and the County authorizes the work to proceed.

Alternatives for Commission to Consider:

1. Approve the Utility Relocation Agreement with Georgia Power Company.
2. Do not approve
3. Provide staff with direction

Recommended Alternative: 1
Other Alternatives: 2, 3
Department Review: Procurement, Engineering
Funding Source: Capital Improvement Budget
Attachments: Georgia Power Lighting Services Agreement – Project #LP138854

Georgia Power

September 8, 2026

Tim Callanan
Effingham County Manager
County Board of Commissioners
601 N. Laurel Street
Springfield, Georgia 31329

RE: **PI# L13303**
Sand Hill Road at Blue Jay Road Roundabout

Mr. Callanan,

Attached is a copy of the New Relocation Agreement between Georgia Power Company and Effingham County for the above referenced project.

Please sign and return the copy to the email address below:

Georgia Power Company
Attn: Jalexis Susana
jsusana@southernco.com

After they have been executed by Georgia Power Company we will email you a copy.

Both the total estimated cost for relocation and the Payment Amount are valid only for a period of one (1) year following the date set forth on the enclosed estimate. Further, Georgia Power will not commence any work unless, the County executes and returns the enclosed Relocation Agreement and authorizes commencement of the work. Work must commence within 6 months of the executed relocation agreement.

If you have any questions, please contact Tim Nipper at 478-451-7044.

Sincerely,

Jalexis Susana

Jalexis Susana
jsusana@southernco.com

Attachments

Please sign the agreement, and send the electronic copy of the executed agreement to the email address below for our records:

Jalexis Susana (jsusana@southernco.com)

For United States Postal System (USPS):

Georgia Power Company

(Attn: Salanda Westry)

96 Annex

Atlanta, GA 30396

For FedEx, UPS, etc.:

Georgia Power Company

(Attn: Salanda Westry)

241 Ralph McGill Blvd NE (FedEx, UPS, etc.)

Atlanta, GA 30396

You MUST reference the invoice and or PI# number on the check. There may be only one check per invoice. We are unable to process a check written for multiple invoices or PI.

UTILITY RELOCATION AGREEMENT

PROJECT NAME: **Sand Hill Road at Blue Jay Road Roundabout**
PROJECT NUMBER: **L13303**
GDOT PROJECT NUMBER: _____

THIS AGREEMENT is made and entered into as of the ____day of _____, 20__, by and between **EFFINGHAM COUNTY**, State of Georgia (hereinafter referred to as the "County"), and **GEORGIA POWER COMPANY (**hereinafter referred to as the "Company"). This Agreement may refer to either County or Company, or both, as a "Party" or "Parties."

W I T N E S S E T H :

WHEREAS, the County proposes under the above written Project to construct Sand Hill Road at Blue Jay Road Roundabout (hereinafter referred to as the "Project"); and

WHEREAS, due to the construction of the Project, it will become necessary for the Company to remove, relocate or make certain adjustments to the Company's existing facilities (such facilities, including but not limited to overhead and underground electric transmission, distribution and communication lines, towers, frames, poles, facilities, wires, transformers, service pedestals, apparatus, manholes, conduits, fixtures, appliances, cables, protective wires and devices all being hereinafter referred to collectively as the "Facilities" or individually as the "Facility"); and

WHEREAS, the Company, as hereinafter provided, may assert that it has certain property interests and rights and utilized such property interests and rights for the placement of its Facilities prior in time to County's acquisition of the road right(s)-of-way, all as involved in said Project; and

NOW, THEREFORE, in consideration of the promises and the mutual covenants of the Parties hereinafter set forth and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Parties, the Parties agree as follows:

Section 1 THE WORK

1.1 Company Facilities

Company, with its regular construction or maintenance crews and personnel, at its standard schedule of wages and working hours (as may be applicable from time to time during the term of this Agreement), and working in accordance with the terms of its agreements with such employees, will remove, relocate or make adjustments to its Facilities in accordance with the scope of work and Estimate (defined below) attached hereto as Exhibit "A" and incorporated herein by reference (the "Work"). Company shall make all technical decisions concerning the Work and may elect to contract any portion of the Work.

1.2 **Road Right-of-Way**

Prior to Company commencing the Work, County will provide written assurances to Company that it has acquired the necessary new road right-of-way (including information on the property rights acquired).

1.3 **Traffic Control**

Company shall make a reasonable effort to provide signing and other traffic control measures during the Work, in accordance with PART VI of the U. S. Department of Transportation Manual on Uniform Traffic Control Devices, current edition, all at the expense of the County.

Section 2 COSTS AND PAYMENT

2.1 **Compensable Property Interests**.

Company shall perform the Work in accordance with the estimate attached hereto as Exhibit "A" and incorporated herein by reference (the "Total Estimate"). The total amount of the Total Estimate is THREE HUNDRED THIRTY THOUSAND AND SEVEN HUNDRED NINETY-SIX Dollars ($330,796.00). The amount of the Total Estimate that corresponds to Company's claim that it has compensable property interests with respect to the Project (the "Reimbursement Claim") is THREE HUNDRED THIRTY THOUSAND AND SEVEN HUNDRED NINETY-SIX Dollars ($330,796.00), otherwise reflected as **ONE HUNDRED percent (100%)** of the Total Estimate. The Reimbursement Claim is limited to: (a) the costs of removing, relocating or adjusting those Facilities which are physically in place and in conflict with the proposed construction and/or maintenance; (b) where replacement is necessary, the costs of replacement in kind, and any improvements or betterments made necessary by the proposed construction and/or maintenance; and (c) the costs incurred in acquiring additional easements or private rights-of-way, including without limitation easements for lines, access, tree trimming, guy wires, anchors and other devices, appliances and other equipment, and any and all other such easements and property rights as may be reasonably necessary for the Company's installation, operation and maintenance of its Facilities (collectively, the "Relocation Costs").

The cost of any improvements or betterments that are not made necessary by the proposed construction or maintenance shall not be subject to the percentage split contemplated above. Such costs shall be paid as follows: (a) the costs of any improvements or betterments of a Facility being made solely at Company's option (and not being made necessary by the proposed construction and/or maintenance) shall be fully paid by Company; and (b) the costs of any improvements or betterments of a Facility being made solely at County's request (and not being made necessary by the proposed construction and/or maintenance) shall be fully paid by County.

Upon completion by Company of the Work and subject to determination of Company's Prior Rights Claim in accordance with Sections 3 and 4 below, County will pay Company a sum equal to the lesser of (a) THREE HUNDRED THIRTY THOUSAND AND SEVEN HUNDRED NINETY-SIX Dollars ($330,796.00), otherwise reflected as **ONE HUNDRED percent (100%)** of the Total Estimate and representing the aforementioned Reimbursement Claim, or (b) the corresponding percentage of actual Relocation Costs representing Company's compensable property interests with respect to the Project. County will also pay Company for the costs of any

improvements or betterments of a Facility being made solely at County's request and not being made necessary by the proposed construction and/or maintenance.

2.2 **Progress Payments**

If Company chooses to submit invoices for progress payments, County will pay same within thirty (30) days from receipt of the invoice, subject to Verification (as defined below) thereof by the County. Upon completion of the Work, Company shall submit a final bill to County and County shall make a final payment within thirty (30) days from receipt of the final bill, subject to Verification thereof by the County.

2.3 **Change in Scope**

In the event there is a change in the Project, including without limitation a change in scope, design, plans, service, property interests to be acquired, engineering or costs, due to either (a) events or circumstances beyond Company's reasonable control, or (b) County's request, the Parties will negotiate in good faith a mutually acceptable agreement or amendment to this Agreement, in writing, to address such change and any increase in costs above those set forth in the Estimate.

Section 3 DETERMINATION OF COMPENSABLE PROPERTY INTEREST

3.1 If Company determines it has compensable property interests with respect to the Project, Company will submit a Reimbursement Claim. The Parties agree that they will in good faith share non-privileged information with each other related to the issue of prior rights for the Project. If County determines that Company's evidence is insufficient to make a determination as to Company's compensable property interests and the percentage of the Relocation Costs to be paid by Company based upon such compensable property interests, County will provide Company with a written basis for such insufficiency and request that Company provide additional information. County will make a determination as to any asserted Reimbursement Claim before the earlier of: (a) the date that is thirty (30) days after receipt of the Reimbursement Claim; and (b) the date on which Company needs to commence the Work in order to prevent a Project delay (the "Commencement Date").

3.2 In the event that a determination cannot reasonably be made prior to the Commencement Date, provided that County certifies in writing to Company that the Project is time-sensitive due to construction scheduling with the possibility of damages for delay, safety concerns, or critical funding deadlines, Company will commence the Work without a written determination having been made. In such case, the Party's rights, claims and defenses with regard to the issue of compensable property interests and prior rights will not be waived or affected in any manner. If County does not thereafter make a determination regarding the Reimbursement Claim within six (6) months from the date of County's receipt of same, the Reimbursement Claim will be deemed approved by County.

Section 4 DISPUTE RESOLUTION

4.1 Disagreement

If Company disagrees with County's determination with regard to the Reimbursement Claim and the Parties are unable to settle the issue through informal negotiations, then, at the request of either Party, the Parties agree to escalate the matter pursuant to Section 4.2 below.

4.2 Dispute Notice

Except as otherwise set forth in this Agreement, any controversy or claim arising out of or relating to this Agreement, or the breach thereof, will be settled: (a) first, by good faith efforts to reach mutual agreement of the Parties; and (b) second, if mutual agreement is not reached within thirty (30) calendar days of a written request by a Party to resolve the controversy or claim (the "Dispute Notice"), each of the Parties will appoint a designated representative who has authority to settle the dispute (or who has authority to recommend to the governing body of such Party a settlement of the dispute) and who is at a higher level of management than the persons with direct responsibility for administration of this Agreement. The designated representatives will meet as often as they reasonably deem necessary in order to discuss the dispute and negotiate in good faith in an effort to resolve such dispute. The specific format for such discussions will be left to the discretion of the designated representatives, provided, however, that all reasonable requests for relevant information made by one Party to the other Party will be honored if such information is reasonably available. If within sixty (60) days after issuance of a Dispute Notice (a) the Parties are unable to resolve issues related to the dispute, or (b) County fails to approve any tentative agreement reached, the Parties agree to participate in confidential, non-binding mediation pursuant to Section 4.3 below, it being understood, however, that nothing herein will diminish or relieve either Party of its rights or obligations under this Section 4.

4.3 Mediation

If the Parties are unable to resolve a dispute through informal negotiations or pursuant to Section 4.2, the Parties agree to participate in confidential, non-binding mediation by an impartial, third party mediator mutually agreed upon by the Parties, at a mutually convenient location. The Parties agree that a potential mediator's experience in prior rights and real estate law will be relevant factors in selecting a mediator. In the event the Parties are unable to agree on a third party mediator within ninety (90) days of issuance of the Dispute Notice, each Party shall designate a mediation representative, and the two mediator representatives shall in good faith select a third party mediator. Each Party shall be responsible for its own attorneys' fees and expenses and for providing its own information and documentation applicable to the dispute to the mediator. All other agreed upon costs of the mediation will be apportioned equally to each Party. Any dispute not resolved by negotiation, escalation or mediation may then be submitted to a court of competent jurisdiction, and either Party may invoke any remedies at law or in equity. Nothing contained herein, however, will preclude the Parties from first seeking temporary injunctive or other equitable relief. The Parties agree that any statute of limitations, equity or other time-based periods shall be tolled as of and from the date of the Dispute Notice until a complaint, if any, is filed.

Section 5 VERIFICATION

5.1 Material Discrepancy

For purposes of this Section 5, "Verification" means that County has reasonably determined that there is a material discrepancy between Company's invoiced charges and County's calculation of charges owed, which invoiced charges are subject to a bona fide dispute; provided, however, County agrees to provide the Company with written notice, including supporting documentation, illustrating the basis for such bona fide dispute, within sixty (60) days of receipt of the invoice in dispute. Should County fail to provide such documentation within the specified time period, County must pay the disputed amount. County must pay any undisputed portion of the invoice total within thirty (30) days after its receipt of the invoice. County must pay any disputed portion of the invoice total within thirty (30) days of the date the dispute is resolved, to the extent the dispute is resolved in favor of Company.

5.2 Audit

At any time within thirty-six (36) months after the date of final payment, County, at its sole expense, may audit the non-privileged cost records, support documentation and accounts of Company pertaining to this Project to solely assess the accuracy of the invoices submitted by Company and notify Company of any amount of any unallowable expenditure made in the final payment under this Agreement, or, if no unallowable expenditure is found, notify Company of that fact in writing. Any such audit will be conducted by representatives of County or, if applicable, the Georgia Department of Transportation or the Federal Highway Administration, after reasonable advance written notice to Company and during regular business hours at the offices of Company in a manner that does not unreasonably interfere with Company's business activities and subject to Company's reasonable security requirements. As a prerequisite to conducting such audit, County or, if applicable, the Georgia Department of Transportation or the Federal Highway Administration, will sign Company's Nondisclosure Agreement. Company may redact from its records provided to County information that is confidential and irrelevant to the purposes of the audit. Company will reasonably cooperate in any such audit, providing access to Company records that are reasonably necessary to enable County to test the accuracy of the invoices to which the audit pertains, provided that County or, if applicable, the Georgia Department of Transportation or the Federal Highway Administration, may only review, but not copy, such records. If Company agrees with the audit results and does not pay any such bill within ninety (90) days of receipt of the bill from County (based on the mutually agreed upon audit results), County may set off the amount of such bill against the amounts owed Company on any then-current contract between Company and County. If, following the audit, the Parties are unable to resolve any dispute concerning the results of the audit through informal negotiation, the provisions of Sections 4.2 and 4.3 will govern the resolution of the dispute. County may not perform an audit pursuant to this Agreement more frequently than once per calendar year and may not conduct audits twice within any six (6) months.

Section 6 COUNTY AS PARTY

County acknowledges that this Agreement is "proprietary" in nature under applicable Georgia law, as permitted by O.C.G.A. § 36-60-13(j), and not "governmental" or "legislative," as prohibited by O.C.G.A. § 36-30-3(a). County further represents and warrants that this Agreement will comply with all applicable laws concerning County actions and approvals and execution of binding agreements. County covenants to undertake all actions necessary to bind County.

Section 7 COMMENCEMENT AND TERMINATION CONDITIONS

Company is not obligated to commence the Work until Parties agree on the removal, relocation and/or adjustment to Company's facilities required by the Project. If County fails to authorize commencement of the Work by September 8, 2027, Company will have no obligation to begin the Work and may terminate this Agreement without penalty by providing County with notice in writing. If County fails to sign and return this Agreement to Company September 8, 2027, any offer made by Company pursuant to the Agreement is automatically revoked and the agreement is void and of no effect.

Section 8 MISCELLANEOUS PROVISIONS

Duplicate originals of this Agreement will be executed, each of which will be deemed an original but both of which together will constitute one and the same instrument. This Agreement may be modified only by an amendment executed in writing by a duly authorized representative for each Party. This Agreement contains the entire agreement of the Parties, and all prior oral agreements are superseded and integrated into this Agreement. This Agreement will be governed by and construed in accordance with the laws of the State of Georgia. This Agreement shall accrue to the benefit of and be binding upon the successors and assigns of the Parties. The Parties agree that this Agreement shall be deemed to have been executed in Georgia.

[SIGNATURES ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the Parties have executed this Contract in four (4) counterparts, each of which shall be deemed an original in the year and day first above mentioned.

ATTEST:

By: _____

Title: _____

Witness: _____

Notary: _____
(SEAL)

EFFINGHAM County, GEORGIA

By: _____
Chairman, Board of Commissioners

(SEAL)

Approved as to Form by:

_____
Effingham County Department of Transportation

Recorded on the Minutes of the County Commission at Minute Book ____, Page_____.

ATTEST:

By: _____

Title: _____

Witness: _____

Notary: _____
(SEAL)

GEORGIA POWER COMPANY

By: _____

Date: _____

[Give proper title of each person executing Agreement. Attach seal as required.]

Georgia Power

DOT Prior Rights Research PI# L13335
McCall Rd @ Rahn Station Roundabout
Effingham County

Prepared By: Debra Andrews
Date: March 11, 2026

Prior rights research for the above DOT project in Effingham County is complete. A thorough search has been performed in the Georgia Power Company LIMS database, Effingham County Tax Assessors website, GDOT GeoPI website and GSCCCA.org website by Land District, property owners and address. The project is in the 9th GMD Land District of Effingham County. The conflict locations are along McCall Rd @ Rahn Station Roundabout, involving Little McCall Road, McCall Road and Rahn Station Road.

Distribution:

Distribution Base Map Number: 1338-0752.

Georgia Power Company first placed distribution facilities along the project area of McCall Road and Little McCall Road, also known as Rahn Extension, dated April 23, 1946, acquiring an easement which covers all locations in conflict from B L Rahn, PSN 525324, dated 1946 and also as shown on Exhibit A and attached documentation.

Conclusion:

Georgia Power Company placed distribution facilities within private easements beginning in 1946. GDOT would need to provide earlier evidence of right-of-way if claiming prior rights.

EXHIBIT "A"
EFFINGHAM COUNTY
Sand Hill Road at Blue Jay Road Roundabout
PI# L 13303
14-Apr-26

Sht/Loc#	Reimb	Non-Reimb	Comments
24-0001			
LOC 1	X		OFF R/W. Distribution easement from H. J. Fetzer, PSN 5313739 dated September 28, 1946. Also shown on LEP144 Sheet 1, dated August 20, 1946. Sand Hill Road also known as Eden-Marlow HWY.
LOC 2	X		See LOC 1
LOC 3	X		Distribution easement from Mrs. R. E. Fetzer, PSN 531379 dated September 28, 1946. Also shown on LEP144 Sheet 1, dated August 20, 1946. Blue Jay Road also known as Old Louisville Rd.
LOC 4	X		See LOC 3
LOC 5	X		See LOC 3 - OFF R/W

KEY MAP

4.8 Kv. COMMON NEUTRAL GROUNDED SYSTEM

Note- All guys 3M.

W.O.#2187

SAND HILL ROAD
1946 RURAL EXTENSION
EFFINGHAM COUNTY, GA.
SAVANNAH ELECTRIC & POWER CO.
Engineering Dept.

	DRAWN	CHK'D	APP'D
August 20,1946 Scale: 1"=200Ft.	G.M.	W.C.	LEP-146 Sheet 1

PSN
531373

Eff09/28/46.001

STATE OF GEORGIA

COUNTY OF Effingham

For and in consideration of the sum of One Dollar, receipt of which is hereby acknowledged, the undersigned hereby grantS to the SAVANNAH ELECTRIC AND POWER COMPANY, its successors and assigns, the right to construct and maintain an electric transmission and distribution system over and across the land, or upon and along the road adjoining the said land in the County of Effingham State of Georgia, described as follows:

All that certain lot, tract or tract of land situate, lying and being in the 1559th District, G. M., Effingham County, Georgia, bounded on the North by lands of the Estate of R. E. Fetzer and on the South by lands of C. A. Fetzer. The property affected by this right of way easment being that portion of said lands which lie along or near the power line of said grantee to be constructed over said right of way, and on the map or plat of said right of way made for said Grantee and known as 1946 Sand Hill Road Rural Extension, dated August 20, 1946, and on said map known as Parcel No. 4.

Said electric transmission and distribution system with accompanying poles, wires, crossarms, guys and other equipment is to be constructed in such manner as the Grantee may deem necessary, and permission is hereby given to patrol, repair and renew the same from time to time, and to cut or trim at any time trees which in the judgment of the Grantee will interfere with the construction, operation or maintenance of said electric transmission and distribution system.

95 99 246-

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, this 28, day of September, 1946, 19.

Signed, sealed and delivered in the presence of:

Herman M. Fetzer

C. A. Fetzer

Notary Public, State of Georgia.

H. J. Fetzer (L.S.)

(L.S.)

County of

DOCUMENT FILE

EFF 95.

F61—2M—9-45

EASEMENT

From

H. J. Fetzer

To

Savannah Electric & Power Co.

STATE OF GEORGIA, EFFINGHAM COUNTY

I Hereby certify this instrument was filed for Record in the Clerk's Office Superior Court, said County on the 7 day of NOV 1946 194... 3... o'clock P M. and Recorded in Book No. 99, page 246-247 this 9 day of Nov 1946

J. H. Shannon
Clerk Superior Court, Effingham County

Received for record ____ day of ____

19____, ____ o'clock ____ M.

Clerk, Superior Court.

PSN
531379

E-FF09128/46.005

Item IX. 2.

STATE OF GEORGIA

COUNTY OF Effingham

For and in consideration of the sum of One Dollar, receipt of which is hereby acknowledged, the undersigned hereby grant S to the SAVANNAH ELECTRIC AND POWER COMPANY, its successors and assigns, the right to construct and maintain an electric transmission and distribution system over and across the land, or upon and along the road adjoining the said land in the County of Effingham State of Georgia, described as follows:

All that certain lot, tract or parcel of land situate, lying and being in the 1559th District, G. M., Effingham County, Georgia, bounded on the West by lands of H. J. Fetzer and on the East by lands of C. A. Fetzer and Fetzer Turpentine Company. The property rights hereby conveyed being all that portion of said tract of land which lies along or near the power line of the Grantee to be constructed over said lands, and is more clearly shown on the map of said Grantee known as Sand Hill Road Rural Extension dated August 20, 1946, and is made for the purpose of granting a right of way for said power line over and across the lands of the Grantor, and on said map known as Parcel Number 2.

Said electric transmission and distribution system with accompanying poles, wires, crossarms, guys and other equipment is to be constructed in such manner as the Grantee may deem necessary, and permission is hereby given to patrol, repair and renew the same from time to time, and to cut or trim at any time trees which in the judgment of the Grantee will interfere with the construction, operation or maintenance of said electric transmission and distribution system.

95

99 245-

IN WITNESS WHEREOF, the Grantor has hereunto set her hand and seal, this 28th day of September, 1946.

Signed, sealed and delivered in the presence of:

H. J. Fetzer

C. A. Fetzer

Notary Public, State of Georgia.

County of

Mrs. R. E. Fetzer (L.S.)

(L.S.)

DOCUMENT FILE

EFF 95.

Item IX. 2.

F61—2M—9-45

EASEMENT

From

Mrs. R. E. Fetzer

To

Savannah Electric & Power Co.

STATE OF GEORGIA, EFFINGHAM COUNTY

I hereby certify this instrument was filed for Record in the Clerk's Office Superior Court, said County on the NOV 7 1946 day of ..... 194.... 3 o'clock P M. and Recorded in Book No. 99, page 245/246 this 9 day of Nov. 1946

Clerk Superior Court, Effingham County

Received for record ..... day of .....

19....., ... o'clock ..... M.

Clerk, Superior Court.

Curve* 1
PI Sta= 103+82.72
N= 804457.6556
E= 895206.3432
DELTA= 32°56'10.0" (LT)
D= 13°38'30.67"
T= 124.15
L= 241.43
R= 420.00
E= 17.97
D.S.= 25

Curve* 2
PI Sta= 200+65.23
N= 804607.8538
E= 895357.5276
DELTA= 17°39'24.2" (RT)
D= 13°38'30.67"
T= 65.23
L= 129.43
R= 420.00
E= 5.04
D.S.= 45

Curve* 6
PI Sta= 309+35.80
N= 804626.0235
E= 895266.0982
DELTA= 17°39'24.2" (LT)
D= 13°38'30.67"
T= 65.23
L= 129.43
R= 420.00
E= 5.04
D.S.= 45

Curve* 7
PI Sta= 400+65.23
N= 804474.5804
E= 895318.1300
DELTA= 17°39'24.2" (RT)
D= 13°38'30.67"
T= 65.23
L= 129.43
R= 420.00
E= 5.04
D.S.= 45

MATCH LINE STA. 308+50.00 DRAWING No. 24-0003

MATCH LINE STA. 202+00.00 DRAWING No. 24-0002

MATCH LINE STA. 401+00.00 DRAWING No. 24-0004

1
25-122035
25-3
40'
175'
2ACSR+
2ACSRN

CONC. SPILLWAY
GA STD. 9013 TP 3

2ACSR+
2ACSRN

RIP-RAP

REQ'D R/W

5.01
35'-5
G

AT0509
30A KS
45'

156'
2ACSR+2ACSRN
3G

45'-3

3
FWB1530
30A
KS
50'

FWB1530
30A KS
55'-3

3-397ACSR+
4/0ACSRN

64'

138'
321'
3-397ACSR+
4/0ACSRN

STONE DUMPED
RIP RAP
TP 3, D=18"
AREA=2.67 SY

EF-358G
45'

4.01

CONC. SPILLWAY
GA STD. 9013
TP 3

EXIST. R/W

24"W

N/F
GERALD & MOUNTAIN
DB. 296

N/F
MERYL M. MORGAN
DB. 161 PG. 18

SAND HILL RD

Curve* 8

N28°33'13.3"E
BLUE JAY RD

Curve* 2

STONE DUMPED RIP-RAP
TP 3, D=18" AREA=2.67 SY

CONC. SPILLWAY
GA STD. 9013 TP 3

CENTER OF ROUNDABOUT
N:804552.6827
E:895299.0433

3

N/F
REMI NICOLE ARLINE
DB. 2953 PG. 375

1/0ALTPX

3

2ACSR+
2ACSRN

1/0ALTPX

BEGIN CONSTRUCTION
STA 102+48.00
N:804383.2814
E:895094.0127
MATCH SE EXISTING

RAY FETZER DR

N56°29'28.7"E

15-111270
15-3
35'

6

CONCRETE
DRIVE

CONCRETE
STA 101+50.00
N:804329.1789
E:895012.3002

CONC. SPILLWAY
GA STD. 9013 TP 3

STONE DUMPED RIP-RAP
TP 3, D=18" AREA=2.67SY

REQ'D R/W

7

30'

2

N/F
KEELY & EILEEN GIARDINA
DB. 2958 PG. 588

12+00

400+00

18" RCP

A1

18"

Curve* 7

SAND HILL RD

GRAVEL DRIVE

3-336ACSR+
3/0ACSRN
M3222-9466

214'

3-397ACSR+4/0ACSRN

123

11+00

200+00

SCALE IN FEET
0 20 40 80

ELECTRONIC FILE DATE	CONSTRUCTION REVISION DATE
PLANS DATE: 08/12/2025	REVISION DATE:
PLANS DATE:	REVISION DATE:
PLANS DATE:	REVISION DATE:
PLANS DATE:	REVISION DATE:
PLANS DATE:	REVISION DATE:

ENGINEERED BY: TIMOTHY AARON NIPPER DATE: JAN 2026
PROJECT TITLE: SAND HILL ROAD AT BLUE JAY ROAD ROUNDABOUT
PROJECT #:
WORK ORDER #: PI: L13303
REGION: SAVANNAH AREA HQ: SAVANNAH
COUNTY: EFFINGHAM
MAP REFERENCE: 1305-0718 DWG #: 24-0001

Georgia Power

Curve* 3
PI Sta= 205+65.02
N= 805047.7566
E= 895596.9094
DELTA= 36°36'50.8" (RT)
D= 07°09'43.10"(2) D= 03°49'10.99"(3)
T= 359.41(2) T= 464.16(3)
L= 187.61(2) L= 606.78(3)
R= 800.00(2) R= 1500.00(3)
E= 77.03
D.S.= 45(2) D.S.= 45(3)

4
N/F
GERALD B. FOUNTAIN
DB. 216 PG. 296

189'
2ACSR+2ACSRN
4ACSR+
4ACSRN

229'
3-2ACSR+2ACSRN
3-2ACSR+2ACSRN

123

321

321

1

2

206+00

207+00

208+00

302'
3-397ACSR+4/0ACSRN

REQ'D R/W

EXIST. R/W

END CONSTRUCTION
STA 206+94.00
N:805086.9072
E:895755.3745
MATCH SE EXISTING

3-336ACSR+
3/0ACSRN

BLUE JAY RD

END PROJECT
BLUE JAY RD
STA 208+00.00
N:805146.8577
E:895842.7697

8.01

50'-3

295'
3-397ACSR+4/0ACSRN

205+00

204+00

108'
3-397ACSR+
4/0ACSRN

7.5

EF-358G
50'-3

45'

9.01

FWB1040
30A KS
FWB1529
30A KS
45'-3

FWB1040
30A
KS
45'

9

NSA
FWB1529
30A
KS

Curve* 3

NEW PAVEMENT
OLD PAVEMENT

8

3-336ACSR+
3/0ACSRN

EXIST. R/W

REQ'D R/W

EXIST. R/W

REQ'D R/W

MATCH LINE STA. 202+00.00

DRAWING No. 24-0001

5
N/F
CHERYL M. MORGAN
DB. 161 PG. 181

SCALE IN FEET
0 20 40 80

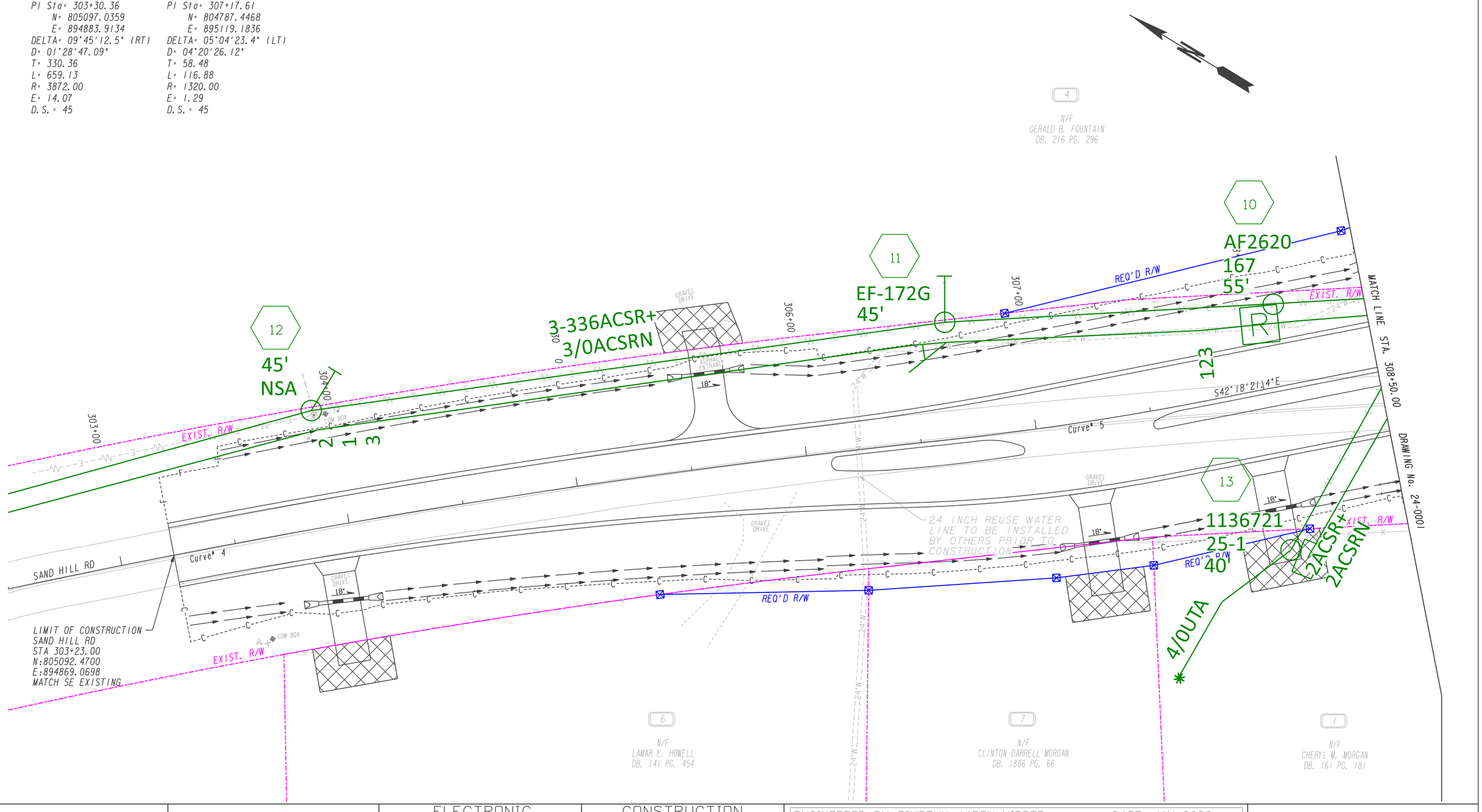
ELECTRONIC FILE DATE	CONSTRUCTION REVISION DATE
PLANS DATE: 08/12/2025	REVISION DATE:
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REGION: SAVANNAH AREA HQ: SAVANNAH
COUNTY: EFFINGHAM
MAP REFERENCE: 1305-0718 DWG #: 24-0002

Georgia Power

Curve* 4
PI Sta= 303+30.36
N= 805097.0359
E= 894883.9134
DELTA= 09°45'12.5" (RT)
D= 01°28'47.09"
T= 330.36
L= 659.13
R= 3872.00
E= 14.07
D.S.= 45

Curve* 5
PI Sta= 307+17.61
N= 804787.4468
E= 895119.1836
DELTA= 05°04'23.4" (LT)
D= 04°20'26.12"
T= 58.48
L= 116.88
R= 1320.00
E= 1.29
D.S.= 45

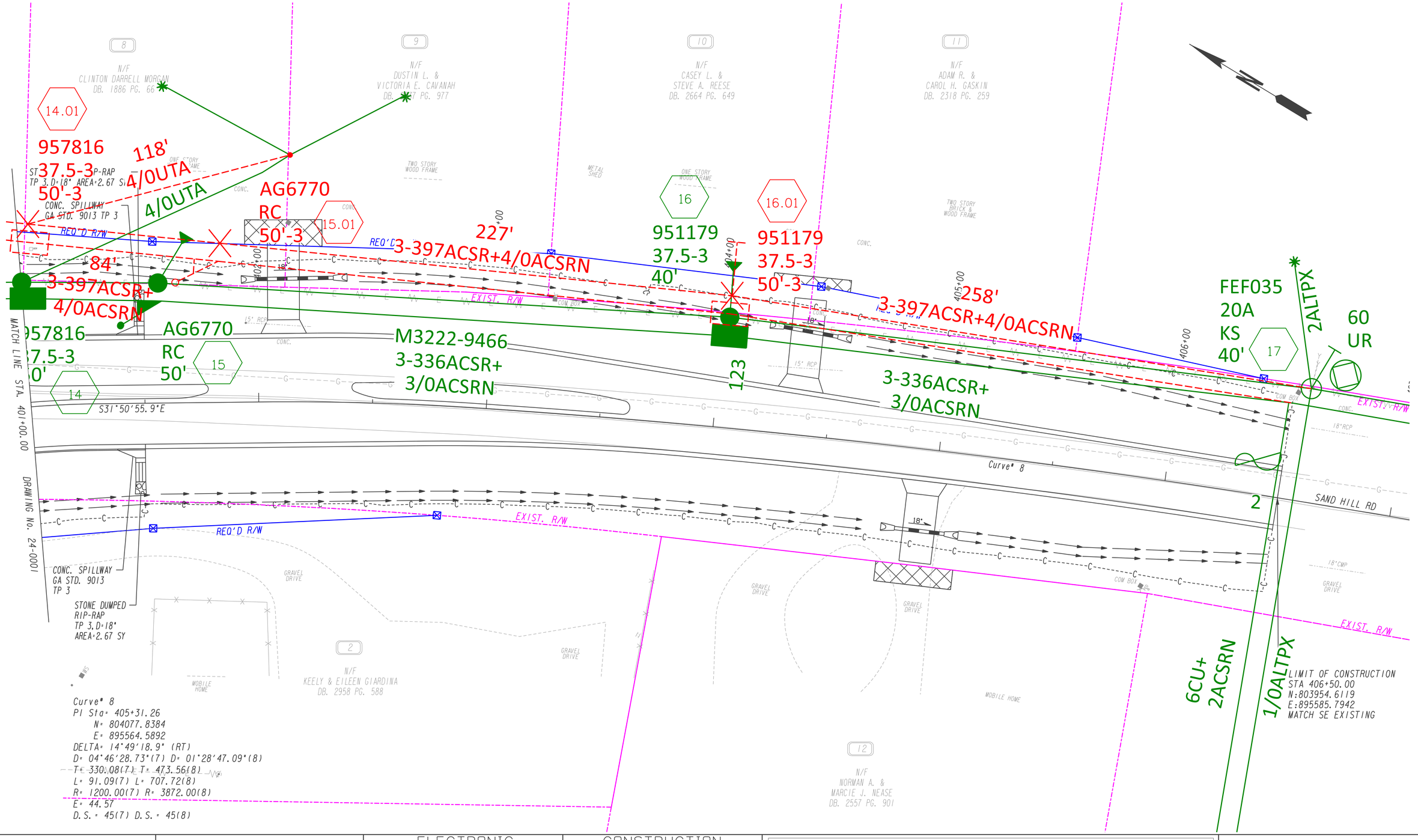


SCALE IN FEET
0 20 40 80

ELECTRONIC FILE DATE	CONSTRUCTION REVISION DATE
PLANS DATE: 08/12/2025	REVISION DATE:
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REGION: SAVANNAH AREA HQ: SAVANNAH
COUNTY: EFFINGHAM
MAP REFERENCE: 1305-0718 DWG #: 24-0003

Georgia Power



SCALE IN FEET
0 20 40 80

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COUNTY: EFFINGHAM
MAP REFERENCE: 1305-0718 DWG #: 24-0004

Georgia Power

Staff Report

Subject: Coastal Regional Commission Area Agency on Aging Meal Contract #2027-08
Author: Mark W. Barnes, Finance Director
Department: Finance
Meeting Date: 10/20/26
Item Description: Consideration to approve Coastal Regional Commission (CRC) Area Agency on Aging (AAA) Contract #2027-08 for FY27.

Summary Recommendation:
Staff recommends approval of the CRC AAA Contract #2027-08 for the provision of services and meals to our elderly population.

Executive Summary/Background:
Each year the County renews a contract with Coastal Regional Commission of Georgia Area Agency on Aging to be the provider of Aging Services meals to our Senior Citizens in Effingham County. This funding source plays a significant role in the County's ability to serve warm meals to the elderly population of Effingham County.

1. The contract provides federal and state funding to serve congregate and home-delivered meals.
2. The contract shows:
    - A total funding budget, from all sources, of $266,272
    - Federal funding of $135,859.
    - State funding of $91,788.
    - Required match of $15,983.
    - Program income and other local funding of $22,642.

Alternatives for Commission to Consider:
1. Approve the CRC AAA Contract #2027-08.
2. Do not approve CRC AAA Contract #2027-08.
3. Provide Staff with Direction

Recommended Alternative:
Staff recommends Alternative number 1 – Approve the CRC AAA Contract #2027-08.

Other Alternatives: N/A

Department Review: Finance

Funding Source:
Funding is as noted from Federal and State funding. Required match is included in the FY27 Budget.

Attachments:
CRC Contract #2027-08 documents

COASTAL REGIONAL COMMISSION
AREA AGENCY ON AGING CONTRACT

PROJECT: Congregate and Home Delivered Meals
CONTRACT # See Annex A

SECTION I: GENERAL CONTRACT PROVISIONS

PARA #101: CONTRACT BETWEEN

This contract is made and entered into by and between the Coastal Regional Commission, hereinafter referred to as the "CRC";

The responsibilities of the CRC herein are performed through its Area Agency on Aging Department, hereinafter referred to as "AAA" under the policies and procedures of the Georgia Department of Human Services (DHS) Division of Aging Services (DAS).

AND

Effingham County Commission

legally empowered to contract pursuant to the laws of Georgia, and hereinafter referred to as the "CONTRACTOR".

This contract is deemed to be made under and shall be construed and enforced in every respect according to the laws of the State of Georgia.

Nothing contained in this contract shall be construed to constitute the CONTRACTOR or any of its employees, agents, or subcontractors as a partner, employee, or agent of the CRC, nor shall either party to this contract have any authority to bind the other in any respect, it being intended that each shall remain an independent CONTRACTOR.

PARA # 102 CRC AND CONTRACTOR AGREEMENTS:

WITNESSETH:

WHEREAS, the CRC AAA has a need for and desires a comprehensive service delivery system comprised of an array of services for the elderly and/or disabled persons in the Coastal Georgia Planning and Service Area (PSA), funded by various fund sources. These services are to be rendered in order that elderly and/or disabled Georgians may live independently in their communities for as long as possible thereby preventing premature institutional placement; and

WHEREAS, the CONTRACTOR has represented to the CRC AAA its ability and interest in providing services to the elderly.

NOW, THEREFORE, in consideration of the mutual covenants herein set forth, it is agreed by and between the parties hereto as follows:

A. The CONTRACTOR agrees:

1. That the CONTRACTOR may move and/or close service delivery sites during the term of this contract only with the prior written approval of the Executive Director of the CRC.

2. That the CONTRACTOR will deliver the services described in Annex A.

3. That reimbursement of Title III funds for the first quarter (July, August, and September) of this contract year is limited to 25% of total federal and state funds as indicated in Annex A.

4. That reimbursement (unit cost or line item) will be as specified in Annex A.

5. That reimbursement for all services provided under this contract are performance based, to include quality of services, compliance, and/or the number of units served. CONTRACTOR also agrees that the CRC AAA may withhold reimbursement for low, poor, and/or non-compliance performance and if satisfactory explanations are not provided regarding the provision of units and/or services and the ratio of dollars expended.

6. That the CRC AAA may withhold reimbursement until all outstanding paperwork and/or reporting as required by the State and the CRC AAA is satisfactorily completed by the CONTRACTOR and received by the CRC. **PARA #206** Programmatic Report Submissions and **PARA #207** Expenditure Report Submissions of this contract provide report submission requirements.

7. That the CONTRACTOR will disclose any agreements between CONTRACTOR and clients receiving services under this contract.

8. That program income (contributions from participants) will be reported to the CRC AAA on the CONTRACTOR's monthly financial reporting form for the same month in which it is contributed. The amount of the program income will be deducted from the CONTRACTOR'S monthly payment. Program income must be tracked separately.

9. That donations from individuals, agencies, organizations, churches, and other entities must be expended in the manner and in the time frame as specified by the donating individual or group. The receipt of these additional funds must be reported to the CRC AAA on the CONTRACTOR's monthly financial reporting

form for the same month in which they are received.

10. That the CONTRACTOR will furnish the required match as indicated in Annex A. Requirements for certified cost and/or in-kind match are specified in PARA # 204 of this contract.

11. That the CONTRACTOR will use the DHS, Division of Aging Services, and CRC AAA reporting, information gathering and tracking forms. CONTRACTOR agrees to develop and maintain a separate file on each client as required by the Division of Aging and the CRC AAA. All required forms will be provided by the CRC AAA under separate cover.

12. That the CONTRACTOR will provide the service(s) as indicated in Annex A, Statement of Work at the unit cost specified in Annex A (if a unit cost has been established).

13. That the CONTRACTOR agrees to and acknowledges the hearing procedures for grievances as described in Annex B.

14. That the CONTRACTOR will use the Uniform Cost Methodology on an annual basis, in accordance with the Division of Aging Services' policies and procedures and the CRC AAA policies and procedures to determine projected costs of contracted services.

15. That the CRC AAA has the right to reduce the amount of this contract. For instance, the CRC may exercise this option when projected expenditures are less than the contract amount, for non-performance of duties, or for non-compliance with this contract.

B. <u>The CRC will:</u>

1. Assess, monitor, and evaluate progress towards achievement of objectives set forth in all applicable requirements, guidelines, manuals, policies and procedures as required by the Department of Human Services, Division of Aging Services, and the CRC AAA.

2. Provide technical assistance, guidance, consultation, management support and other necessary support.

3. Process programmatic and financial reports and submit to the Department of Human Services, Division of Aging Services for evaluation, dissemination, and reimbursement for the CONTRACTOR.

This contract has an effective beginning date of July 1, 2026, and shall terminate on June 30, 2027, unless terminated earlier under other provisions of this contract.

PARA #103: DEPARTMENT AND CONTRACTOR CONTACT INFORMATION

A. Mailing Addresses: The mailing addresses, telephone numbers, and contact persons listed below for the Coastal Regional Commission (CRC) and the CONTRACTOR may be changed during the term of this contract by written notification to the other party by the CRC office representatives or by the CONTRACTOR.

1. The CRC mailing address and telephone number for correspondence, reports, and other matters relative to this contract, except as otherwise indicated, are:

   Coastal Regional Commission
   1181 Coastal Drive, SW
   Darien, GA 31305
   Telephone #: (912) 514-1620

2. The CONTRACTOR's mailing address and telephone number for correspondence, reports, and other matters relative to this contract are:

   Mark W. Barnes, Finance Director
   Effingham County Commission
   804 South Laurel St.
   Springfield, GA 31329
   912-754-2413

B. Mailing Address for Contract Payments: The CONTRACTOR's mailing address for all contract payment checks or remittance advice is:

   Mark W. Barnes, Finance Director
   Effingham County Commission
   804 South Laurel St.
   Springfield, GA 31329
   912-754-2413

PARA #104: NONDISCRIMINATION BY CONTRACTORS AND SUB-CONTRACTORS

A. NONDISCRIMINATION IN EMPLOYMENT PRACTICES: The CONTRACTOR agrees to comply with federal and state laws, rules and regulations, and the Department of Human Services' policy relative to nondiscrimination in employment practices because of political affiliation, religion, race, color, sex, handicap, age, creed, veteran status or national origin. Nondiscrimination in employment practices is applicable to employees, applicants for employment, promotions, demotions, dismissal, and other elements affecting employment/employees.

B. NONDISCRIMINATION IN CONSUMER/CUSTOMER/CLIENT SERVICE PRACTICES: The CONTRACTOR agrees to comply with federal and state laws,

rules and regulations, and the Department of Human Services' policy relative to nondiscrimination in consumer/customer/client service practices because of political affiliation, religion, race, color, sex, disability, sexual orientation, gender identity, age, creed, veteran status or national origin. Neither shall any individual be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any program or activity conducted or supported by the Department of Human Services and the CRC.

C. COMPLIANCE WITH APPLICABLE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT: The CONTRACTOR agrees to comply with all applicable provisions of the Americans with Disabilities Act (ADA) and any relevant federal and state laws, rules, and regulations regarding employment practices toward individuals with disabilities and the availability/accessibility of programs, activities, or services for consumers/customers/clients with disabilities.

D. SUBCONTRACTOR COMPLIANCE The CONTRACTOR agrees to require any subcontractor performing services funded through this contract to comply with all provisions of the federal and state laws, rules, regulations, and policies described in this paragraph.

PARA #105: CONFIDENTIALITY OF INDIVIDUAL INFORMATION

The CONTRACTOR agrees to abide by all state and federal laws, rules and regulations, and the Department of Human Services policy and procedures on respecting confidentiality of an individual's records. CONTRACTOR further agrees not to divulge any information concerning any individual to any unauthorized person without the written consent of the individual employee, consumer/customer/ client, or responsible parent or guardian.

The CONTRACTOR agrees to comply with the Health Insurance Portability and Accountability Act (HIPAA) and Privacy rule promulgated in 45 CFR Part 160 and Part 164 subparts A and E. The CONTRACTOR understands and acknowledges that DHS is a covered entity as defined by HIPAA and the CONTRACTOR further understands and acknowledges that it is a business associate of DHS as defined by HIPAA and agrees to comply and abide by DHS' privacy standards and procedures. The CONTRACTOR therefore agrees that any use of protected health information pursuant to this contract will comply with all HIPAA and DHS requirements and privacy standards and procedures.

PARA #106: CONFLICT OF INTEREST

A. The CONTRACTOR and the CRC certify that the provisions of the Official Code of Georgia Annotated, Section 45-10-20 through 45-10-29, as amended, which prohibit and regulate certain transactions between certain state officials or employees and the State of Georgia, have not been violated, and will not be violated, in any respect.

B. CODE OF CONDUCT AND CONFLICT OF INTEREST: No officer, employee, or agent of the CONTRACTOR shall solicit or accept gratuities, favors, or anything of

monetary value from suppliers, or potential suppliers, including subcontractors under this contract.

No officer, employee, or agent of the CONTRACTOR shall participate in the selection, award, or administration of a procurement supported by Aging funds where, to the individual's knowledge, any of the following has a financial or other substantive interest in any organization that may be considered for award:

1. the officer, employee, or agent;
2. any member of his or her immediate family;
3. his or her partner; or
4. a person or organization which employs, or is about to employ, any of the above.

C. OFFICIALS NOT TO BENEFIT: No member of or delegate to a State or area Advisory Council shall be admitted to any share or part of this contract, or to any benefit that may arise there from; but this provision shall not be construed to extend to this contract if made with a corporation for its general benefit.

D. ANTI FRAUD PROCEDURES: The CRC maintains a high standard of integrity and ethics in the performance of its duties. The CRC Council has adopted an Antifraud Program which includes, among other standard procedures, the annual completion of a Code of Conduct Compliance Questionnaire by each of the employees of the CRC and each of the employees of each sub recipient/subcontractor of the funds/programs we manage for DHS and other governmental agencies. All contractors; employees must annually complete The Code of Conduct Compliance Questionnaire in Annex J attached hereto.

PARA #107: CONTRACT MODIFICATION/ALTERATION

A. Bilateral modification may occur as needed when such modification is requested in writing and signed by both parties and affixed to this contract as an amendment indicating the CRC's AAA contract number involved and the paragraph(s) being modified or superseded.

B. Unilateral modification by the CRC's AAA may occur in the event that either of the sources of reimbursement for services under this contract (appropriations from the General Assembly of the State of Georgia or the Congress of the United States of America) are reduced during the term of this contract, the CRC has the absolute right to make financial and other adjustments to this contract and to notify the CONTRACTOR accordingly. Such adjustment(s) may require a contract amendment including, but not limited to, a termination of the contract. A certification by the CRC's Executive Director of the occurrence of either of the reductions stated above shall be conclusive.

C. Unilateral modification by the CRC's AAA may occur in cases of non-compliance,

unreasonable delays, non-performance, or under-performance. Planned performance shall be monitored against actual performance. Under-performance shall constitute CONTRACTOR approval of unilateral reduction in funds to the level of actual performance.

D. Unilateral modification by the CRC's AAA may occur when cost data during contract negotiations was not accurate, complete or current. A unilateral modification by the CRC's AAA may occur when a federal or state requirement has been added, revised, or amended during the period of performance or became effective during the period of performance.

PARA #108: CRC RIGHT TO SUSPEND CONTRACT

The CRC reserves the right to suspend the contract/sub-grant in whole or in part under this contract provision if it appears to the CRC that the CONTRACTOR is failing to substantially comply with the quality of service or the specified completion schedule of its duties required under this contract, and/or to require further proof of reimbursable expenses prior to payment thereof, and/or to require improvement, at the discretion of the CRC, in the programmatic performance or service delivery.

PARA #109 :SEVERABILITY

Any section, subsection, paragraph, term, condition, provision or other part (hereinafter collectively referred to as "part") of this Contract that is judged, held, found, or declared to be voidable, void, invalid, illegal, or otherwise not fully enforceable shall not affect any other part of this Contract, and the remainder of this Contract shall continue to be of full force and effect. Any agreement of the parties to amend, modify, eliminate, or otherwise change any part of this Contract shall not affect any other part of this Contract, and the remainder of this Contract shall continue to be of full force and effect.

PARA #110: TERMINATION

A. Due to non-availability of funds. Notwithstanding any other provision of this contract, in the event that either of the sources of reimbursement for services under this contract (appropriations from the General Assembly of the State of Georgia or the Congress of the United States of America) no longer exist or in the event the sum of all obligations of the CRC incurred under this and all other contracts entered into for this program exceeds the balance of such contract sources, then this contract shall immediately terminate without further obligation of the CRC as of that moment.

B. Due to default or for cause. This contract may be terminated for cause, in whole or in part, at any time by the CRC for failure of the CONTRACTOR to perform any of the provisions hereof. Should the CRC exercise its right to terminate this contract under the provisions of this paragraph, the termination shall be accomplished in writing and specify the reason and termination date. The CONTRACTOR will be required to submit the final contract expenditure report no later than 30 days after the effective

date of written notice of termination. Upon termination of this contract, the CONTRACTOR shall not incur any new obligations after the effective date of the termination and shall cancel as many outstanding obligations as possible. The above remedies are in addition to any other remedies provided by law or the terms of this contract.

C. For Convenience. This contract may be cancelled or terminated by either of the parties without cause; however, the party seeking to terminate or cancel this contract must give written notice of its intention to do so to the other party at least 60 days prior to the effective date of cancellation or termination.

D. Notwithstanding any other provision of this paragraph, this contract may be immediately terminated without any opportunity to cure, if any of the following events occurs:

1. CONTRACTOR becomes insolvent or liquidation or dissolution or a sale of the CONTRACTOR's assets begins.
2. CONTRACTOR or any subcontractor violates or fails to comply with any applicable provision of federal or state law or regulation.
3. CONTRACTOR or any subcontractor knowingly provides fraudulent, misleading or misrepresentative information to any consumer/customer/client of the Department or to the Department.
4. CONTRACTOR has exhibited an inability to meet its financial or services obligations under this contract or fails to comply with Paragraph 113 of this agreement.
5. A voluntary or involuntary bankruptcy petition is filed by or against the CONTRACTOR under the U.S. Bankruptcy Code or any similar petition under any state insolvency law.
6. An assignment is made by the CONTRACTOR for the benefit of creditors.
7. A proceeding for the appointment of a receiver, custodian, trustee, or similar agent is initiated with respect to the CONTRACTOR.
8. The CRC deems that such termination is necessary if the CONTRACTOR or any subcontractor fails to protect or potentially threatens the health or safety of any consumer/customer/client and/or to prevent or protect against fraud or otherwise protect the State of Georgia's personnel, consumers/customers/clients, facilities, or services.
9. CONTRACTOR is debarred or suspended from performing services on any public contracts and/or subject to exclusion from participation in the Medicaid or Medicare programs.

PARA #111: COOPERATION IN TRANSITION OF SERVICES

The CONTRACTOR agrees upon termination of this contract, in whole or in part, for any reason to cooperate as requested by the CRC or DHS to effectuate the smooth and reasonable transition of the care and services for consumers/customers/clients as directed by the CRC. This will include but not be limited to the transfer of the

consumer/customer/client records, personal belongings, and funds of all consumers/customers/clients as directed by the CRC and/or the Department of Human Services. CONTRACTOR further agrees that should it go out of business and/or cease to operate, all original records of consumers/customers/clients served pursuant to this contract shall be transferred by the CONTRACTOR to the CRC and/or DHS immediately and shall become the property of the CRC and/or DHS.

PARA #112: FORCE MAJEURE

Each party will be excused from performance under this contract to the extent that it is prevented from performing, in whole or in substantial part, due to delays caused by an act of God, civil disturbance, civil or military authority, war, court order, acts of public enemy, and such nonperformance will not constitute a default under this contract or be a basis for termination for cause. Nothing in this paragraph shall be deemed to relieve the CONTRACTOR from its liability for work performed by any subcontractor. If the services to be provided to the CRC are interrupted by a force majeure event, the CRC will be entitled to an equitable adjustment to the fees and other payments due under this contract.

PARA #113: ACCESS TO RECORDS AND INVESTIGATION

A. The state and federal government, the Department of Human Services, and the CRC shall have full and complete access to all consumer/customer/client records, administrative records, financial records, pertinent books, documents, papers, correspondence, including e-mails, management reports, memoranda, and any other records of the CONTRACTOR and subcontractor for the purpose of conducting or reviewing audit examinations, excerpts, and transcripts. At the request of the CRC, CONTRACTOR shall make any such records available to the CRC within 48 hours notice. CONTRACTOR and subcontractor record retention requirements are six years from submission of final expenditure report. If any litigation, claim, or audit is started before the expiration of the six-year period, the records shall be retained until all litigations, claims, or audit findings involving the records have been resolved.

B. The CONTRACTOR agrees that the CRC and/or the DHS Office of Investigative Services, upon the request of the Commissioner or his designee, has full authority to investigate any allegation of misconduct in performance of duties arising from this contract made against an employee of the CONTRACTOR. The CONTRACTOR agrees to cooperate fully in such investigations by providing the Office of Investigative Services full access to its records and by allowing its employees to be interviewed during such investigations.

C. The CRC and the Georgia Department of Human Services Division of Aging Services shall have the right to monitor and inspect the operations of the CONTRACTOR and any subcontractor for compliance with the provisions of this Contract and all applicable federal and state laws and regulations, with or without notice, at any time during the term of this Contract. The CONTRACTOR agrees to cooperate fully with these monitoring and inspection activities. Such monitoring and inspection activities

may include, without limitation, on-site health and safety inspections, financial and behavioral health/clinical audits, review of any records developed directly or indirectly as a result of this Contract, review of management systems, policies and procedures, review of service authorization and utilization activities, and review of any other areas, activities or materials relevant to or pertaining to this Contract. The CRC will provide the CONTRACTOR with a report of any findings and recommendations and may require the CONTRACTOR to develop corrective action plans as appropriate. Such corrective action plans may include requiring the CONTRACTOR to make changes in service authorization, utilization practices, and/or any activity deemed necessary by the CRC.

PARA #114: COLLECTION OF AUDIT EXCEPTIONS

The CONTRACTOR agrees that the CRC may withhold net payments (voucher deduction) equal to the amount that has been identified by an audit, notwithstanding the fact that such audit exception is made against a prior or current contract or subcontract. The CONTRACTOR may also repay the CRC for the total exception by check.

PARA #115: SUBCONTRACTS

A. The CONTRACTOR will be responsible for the performance of any subcontractor to whom any duties are delegated under any provision of this contract. In no event shall performance of any provision of this contract be subcontracted without the prior written consent of the CRC.

B. The CONTRACTOR agrees to reimburse the CRC for any federal or state audit disallowances arising from the subcontractor's performance or non-performance of duties under this contract, which are delegated, to the subcontractor.

C. If the CONTRACTOR subcontracts for the provision of any deliverables pursuant to this contract, the CONTRACTOR agrees to include the following in each subcontract:

    1. Stipulations that the subcontractor is required to adhere to each provision of this contract related to the quality and quantity of deliverables, compliance with state and federal laws and regulations, confidentiality, auditing, access to records, and contract administration.

    2. A clear statement of the service or product being acquired through said subcontract with detailed description of cost, including properly completed Division of Aging Services Unit Cost Methodology documentation, as appropriate.

D. The CONTRACTOR shall promptly pursue, at its own expense, appropriate legal and equitable remedies against any subcontractor who fails to adhere to the contract requirements. The CONTRACTOR's failure to proceed against a subcontractor will

constitute a separate breach by the CONTRACTOR in which case the CRC and/or DHS may pursue appropriate remedies as a result of such breach.

PARA #116: PUBLICITY

A. CONTRACTOR must ensure that any publicity given to the program or services provided herein identify the Department of Human Services and the CRC's AAA as sponsoring agency. Publicity materials include, but are not limited to, signs, notices, information pamphlets, press releases, brochures, radio or television announcements, or similar information prepared by or for the CONTRACTOR. Prior approval for the materials must be received from the CRC and/or the DHS managing programmatic division/office. All media and public information materials must also be approved by the Commissioner's Office of Policy and Government Services, Office of Communications. In addition, the CONTRACTOR shall not display DHS' or the CRC's name or logo in any manner, including, but not limited to, display on CONTRACTOR's letterhead or physical plant, without the prior written authorization of the DHS Commissioner and the CRC..

B. Notwithstanding subparagraph A above, if the CONTRACTOR is a county board of health, the DHSOffice of External Affairs, Office of Communication must be notified prior to major publicity and/or media campaigns developed by or for the board-operated programs that identify the Department as a sponsoring agency. This is to enable the Office of External Affairs, Office of Communication to support the effort and to respond in a timely manner to inquiries to the Department that might result. In addition, the CONTRACTOR shall not display the Department's name or logo in any manner, including, but not limited to, displays on CONTRACTOR's letterhead or physical plant, without the prior written authorization of the Commissioner of the Department.

C.

PARA #117: INVENTIONS, PATENTS, COPYRIGHTS, INTANGIBLE PROPERTY AND PUBLICATIONS

A. Inventions and patents. The CONTRACTOR agrees if patentable items, patent rights, processes, or inventions are produced in the course of work supported and funded by this contract, to report such facts, in writing, promptly and fully to the CRC. The federal agency and the Department of Human Services shall determine whether protection of the invention or discovery shall be sought. The federal agency and Department of Human Services will also determine how the rights to the invention or discovery, including rights under any patent issued thereon, shall be allocated and administered in order to protect the public interest consistent with Government Patent Policy.

B. Copyrights. Except as otherwise provided in the terms and conditions of this contract, the author or the Department of Human Services is free to copyright any books, publications, or other copyrightable materials developed in the course of, or under this contract. Should any copyright materials be produced as a result of this contract, the federal agency and the Department of Human Services shall reserve a

royalty-free nonexclusive and irrevocable right to reproduce, modify, publish, or otherwise use and to authorize others to use the work for government and departmental purposes.

C. Publications. All publications, including pamphlets, art work, and reports shall be submitted to the Department of Human Services on disk or electronically.

PARA #118: CONSULTANT/STUDY CONTRACT

A. The CONTRACTOR agrees not to release any information, findings, research, reports, recommendations, or other material developed or utilized during or as a result of this contract until such time as the information has been provided to the CRC and the Department of Human Services, appropriately presented to the Board of Human Services, and made a matter of public record.

B. The CONTRACTOR further agrees that any research, study, review, or analysis of the consumers/customers/clients served under this contract by any outside individual or organization must be conducted in conformance with Department of Human Services Policy 7901, Protection of Human Subjects.

C. All products developed/collected including raw data, databases, including code specifications, shall be the property of the CRC and the Department and may be subject to review and validation by the Department prior to completion of study.

PARA #119: CONTRACTOR/SUBCONTRACTOR LICENSE REQUIREMENTS

A. The CONTRACTOR agrees to maintain any required city, county and state business licenses and any other special licenses required, prior to and during the performance of this contract.

B. The CONTRACTOR is responsible for ensuring that subcontractors are appropriately licensed.

C. The CONTRACTOR agrees that if it loses or has sanctioned any license, certification, or accreditation required by this Contract or state and federal laws, that this contract may be terminated immediately in whole or in part.

PARA #120: INSURANCE

The following requirements shall be adhered to by Contractors throughout the duration of the contract, and as may otherwise be specified herein. Contractors shall procure and maintain insurance that shall protect the Contractor and the CRC from any claims for bodily injury, property damage, or personal injury that may arise out of operations under the contract. Contractor shall procure the insurance policies at its own expense and shall furnish and be on file with the CRC an insurance certificate of the coverage required in this section listing the CRC as certificate holder. The insurance policy shall also name the CRC as an

additional insured. In addition, the insurance certificate must provide the name and address of the insured, name, address, telephone number and signature of the authorized agent; name of the insurance company (Licensed to operate in Georgia); and a description of the coverage in detailed standard terminology; and an acknowledgement that notice of cancellation is required to be given to the CRC. Contractor is required to obtain and maintain the following types of insurance coverage for the duration of the contract:

A. Workers Compensation Insurance (Occurrence) in the amounts of the statutory limits established by the General Assembly of the State of Georgia in Title 34, Chapter 9 of the O.C.G.A. (A self-insurer must submit a certificate from the Georgia Board of Workers Compensation stating that Contractor qualifies to pay its own workers compensation claims). Contractor shall require all Subcontractors that are required by statute to hold workers compensation insurance and that occupy the premises or perform work under this Contract to obtain an insurance certificate showing proof of Workers Compensation Coverage.

B. Commercial General Liability Policy (Occurrence) to include contractual liability. $1 million per occurrence/$3 million dollar aggregate policy limits.

C. Business Auto Policy (Occurrence) to include but not be limited to liability coverage on any owned, non-owned and hired vehicle used by Contractor or Contractor's personnel in the performance of this Contract. $1 million per occurrence/$3 million dollar aggregate policy limits.

D. Malpractice/Professional Liability Policy (Claims Based) with EDP, Errors and Omissions Coverage. $1 million per occurrence/$3 million aggregate policy limits.

E. Commercial Umbrella Policy (Occurrence). An umbrella policy may cover the aggregate policy limits required herein. There must be no gap between the $1 million and $3 million dollar policy limits and the umbrella policy must follow the form of the underlying $1 million primary policy.

The Contractor's policy containing coverage amounts with higher limits than stated above will satisfy the requirements of this paragraph.

The foregoing policies shall contain a provision that coverage afforded under the policies will not be canceled, or not renewed or allowed to lapse for any reason until at least ten (10) days prior written notice has been given to the Department. Certificates of Insurance showing such coverage to be in force shall be filed with the Department prior to commencement of any work under this Contract. The foregoing policies shall be obtained from insurance companies licensed to do business in Georgia and shall be with companies acceptable to the Department. All such coverage shall remain in full force and effect during the initial term of the Contract and any renewal or extension thereof. At all times, coverage shall be within limits acceptable to the Department.

PARA #121: DRUG FREE WORKPLACE

A. If CONTRACTOR is an individual, he or she hereby certifies that he or she will not engage in the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana during the performance of this contract.

B. If CONTRACTOR is an entity other than an individual; it hereby certifies that it will comply with the Drug-Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D; 41 U.S.C. 701 et seq.) and that:

1. A drug-free workplace will be provided for the CONTRACTOR's employees during the performance of this contract; and

2. It will secure from any subcontractor hired to work in a drug-free workplace the following written certification: As part of the subcontracting agreement with (CONTRACTOR's Name), (Subcontractor's Name), certifies to the CONTRACTOR that a drug-free workplace will be provided for the subcontractor's employees during the performance of this contract pursuant to paragraph 7 of subsection B of Code Section 50-24-3.

C. CONTRACTOR may be suspended, terminated, or debarred if it is determined that:

1. The CONTRACTOR has made false certification hereinabove; or

2. The CONTRACTOR has violated such certification by failure to carry out the requirements of Official Code of Georgia Section 50-24-3.

PARA #122: FEDERAL AND DEPARTMENTAL PROHIBITIONS AND REQUIREMENTS RELATED T0 LOBBYING

A. Pursuant to Section 1352 of Public Law 101-121, the CONTRACTOR agrees that:

1. No federally appropriated funds have been paid or will be paid, by or on behalf of the CONTRACTOR, to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement;

2. As a condition of receipt of any federal contract, grant, loan, or cooperative agreement exceeding $100,000, the CONTRACTOR shall file with the CRC a signed "Certification Regarding Lobbying," attached hereto as Annex C

3. If any funds other than federally appropriated funds have been paid, or will be paid, to any person for influencing or attempting to influence an officer or

employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the CONTRACTOR shall complete and submit Standard Form "Disclosure Form to Report Lobbying," in accordance with its instructions, copies of which may be obtained from the Department; and

4. A disclosure form will be filed at the end of each calendar quarter in which there occurs any event that requires disclosure or that materially affects the accuracy of the information contained in any disclosure form previously filed by CONTRACTOR under subparagraphs (b) or (c) of this paragraph. An event that materially affects the accuracy of the information reported includes:

    i. A cumulative increase of $25,000 or more in the amount paid, or expected to be paid, for influencing or attempting to influence a covered federal action; or
    ii. A change in the person(s) or individual(s) influencing, or attempting to influence, a covered federal action; or
    iii. A change in the officer(s), employee(s), or member(s) contacted to influence or attempt to influence a covered federal action.

    Any CONTRACTOR who makes a prohibited expenditure or who fails to file or amend the disclosure form, as required, shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such expenditure.

    An imposition of a civil penalty under this section does not prevent the United States from seeking any other remedy that may apply to the same conduct that is the basis for the imposition of such civil penalty.

    The CONTRACTOR shall require that the prohibitions and requirements of this paragraph be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

B. CONTRACTOR further agrees that in accordance with the federal appropriations act:

1. No part of any federal funds contained in this contract shall be used, other than for normal and recognized executive legislative relationships, for publicity or propaganda purposes, for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the Congress or any State legislature, except in presentation to the Congress or any State legislature itself.

2. No part of any federal funds contained in this contract shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such

recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

C. CONTRACTOR further agrees that no part of state funds contained in this contract shall be used for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, Internet, or video presentation designed to support or defeat legislation pending before the General Assembly or any committee thereof, or the approval or veto of legislation by the Governor or for any other related purposes.

PARA #123: CRIMINAL HISTORY INVESTIGATIONS

For the filling of positions or classes for employment in a position the duties of which involve direct care, treatment, custodial responsibilities, or any combination thereof for its clients rendered under this Contract, the Contractor agrees that applicants selected for such positions shall undergo a criminal history investigation which shall include a fingerprint record check pursuant to the provisions of O.C.G.A. § 49-2-14. Fingerprint record checks shall be submitted via Live Scan electronic fingerprint technology via the Idemia-Georgia Applicant Processing Services (GAPS) system. Contractors must register with the GAPS at https://ga.state.identogo.com/ and follow the instructions provided on the website.

A. For positions that do not involve direct care, treatment, custodial responsibilities, or any combination thereof for its clients under this Contract, the Contractor agrees that applicants selected for such positions are required to complete a fingerprint-based State of Georgia background check only. Fingerprint record checks shall be submitted via Live Scan electronic fingerprint technology via the Idemia-GAPS system. Contractors must register with the GAPS at https://ga.state.identogo.com/ and follow the instructions provided on the website.

B. Pursuant to O.C.G.A. § 49-2-14, after receiving and reviewing the criminal history report generated through the GAPS process, the Department will advise the Contractor if the applicant is eligible or not eligible to provide services to the Department. Said advisement will be accomplished through a fitness determination letter issued by the Department's Office of Inspector General Background Investigations Unit (OIG BIU) within fifteen (15) days of receiving the criminal history record. Circumstances may extend said fifteen (15) days if OIG BIU determines that the applicant's criminal history record needs further review. If it is determined that the applicant is not eligible to provide services to the Department, said applicant will not be eligible to provide services to the Department under any circumstances.

C. Provisions of paragraphs A and B shall not apply to:

1. Persons employed in day-care centers, group day-care homes, family day-care homes, or child care learning centers which are required to be licensed, registered, or commissioned by the Department or by the Georgia

Department of Early Care and Learning; or

2. Personal care homes required to be licensed, permitted, or registered by the Department of Community Health.

PARA #124: AIDS POLICY

A. CONTRACTOR agrees, as a condition to provision of services to the Department of Human Services consumers/customers/clients/patients, not to discriminate against any consumer/customer/client/patient who may have AIDS or be infected with Human Immunodeficiency Virus (HIV). The CONTRACTOR is encouraged to provide, or cause to be provided, appropriate AIDS training to its employees and to seek AIDS technical advice and assistance from the appropriate division or office of the Department, as the CONTRACTOR deems necessary. The CONTRACTOR further agrees to refer those consumers/customers/clients/patients requesting additional AIDS related services or information to the appropriate county health department.

B. Notwithstanding subparagraph A above, if the CONTRACTOR is a county board of health it agrees to comply with the Joint Advisory Notice, entitled "Protection Against Occupational Exposure to Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV)," dated October 30, 1987, from the Department of Labor/Department of Health and Human Services and which has been made available to the board. The board further agrees that in the implementation of the Department's programs, it will follow those standard operation procedures developed and identified by the appropriate program division of the Department as applicable to the specific programs and as provided to the board by the program division.

PARA #125: INDEMNIFICATION

CONTRACTOR hereby waives, releases, relinquishes, discharges and agrees to indemnify, protect, and save harmless the State of Georgia (including the State Tort Claims Trust Fund), DHS, CRC, DOAS, and their officers and employees (collectively "indemnitees") of, from any and all claims, demands, liabilities, losses, costs, or expenses for any loss or damage for bodily injury, including but not limited to death, personal injury, property damage, attorneys' fees caused by growing out of, or otherwise happening in connection with, this Contract, due to any act or omission on the part of CONTRACTOR, its agents, employees, subcontractors, or others working at the direction of CONTRACTOR or on CONTRACTOR's behalf, or due to any breach of this Contract by CONTRACTOR (collectively, the "Indemnity Claims").

This indemnification extends to the successors and assigns of the CONTRACTOR, and this indemnification and release survives the termination of this Contract and the dissolution or, to the extent allowed by law, the bankruptcy of the CONTRACTOR.

If, and to the extent, such damage or loss as covered by this indemnification is covered by

the State Tort Claims Fund or any other self-insurance funds maintained by the Department of Administrative Services (collectively, the "funds"), the CONTRACTOR agrees to reimburse the Funds for such funds paid out by the Funds. To the full extent permitted by the Constitution and the laws of the State of Georgia and the terms of the Funds, the CONTRACTOR and its insurers waive any right of subrogation against the State of Georgia, the Indemnities, and the Funds and insurers participating there under, to the full extent of this indemnification.

CONTRACTOR shall, at its expense, be entitled to and shall have the duty to participate in the defense of any suit against the Indemnitees. No settlement or compromise of any claim, loss, or damage asserted against Indemnitees shall be binding upon Indemnitees unless expressly approved by the Indemnities.

PARA #126: DEBARMENT

In accordance with Executive Order 12549, Debarment and Suspension, and implemented at 45 CFR Part 76, 100-510, CONTRACTOR certifies by signing Annex C that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this contract by any federal department or agency. CONTRACTOR further agrees that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion - Lower Tier Covered Transaction," without modification, in all lower tier transactions and in all solicitations for lower tier covered transactions.

PARA #127: PROPERTY MANAGEMENT REQUIREMENTS

The CONTRACTOR agrees:

A. That all non-expendable personal property purchased, in total or in part, with funds received from the CRC during the term of this contract and all previous contracts is property of the State of Georgia and the Department of Human Services and is subject to the rules and regulations of the Department of Human Services throughout the life and disposition of said property. Said property cannot be transferred or otherwise disposed of without prior written approval of the DHS Office of Facilities and Support Services, Asset Services Section and the CRC's AAA.

B. To adhere to all policies and procedures as promulgated in the DHS Administrative Policy and Procedures Manual, Part IX, the Property Management Manual, and, if applicable, the Vehicle Management Manual, which are by reference made a part of this contract. CONTRACTOR understands that the requirements for inventory of property (at least every two years) and a control system to safeguard against loss, damage or theft as contained in the property manual shall be followed.

C. That property records shall be maintained accurately and reported on Form #5111, Detailed Equipment Listing, within 30 days after acquisition of such property, to the

CRC office.

The CRC office will then forward the completed Form #5111 to the DHS Office of Facilities and Support Services,, 47 Trinity Ave. SWD, Atlanta, GA 30334 For any Department-owned vehicles operated under this contract, the CONTRACTOR agrees to submit to the Department the Utilization and Data Report furnished by the Asset Services

Section in accordance with the DHS Vehicle Management Manual, Chapter 4, Part G.

D. In the event that contract is terminated prior to expiration or is not renewed, CONTRACTOR agrees to properly dispose of all state property as follows:

1. Prepare Form 5086, Equipment Status Change Form, listing all state equipment in the CONTRACTOR's possession and send this form to the CRC for final disposal determination; and
2. Upon notification by the Office of Facilities and Support Services, CONTRACTOR agrees to transport the state property to the designated State surplus facility. Expenses incurred by the CONTRACTOR in transporting this equipment may be charged to the terminated contract.

The CRC property coordinator will confirm, by written notification to the Office of Facilities and Support Services, that all surplus property listed on completed Form 5086 has received proper disposition.

PARA #128: DOCUMENTATION OF RENT COST

A. All CONTRACTORs budgeted rent line items or maintenance in lieu of rent line items on privately owned buildings must be supported by three separate Statements of Comparable Rent, DHS Form #5465 (copies available from the Department).

B. Public facility maintenance in lieu of rent budgeted by the CONTRACTOR will be supported by a Local Statement of Service and Maintenance Cost in Lieu of Rent in Public Buildings, DHS Form #5464, and by three separate Statements of Comparable Rent, DHS Form #5465 (copies available from the Department). Rent per se is not applicable for publicly owned facilities/buildings unless newly occupied on or after October 1, 1980, in accordance with OMB Circular A-87.

PARA # 129: HOLD HARMLESS CLAUSE

The CONTRACTOR agrees to indemnify and hold harmless the CRC and its employees against any and all liability, loss, damages, cost, or expenses which it may hereafter incur, suffer, or be required to pay by reason of any error or omission, misfeasance, malfeasance, or through the negligent or willful conduct of the CONTRACTOR or it employees or any subcontractor of the CONTRACTOR.

PARA # 130: VIOLATIONS OF THIS CONTRACT

The CRC will impose sanctions and/or penalties for violations or breaches of the terms of this contract. Sanctions and penalties include, but are not limited to, the following:

A. Withholding payment to the CONTRACTOR until the violation has been corrected;
B. Disallowance of costs associated with or created by the violation;
C. De-obligation of funds from this contract;
D. Termination of this contract in accordance with PARA #110.

PARA # 131: SAFE FACILITIES

The CONTRACTOR agrees that each facility used for the delivery of services to the clients under this contract will be physically and environmentally safe and have an annual fire and health inspection, as appropriate, and that the reports of these inspections will be conspicuously posted at the facility location.

PARA #132: COMPUTER AND DATA ENTRY REQUIREMENTS

A. EQUIPMENT:

Following are the minimum specifications for equipment, the operating systems, and software required for providers to use the Uniform Cost Methodology (UCM) and to comply with the recording requirements of the Division of Aging Services Data System (DDS):

Minimum Computer Requirements

- Processor speed of 2.0 GHz or higher; multi-core processor preferred
- Minimum of 8 GB RAM
- Minimum screen resolution of 1280 × 1024
- Windows 11 or another currently supported operating system compatible with WellSky
- Microsoft Edge (Chromium) or one of the two latest versions of Google Chrome
- A supported version of Microsoft Office
- Adobe Reader, Nitro PDF Reader, or another compatible PDF reader, as needed
- Reliable high-speed internet access sufficient to support WellSky and other agency operations
- Appropriate keyboard, mouse, monitor, and printing capabilities necessary for program operations
- Current operating-system, browser, security, and software updates and patches

CONTRACTOR must have the ability to connect to the Internet and the DAS Data Management System server through digital Service Line or other high-speed Internet connection.

CONTRACTOR must also have at least one email address designated for each service site and the ability to receive referrals in an electronic format.

CONTRACTOR comply with any updated computer configuration requirements subsequently issued by DAS or WellSky.

B. DATA ENTRY

Each CONTRACTOR receiving in excess of $25,000 of funding from the Area Agency on Aging agrees to enter data into the DDS as prescribed by the Area Agency on Aging. CONTRACTOR is responsible for all computer purchase, monthly internet expense and maintenance costs associated with regular, monthly data entry into the DDS.

PARA # 133: CLIENT COMPLAINT PROCEDURES

CONTRACTOR shall ensure that written client complaint procedures are established for use by each service provider site/program. These procedures shall provide all clients with the opportunity for and means of communicating those aspects of the service which have negative impact on them. Each client must be informed of his/her right to make such complaints and of the procedures for filing such complaints prior to the beginning of service delivery.

PARA #134: CLIENT APPEAL PROCEDURES

CONTRACTORs shall ensure that written appeals procedures are established for use by each service provider program/site. These procedures shall provide all clients or their advocates with the opportunity to appeal provider staff decisions concerning the provision of services, including, but not limited to, the initiation or termination of services, and increases or decreases in service levels. The intent of these procedures must be to assure client satisfaction with the services provided and it is the responsibility of the service provider to give specific consideration to the clients' concerns.

SECTION II: BUDGET REQUIREMENTS, PAYMENT PROVISIONS, and CLIENT REFERRAL PROCESS

PARA #201: PAYMENT TO CONTRACTOR AND CONTRACTOR MATCH REQUIREMENT

A. The contract allocation attached to this contract as Annex I is made a part of this contract.

B. The CONTRACTOR agrees that the CRC will be provided a cost allocation plan as part of the Budget should the CONTRACTOR provide any service other than those specified in this contract.

C. Within thirty (30) days from the date of receipt of a request for budget amendment approval, the CRC will review the request and notify the CONTRACTOR of its decision. If the request for approval is still under consideration at the end of thirty (30) days, the CRC will inform the CONTRACTOR in writing as to when to expect the decision.

D. Any program income generated as a result of this contract activity shall be expended as an additional cost alternative.

E. Program income collected shall be expended monthly or at intervals such that state and federal funds are not expended at an accelerated rate.

F. Payment for reimbursement of expenditures shall be processed and mailed to the CONTRACTOR by the CRC within five business days of receipt of such funds from the Georgia Department of Human Services Division of Aging Services. Payments will be mailed to the address indicated in Paragraph 103B. Funds from the Division of Aging Services are generally received between 30 and 60 calendar days following the last day of the period being reimbursed.

G. Payment for reimbursement of expenses shall not exceed this amount, according to the terms specified below:

   1. July 1 through September 30 - Reimbursement for this period will not exceed 25% of the allocation as reflected on the then current budget attached hereto as Annex I. Any excess funds can be used for expenses through the remainder of the contract period.

   2. October 1 through June 30 -- Reimbursement for this period will not exceed 75% plus any excess funds from first quarter, and this contract is hereby automatically reduced by the amount of unclaimed reimbursement during the period indicated.

PARA #202: CONTRACT BUDGET ANNEX

A. The Uniform Cost Methodology (UCM) spreadsheet(s) must be completed by all CONTRACTORs. All UCM Spreadsheets are considered a part of this agreement. CONTRACTOR acknowledges that all non-AAA funding contributed to the programs must be enumerated on the 4.2 Revenue Plan and Units/Persons Served form. Failure to provide adequate proof of non-CRC revenue to cover program expenses as outlined on 4.2 may result in contract re-negotiation. CONTRACTOR will notify CRC in writing of any reduction of 20% or more of non-CRC funding.

B. The contract allocation attached to this contract as Annex I is made a part of this contract.

C. Any program income generated as a result of this contract activity shall be expended in compliance with the reference indicated below and identified by service:

Alzheimer's Services, , CBS, CKOF- Additional Costs Alternative, Deduction Alternative, or combination.
Title III, SSBG, and other Older American Act programs - Combination of Cost Sharing/Matching Alternative, Additional Cost Alternative, Deduction Alternative.

D. Program income collected shall be expended monthly or at intervals such that state and federal funds are not expended at an accelerated rate.

PARA #203: BUDGET VS. EXPENSE LIMITATION

A. The maximum reimbursement to the CONTRACTOR is the total state and federal funds in this contract

B. Budget revisions are necessary in the following situations.

1. When the scope or objectives of the program change.
2. When line item expenditures are expected to exceed 10% of the previously approved line item at Area Agency on Aging levels. Note: Area Agency on Aging has authority to approve sub-CONTRACTOR budget revisions.

C. Within 30 days from the date of receipt of a request for budget revision requiring a contract amendment, the CRC will review the request and notify the CONTRACTOR of its decision. If the request for approval is still under consideration at the end of 30 days, the CRC will inform the CONTRACTOR in writing as to when to expect the decision.

D. CONTRACTOR is expected to forecast the number of clients to be served by fund source by site at the beginning of the contract period. In addition, CONTRACTOR should access financial and programmatic reports monthly from the Georgia DDS system in order to properly manage budgets and expenditures. Failure to expend

funding in a timely manner may result in a reduction in contract amount.

PARA #204: REQUIREMENTS FOR CERTIFIED COST AND/OR IN-KIND MATCH:

A. Monthly reimbursement by the CRC of federal, state, and other funds will be prorated in direct percent proportion to the certified cost/cash contribution and/or in-kind match values established in the CONTRACTOR accounting records and reported to the CRC on the required expenditure report as per 45 CFR - Part 75.362 and 75.372 (b) and 74.53(d). Verifiable accounting records, which adequately identify certified cost/CPE must be maintained. Allowability of certified cost/cash contributions and in-kind match valuations shall be determined under the provisions of the appropriate federal cost principles as indicated in Paragraph 301 of this contract, a current copy of which the CONTRACTOR acknowledges has been previously received and that it has been reviewed and is understood. The state term "certified cost" and the federal term "cash contributions" are synonymous terms and are defined below:

   1. Cash Contributions: Cash contributions represent the CONTRACTOR's cash outlay, including the outlay of money contributed to the CONTRACTOR by other public agencies and institutions, and private organizations and individuals.

B. The state and federal term "in-kind match" is synonymous and is defined below:

   1. In-Kind Contributions: In-kind contributions represent the value of non-cash contributions provided by (1) CONTRACTOR, (2) other public agencies and institutions, and (3) private organizations and individuals. In-kind contributions may consist of charges for real property and equipment, and value of goods and services directly benefiting and specifically identifiable to the Federal grant program contract.
   2. The following requirements pertain to the CONTRACTOR's Supporting records for in-kind contributions from private organizations and individuals:

      a. The number of hours of volunteer services must be supported by the same methods used by the grantee for its employees.
      b. The basis for determining the charges for personal services, materials, equipment, buildings and land must be documented.

C. The CONTRACTOR further agrees to maintain accounting records relative to certified cost/in-kind match in such a manner as to specifically identify each detailed accounting transaction to this specific contract/federal program and that these records will be available for the Georgia Department of Human Services, Department of Audits and/or federal auditors to review.
D. The CONTRACTOR agrees to submit a monthly-certified cost report, DHS Form #5215 (Annex F), not later than the 7th working day following the end of each month during the term of this contract.

E. CONTRACTORs that utilize sub-CONTRACTOR provided in-kind match or certified

cost match will maintain on file the sub-CONTRACTORs, Form #5215 as supporting documentation of CONTRACTOR's own Form #5215, Annex F.

PARA #205: FIDELITY BONDS:

A. IN the event funds are advance on this contract, those having the responsibility for the expenditure of funds made available under this contract shall be required to post a fidelity bond in an amount sufficient to assure sound fiscal practices in order to assure the Federal Government and the State against loss of funds coming into their possession under the terms of this contract. Such bond shall be payable to, or shall benefit to the State of Georgia, Department of Human Services. The dollar amount of the fidelity bond shall be determined through use of the DHS Schedule of Fidelity/Assurance Bonds.

B. Fidelity bonds shall be obtained from companies holding certificates of authority as acceptable sureties (31 CFR Part 223). A list of these companies is published annually by the Federal Department of the Treasury in its Circular 570.

PARA #206: PROGRAMMATIC REPORT SUBMISSION:

The CONTRACTOR agrees to submit a monthly programmatic/performance statistical report in the form and manner specified by the Division of Aging Services, and shall enter service logs into DDS for the current month's activities not later than the seventh (7th) working day after the end of each month during the term of this contract. The report forms to be used will be provided by the CRC. Originals of actual client service logs completed in blue ink will also be mailed to the CRC by the seventh (7th) day of the month. Fax transmittals will be accepted but originals shall also be submitted.

PARA #207: EXPENDITURE REPORT SUBMISSION

During the term of this contract, the CONTRACTOR agrees to submit a monthly expenditure report in the form and manner specified by the CRC not later than the seventh (7th) working day following the end of the month in which the expenses occurred. The report forms to be used will be provided by the CRC as listed in Annex D. The CRC cannot guarantee payment for untimely submissions made more than 45 days after the monthly submission date.

The CONTRACTOR further agrees to submit the "Final Supplemental" expenditure report on this contract, if required, not later than thirty (30) calendar days following the contract termination date. Any reimbursement request submitted after said thirty (30) days will not be paid by the CRC.

In the event the contract is terminated during the term, the maximum amount the CRC shall be required to reimburse pursuant to the "Final Supplemental" report referenced herein is the percentage of permissible expenditures through that period in the program year. Percentages are as follows:

July	8.3%	January	58.3%
August	16.6%	February	66.6%
September	25.0%	March	75.0%
October	33.3%	April	83.3%
November	41.6%	May	91.6%
December	50.0%	June	100.0%

PARA #208 INFORMATION & REFERRAL POLICIES:

CONTRACTOR acknowledges the CRC Area Agency on Aging is the single point of entry for all AAA funded Aging programs with the exception of Title V, Long Term Care Ombudsman Activities, Elderly Legal Assistance, and Title III C1 Programs. All clients taken into Aging programs other than these shall be screened and referred to the service CONTRACTOR by the CRC AAA Information and Assistance Specialists. All inquiries received and contacts made by the CONTRACTOR for Aging Services must be forwarded to the AAA for telephone screening before clients can receive Aging services. service CONTRACTOR agrees to provide CRC toll free telephone number (800-580-6860) for the AAA Aging Disability Resource Connection (ADRC) office to inquirers and encourage them to call the number for a telephone screening to identify their service needs and provide referral to the appropriate services available.

Upon receiving a client referral, the CONTRACTOR agrees to perform a face-to-face assessment with the client and respond back to the CRC AAA with a complete DHS intake and assessment client disposition within ten (10) working days of receipt of the referral.

PARA #209 PROVIDER TRAINING:

Provider agrees to send appropriate aging program staff to all trainings and quarterly meetings provided by the Division of Aging Services and the CRC. Failure to have appropriate staff in attendance at all mandatory sessions will subject the CONTRACTOR to sanctions.

PARA #210: SERVICE AREA

The county service area(s) outlined in Annex I 4.2 Revenue Plan and Units/Persons Served obligate the CONTRACTOR to serve all clients referred by the CRC in such area regardless of where the client lives within the county.

SECTION III: COMPLIANCE WITH SPECIFIC STATE AND FEDERAL LAWS, RULES, REGULATIONS, AND STANDARDS

PARA #301: STATE AND FEDERAL LAWS. RULES. REGULATIONS, AND STANDARDS

CONTRACTOR agrees that all work done as part of this contract will comply fully with all administrative and other requirements established by applicable federal and state laws, rules and regulations, and assumes responsibility for full compliance with all such laws, rules and regulations, and agrees to fully reimburse the CRC for any loss of funds or resources resulting from non-compliance by the CONTRACTOR, its staff, agents, or subcontractor as revealed in any subsequent audits. CONTRACTOR understands that the following items specifically apply to this contract, but do not exclude any other applicable federal or state laws or requirements. Notwithstanding any other provision of this agreement, CONTRACTOR agrees to notify the CRC verbally and in writing within 24 hours of any hazardous circumstances occurring in any facilities where seniors gather pursuant to this agreement. Hazardous circumstances may include but are not limited to: food poisoning, chemical leaks, hazardous lead exposure, building code violations leading to unsafe conditions, excessive mold or any health emergency that occurs as a direct result of unsafe or hazardous circumstances within the facility.

A. Compliance with Health Insurance Portability and Accountability Act (HIPAA):

   It is understood and agreed that the CRC is a "covered entity" as defined by HIPAA of 1996 and the federal "Standards for Privacy of Individually Identifiable Health Information" promulgated there under at 45 CFR Parts 160 and 164. Further, it is agreed that as a business associate of the CRC that its use or disclosure of any person's protected health information received from or on behalf of the CRC will be governed by the Business Associate Agreement, attached hereto as Annex G which the CONTRACTOR agrees to by signing and submitting with this contract. Such Business Associate Agreement is executed and is effective simultaneously with this contract/amendment. However, the Business Associate Agreement will survive this contract/amendment pursuant to Section E of the Business Associate Agreement.

B. 45 CFR Part 74; as used in this contract, the word CONTRACTOR is synonymous with the word Sub-grantee as used in this Code of Federal Regulations.

C. The federal cost principles for determining allowable costs for this contract are OMB Circular A87 and OMB Circular A122.

D. Fair Labor Standards Act of 1938, as amended.

E. Georgia Division of Aging Services programmatic policies and procedures, Standards and Guidelines for Area Agencies on Aging, as Amended.

F. Community Care Services Program Policies and Procedures, as amended.

G. Brookdale Model Guidelines: How to Start and Manage a Group Activities and Respite Program for People with Alzheimer's and their Families.

H. 45 CFR Part 92

I. Federal Programmatic Regulations:

_X_ TITLE III - 45 CFR Part 1321, Administration on Aging, Older Americans Program, and Older Americans Act of 1965, as amended. Older Americans Act of 1965, as amended, Section 311,42 U.S.C. 3030a, Section 604, 42 U.S.C. 3057c; Agriculture and Consumer Protection Act of 1973, as amended, Section 4(a), 7 U.S.C. 612c note: Agricultural Act of 1949. as amended, Section 416. 7 U.S.C. 1431; Food and Agriculture Act of 1965, as amended, Section 709,7 U.S.C. 1446a-1. Older Americans Act, as amended, Public Law 106-501. Title III, Part E and VI, Part C.

_X_ LONG TERM CARE OMBUDSMAN - Older Americans Act of 1965, as amended (42 USC 3027 (a) (12) 45 CFR 1321 O.C.G.A. 31-8-50 et. seq.

_X_ SSBG Social Services Block Grant (Title XX) Omnibus Budget Reconciliation Act of 1981 P. L. 97-35

_X_ CCSP - 45 CFR Part 200 Title XIX, Social Security Act of 1987, as amended.

_X_ GEORGIACARES - Section 4360 of the Omnibus Budget Reconciliation Act of 1990, P.L. 101-508, P.L. 101-166 Section 511 Older Americans Act of 1965, Title IV, Public Law 89-73, 79 Stat. 218, as amended; Public Law 97-115, 95 Stat. 1595; Public Law 98-459, 98 Stat. 1767; Public Law 100-175; Public Law 100-628, 42 U.S.C. 3031-3037b; Public Law 102-375; Public Law 106-501.

PARA #302: AUDITS AND FINANCIAL REPORTING REQUIREMENTS FOR NON-PROFIT AGENCIES

Contractors that expend $750,000 or more in Federal funds during their accounting year agree to have a single entity-wide audit conducted for that year in accordance with the provisions of the with the provisions of 2 CFR Part 200, Subpart F, entitled Audit Requirements. For additional information regarding external entities audit standards and sanctions, see the Department of Human Services On-line Directives Information System POL 1902 - External Entities Audit Standards and Sanctions.

Contractors expending $100,000 or more in State funds during their accounting year agree to have an entity-wide audit conducted for that year in accordance with Generally Accepted Auditing Standards issued by the American Institute of Certified Public Accountants. For additional information regarding external entities audit standards and sanctions, see the Department of Human Services On-line Directives Information System POL 1902 - External Entities Audit Standards and Sanctions.

Contractors expending at least $25,000 but less than $100,000 in Federal/State funds during their accounting year agree to prepare unaudited entity-wide financial statements for that year. For additional information regarding external entities audit standards and sanctions, see the Department of Human Services On-line Directives Information System POL 1902 -

External Entities Audit Standards and Sanctions.
CONTRACTOR further agrees to submit the required audit or financial statements in the quantities set forth below, within 180 days after the close of the CONTRACTOR's fiscal year.

Two (2) copies to:

Coastal Regional Commission
Attention: Finance Director
1181 Coastal Drive, SW
Darien, GA 31305

CONTRACTOR understands that according to the provisions of Title 50, Chapter 20, Sections 4 and 6 of the Official Code of Georgia, failure to comply with the above audit and financial reporting requirements could be cause for DHS and the CRC to suspend payments, to terminate this contract, to require a refund of all monies received under this contract and to prohibit the CONTRACTOR from receiving funds from any state organization for a period of twelve (12) months from the date of notification by DHS, the State Department of Audits and Accounts, or the CRC.

PARA #303: IMMIGRATION AND SECURITY

CONTRACTOR agrees that Contractor complies with O.C.G.A. Sec. 13-10-90 *et seq.* regarding security and immigration compliance, and that Contractor has registered with, is authorized to use, uses, and will continue to use the federal work authorization program. Contractor also agrees that throughout the performance of this Contract, including renewal options, if any, exercised by the Department, Contractor will remain in full compliance with all federal and state immigration laws, including but not limited to O.C.G.A. §13-10-91.

Contractor certifies by signing and providing the sworn affidavit titled Security and Immigration Affidavits, attached hereto as Annex M, that Contractor will comply with O.C.G.A. Sec. §13-10-90 *et. seq.*, and will certify the same upon the exercise of each renewal option, if any, by the Department. Furthermore, Contractor agrees to include the provisions contained in the foregoing paragraph in each subcontract and sub-contract for services hereunder, require and obtain a sworn affidavit in the applicable format set forth in the Annex titled Security and Immigration. Affidavits at the initiation of and throughout the contract period, and retain the affidavit(s) in accordance with the record retention requirements of this Contract.

PARA #304: ENTIRE UNDERSTANDING

This contract, together with the annexes and all other documents incorporated by reference, represents the complete and final understanding of the parties to this contract. No other understanding, oral or written regarding the subject matter of this contract, may be deemed to exist or to bind the parties at the time of execution.

SECTION IV: CONTRACT ANNEXES

PARA #401: CONTRACT ANNEX INCLUSION

This contract includes Annexes as listed below, which are hereto attached:

Annex A	Statement of Work
Annex B	Hearing Procedures
Annex C	Certification Regarding Lobbying
	Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion – Lower Tier Covered Transaction
Annex D	Financial Reimbursement Forms
Annex E	Taxonomy of Services
Annex F	Report of Certified Cost, Form 5215
Annex G	HIPAA Business Associate Agreement
Annex H	Uniform Cost Methodology
Annex I	4.2 Revenue Plan and Units/Persons Served
Annex J	Code of Conduct Questionnaire
Annex K	Contractor Responsibilities, Rewards, and Sanctions
Annex L	Contract Amendment Correspondences
Annex M	Immigration and Security Form
Annex N	DHS Notice: Critical Incident Reporting

IN WITNESS WHEREOF, the parties have hereunto affixed their signatures the day and year first above written.

CONTRACTOR EXECUTION:

Signature – Authorized Person

Printed Name and Title

Printed Name of Agency

Date Signed

CRC EXECUTION:

Signature – Executive Director

Dionne Lovett, Executive Director
Printed Name and Title

9.9.2026
Date Signed

Signature – CRC Council Chair

Rosa Romeo, CRC Council Chair
Printed Name and Title

9/9/2026
Date Signed

Coastal Regional Commission of Georgia
Area Agency on Aging

Contract # 2027-08

STATEMENT OF WORK

I. CONTRACTOR DATA

Contractor: Effingham County Commission

Project: Operation of a Senior Center with Congregate and Home Delivered Meals

Contract Period: July 1, 2026, through June 30, 2027

Physical Address:
Effingham County Commission
804 South Laurel St.
Springfield, GA 31329

Mailing Address:
Effingham County Commission
804 South Laurel St.
Springfield, GA 31329

Financial Contact:
Mark W. Barnes, Finance Director
804 South Laurel St.
Springfield, GA 31329
(912) 754-2143

Programmatic Contact:
Theresa Johnson
Effingham County Senior Center
128 New Stillwell Road
Springfield, GA 31329
(912) 754-2138
(912) 754-2152 (FAX)

II. SUMMARY

A. Purpose of Project

The purpose of the project is to operate a senior center in Effingham County that complies with Department of Human Services (DHS), Division of Aging Services (DAS) requirements and serves as a focal point for older individuals in the community. The senior center will serve a noon meal to senior center (congregate) participants and deliver a noon meal to participants of the home delivered meals (HDM) program.

Activities performed under this contract will be in compliance with all pertinent DHS DAS requirements, including procedural issuances, DHS DAS Requirements for Non-Medicaid Home and Community Based Services (Section 206 related to senior center requirements and Section 304 related to nutrition service program guidelines and requirements), and any other current or forthcoming manual material or directives.

B. Program Objectives

The program objectives are as follows:

1. To operate a senior center in Effingham County, including delivery of home delivered meals, for a minimum of 250 days per year, with a maximum of ten (10) holidays to be observed on dates approved by the Coastal Georgia Area Agency on Aging (AAA)

2. To operate a senior center for a minimum of six hours per day (8 a.m. to 2 p.m.)

3. To serve **10,255 congregate meals,** a minimum of 5,000 congregate meals (units) at the center annually

4. To serve an average of at least 20 congregate meals/participants at each center daily with an overall goal of serving an average of 30+ clients daily.

5. To offer a minimum of two hours per day of planned activities with an overall goal to provide four or more hours of planned activates daily. These activities are in addition to nutrition education services, but may include recreation, exercise, health promotion/wellness, and medication management activities.

6. To offer planned activities in offer planned activities in recognition of national observances relevant to older adults, (i.e. Older Americans Month, World Elder Abuse Awareness Day, and Alzheimer's Awareness Month).

7. To ensure the provision of at least one health promotion/wellness activity per month at the senior center. Health promotion/wellness activities include presentations regarding breast cancer, heart disease, diabetes, etc.

8. To ensure the provision of at least four medication management activities annually at the senior center. Medication management activities include "brown bag" seminars, GeorgiaCares presentations, pharmacists as guest speakers, etc.

9. To ensure the provision of a nutrition education session at least once monthly at the senior center. Each nutrition education session must last at least 15 minutes.

10. To ensure the provision of at least two exercise/physical fitness activities per week at the senior center. Physical fitness activities include walking, chair exercises, thera-band exercises, etc.

11. To ensure the provision of at least ten recreation activities per month at the senior center. Recreation activities include sports, the performing arts, games, and crafts, which are facilitated by the site manager or another instructor/provider. Each recreation activity must last at least 30 minutes.

12. To ensure the provision and documentation of quarterly fire drills and annual tornado drills at the center.

13. To serve **12,884 home delivered meals** (units), a minimum of 5,000 congregate meals (units) at the center annually

14. To ensure the provision and documentation of nutrition education to home delivered meals participants at least monthly

C. Population to be Served

While there are exceptions, congregate and home delivered meals participants must (1) be 60 years of age or over or (2) be the spouse of a participant, regardless of age. Home delivered meals participants must also have functional impairments that prevent them from participating in a congregate meals program, or be responsible for the care of a dependent, disabled person in the home, to the extent that they cannot leave the person to attend a congregate site. Preference will be given to those in greatest economic or social need, and emphasis will be placed on low-income minority individuals and rural elderly.

Detailed eligibility requirements (and exceptions) are not outlined in this Annex A. However, details of eligibility and priority of services for congregate and home delivered meals are outlined in Georgia DHS DAS Requirements for Non-Medicaid Home and Community Based Services Manual 5300 (Section 304).

Centers must be safe and accessible for all eligible individuals and comply with the Americans with Disabilities Act requirements, relating to access, and any other relevant DAS standards or program requirements. (Requirements regarding safety and accessibility are outlined in Section 206.5.2 of the Georgia DHS DAS Requirements for Non-Medicaid Home and Community Based Services.)

D. Service Area

The service area is Effingham County, Georgia.

E. Staffing Requirement

The contractor must employ at least one staff person to serve as the senior center site manager who will supervise and provide oversight for the center and will ensure all requirements are met. He/she must demonstrate appropriate knowledge and skills to work with an elderly population, general ability to complete required fiscal and programmatic reports in an accurate and timely manner, and ability to gather and report required client data in the manner specified by the AAA and/or the Division of Aging Services.

In the absence of a site manager (due to sick leave, personal leave, training attendance, etc.), another employee of the contractor must be present to supervise the center during the period of time that participants are in attendance.

F. Food Service and Delivery

Under a sub-contract arrangement, meals are prepared on a daily basis at the Effingham County Prison kitchen and are delivered to the senior center locations. Contractor staff at the senior center will be responsible for keeping food at the appropriate temperatures. Contractor staff will be responsible for serving the food at the center and for clean up after each meal.

The Food Service Manager at the Effingham County Prison is also responsible for individual packaging and delivery of home delivered meals to participants in the Home Delivered Meals program. The Prison will provide packaging material and will employ at least one staff person to deliver meals to the senior center and ensure that the state-required "holding" time of four hours is met. The last home delivered meal must be delivered (and the last congregate meal served) within four hours of food preparation. Volunteers should also be used to assist with meal packaging and/or delivery.

Contractor staff and any sub-contractor preparing, storing, or distributing meals must comply with all nutrition program standards for food handling, processing, temperatures, food safety, and sanitation. Individuals serving food must wear hairnets and gloves. (Contractor staff continues to be responsible for food safety and temperatures when occasional picnic meals provided by the food vendor are

served. If a meal is eaten at a restaurant during the course of a planned trip, the restaurant staff and contractor staff share responsibility for food safety and temperatures.)

G. Required Service Days and Requests for Schedule Changes

Home delivered meals must be delivered 250 days per year, and Congregate services must be provided 250 days per year. Closures due to holidays shall not exceed 10 days per contract year.

Requests for deviations from the normal operating schedule must be submitted to the AAA for approval at least two weeks prior to the planned event. Deviations include center closings, picnics, trips, restaurant meals, etc.

If the contractor wishes to allow occasional meals/barbeques, etc. provided by churches, banks, or other organizations, the events must be scheduled after the normal operating hours of the senior center. Aging funds will not be expended for these events. (Contractor staff and the agency providing the meal are responsible for food safety and temperatures.)

H. ADRC as Single Point of Entry

The Coastal Georgia Area Agency on Aging is the single point of entry for aging programs, including congregate and home delivered meals services. Clients admitted into the programs shall be screened and referred to the contractor by the AAA's Aging Disability Resource Connection (ADRC) intake and screening staff via an electronic format. Contractor staff is responsible for submitting a completed client disposition form to the AAA ADRC within (5) five business days after receiving client referrals.

When the contractor receives inquiries about services or requests for Home Delivered Meals (HDM) services, the information must be forwarded to the AAA where ADRC staff will conduct telephone screening. In the event there is no waiting list for HDM, the AAA ADRC staff will conduct the telephone assessment and then forward all information to the Contractor so that services can be initiated.

When space is available for new participants at the senior center, the site manager may conduct the initial assessment and enter the client intake and assessment information into the DAS Data System (DDS). In the event the senior center is operating at capacity and cannot accept new participants, the site manager shall refer individuals to the AAA ADRC office for a telephone assessment and placement on a waiting list.

The contractor agrees to provide the AAA toll free telephone number (800-580-6860) to inquirers and encourage them to call the number for a telephone screening to identify their needs and for referral to the appropriate services.

I. Intake/Registration and Assessment/Reassessment

Contractor staff is responsible for registering clients into the DAS Data System once services are initiated and for conducting client assessments and reassessments for participants in accordance with DAS guidelines. The Contractor will maintain a participant file for each congregate and home delivered meals client. The file will contain all pertinent forms and information related to the participant.

When a client's services are terminated (due to death, relocation, eligibility changes, etc.), Contractor staff is responsible for entering an alert note in the client's DDS record indicating the date of and reason for the termination, within (5) five business days after notification of client death or service termination.

J. Outreach Activities

Contractor staff must conduct outreach activities with emphasis on identifying potential congregate and home delivered meals program participants who are among those in greatest social and economic need. All outreach activities must be documented, and the documentation must be filed and maintained at the Senior Center. Outreach activities may include, but are not limited to, public service announcements, flyers, presentations at local clubs and associations, and faith-based contacts.

K. Additional Contractor Staff Responsibilities

In addition to contractor staff responsibilities specifically outlined in other sections of this Annex A, contractor staff must also:

a. Solicit volunteers, as needed, to assist with operation of the senior center, provision of congregate meals and services, and delivery of home delivered meals. (Volunteer time may be utilized as in-kind local match.)
b. Attend and participate in quarterly training and menu planning meetings conducted by the AAA.
c. Maintain detailed and diverse calendar of activities. While the AAA recognizes that planned activities may change during any given month, the contractor shall submit said calendars to the AAA for review monthly, at least five (5) business days before the month begins.
d. Complete program monitoring and evaluation (i.e., customer satisfaction) and document such evaluation. Contractor staff must submit an annual written report that summarizes evaluation findings, improvement goals, and an implementation plan.
e. Attend training sessions scheduled by the AAA or the Division of Aging Services
f. Assisting Coastal Georgia Area Agency on Aging staff with the maintenance of up-to-date client demographic data for congregate and home delivered meals participants.

g. Utilize a meal reservation system to ensure that wasted congregate and home delivered meals are kept at a minimum.
h. Maintain at least one computer station for site manager and program participant use. Site manager shall maintain an active email account.

Contractor will cooperate with the AAA in the implementation of senior center re-design, evidence-based programming and the development and implementation of a volunteer program that supports our aging services delivery system. Contractor shall adopt best practices that utilize advances in technology relevant in the field of aging and beneficial to the clients we serve. Contractor will include goals in their annual report that support senior center re-design, evidence-based programs, volunteerism and technology.

L. Site Council

Senior center staff is responsible for the development of a senior center site council, consisting of senior center participants. The site council gives participants the opportunity to have input into activities and decisions that affect the senior center. The site council advises the staff on the needs and concerns of the participants; gives support and assists with site programs, services, and activities; and reviews meal preferences and complaints. The site council, with input from the site manager and contractor, is also responsible for decisions related to expending funds raised via participant fundraisers (bake sales, raffles, etc.). Site council minutes must be taken for all meetings and must reflect the decisions of the council.

M. Availability of Technical Assistance

The Coastal Regional Commission's AAA will provide guidance and technical assistance, as needed, to contractor staff. The AAA's Nutrition and Wellness Coordinator will be available to assist in the planning and organization of successful wellness programs and to assist staff in meeting medication management, wellness/health promotion, and exercise/physical fitness goals. The AAA will also provide assistance in meeting nutrition education requirements.

III. PROJECT MANAGEMENT

A. Program Management System

The Effingham County Commission is a branch of the County government. The County Administrator is responsible for the overall performance of the project.

Senior Center Director/Site Manager - Responsible for everyday operations of the center, including food service activities and oversight of senior activities. Ensures that quality programs and activities are planned and provided. Ensures that programs and services comply with state and local requirements. Prepares and submits (or ensures the preparation and prompt submission of) data entry forms

and monthly reports. Maintains client files. Attends training provided by Coastal Georgia AAA. He/she will work approximately 2080 hours on this project.

B. Financial Management System

The contractor maintains financial records in accordance with generally accepted accounting principles. The scope of their annual audit includes Generally Accepted Auditing Standards, Government Auditing Standards, and OMB Circular A-133. A copy of the annual audit will be submitted to the Coastal Regional Commission. Complete supporting documentation is retained, including time sheets, benefits, travel expense reports, invoices, etc. Allowable costs and allocation of those costs are determined by state and federal regulations. All records relative to this program will be available to CRC staff (or the CRC's auditor) during regular office hours.

C. Invoicing (Monthly Reports)

Payment for services rendered under this contract will be made on a unit cost basis. In keeping with generally accepted accounting principles, the contractor will invoice monthly, utilizing a monthly report form provided by the Coastal Regional Commission. The monthly report will be submitted to the CRC by the 7th working day of the month following the report month. The contractor will submit monthly congregate and home-delivered logs prepared by the senior center director/site manager or his/her designee to support the invoice (monthly report form). The monthly reports must be signed by the individual preparing the report (usually the site manager) and an authorized individual as identified below in Section IIIF of this Annex A. The CRC reserves the right to request other supporting documentation. The Contractor will review and ensure that the report, logs, and supporting documentation are correct, accurate, and in agreement, prior to submission. Incorrect or inaccurate monthly submissions will not meet the terms of this contract, will not be considered a timely submission, and will not be accepted for payment until corrected. Payment for untimely submissions will be made at the discretion of the CRC. The CRC cannot guarantee payment for untimely submissions made more than 45 days after the original submission due date.

D. Fund Source(s) and Match Requirements

Title III (C1) Older Americans Act funding requires a local match of 10%. Social Service Block Grant (SSBG) funding requires a local match of 12%. AoA Nutrition Services Incentive Program (NSIP) and Community Based Services (CBS) funding does not require a local match.

The contractor will furnish the required local match. Local match will be expended/recorded by the contractor monthly in an amount not less than 10% of the total monthly Title III (C1) expenditures and not less than 12% of the total monthly SSBG expenditures. (See Annex I)

E. Budget

The total amount of this contract is **$266,271.71** including local match, program income and other local funds.

This is a unit cost contract, and the unit cost is:

- **$10.65 for congregate meals**
- **$12.19 for home delivered meals**

For information purposes, the Uniform Cost Methodology Spreadsheet used to establish this unit cost is on file at the CRC and is attached as Annex H. The maximum amount paid to the contractor will be the total federal and state funds as specified in Section IIID of this Annex A. No additional funds will be paid, regardless of the number of units provided. Additional costs are the responsibility of the contractor.

If the contract amount increases or decreases, a formal modification, signed by the CRC Executive Director, is required.

F. Person(s) Authorized to Sign Monthly Reports (Invoices)

The following person(s) are authorized to sign the Monthly Report Form:

Typed or Printed Name	Title	Signature
Typed or Printed Name	Title	Signature
Typed or Printed Name	Title	Signature

DIVISION OF AGING SERVICES
DEPARTMENT OF HUMAN RESOURCES
OLDER AMERICANS ACT
HEARING PROCEDURES

I. PURPOSE

The purpose of these procedures is to establish a hearing mechanism in compliance with Title III of the Older Americans Act of 1965, as amended, and its implementing regulations.

II. AUTHORITY

Older Americans Act of 1965, as amended, (Section 307 [a][5]); 42 USC 3027 (a)(5); 45 CFR PART 1321-1324; O.C.G.A. Section 49-6-2; DHR Rules Chapter 290-1-1; or their successors.

III. DEFINITIONS

1. "Grant" means an award of funds from a federal agency to the State Unit of Aging. Subsequent awards below the State Unit on Aging level (grantee level) are referred to in both federal legislation and regulation as a "subgrant" and the recipient as the "subgrantee." The Georgia Department of Human Services (DHS), Division of Aging Services, utilizes a formal contract to authorize others to provide actual services to clients, and requires its contractors to utilize a formal subcontract to authorize others to provide any services to clients. The Division of Aging Services also requires that any subcontractual relationships be indicated in the Area Plan on Aging.

For the purposes of this Hearing Procedure:

A. The terms "contract" or "contractor" shall mean the Area Agency on Aging (AAA) having a direct contractual relationship with the Division of Aging Services.

B. "Subcontractor" shall mean an entity authorized by subcontract with the AAA or another service provider to provide services to older Georgians funded through a subgrant (subcontract) under the AAA's plan as defined in 45 CFR Part 1321.3 with the express approval of the Area Agency on Aging and/or the Division of Aging Services through the approved Area Plan on Aging.

2. "Service Provider" means the entity that is awarded a subcontract from an AAA to provide services to older Georgians under the Area Agency on Aging's Area Plan on Aging as defined in 45 CFR Part 1321.3

For purpose of these Hearing Procedures, "Service Provider" shall also mean, an entity:

A. Which has been awarded a contract from the AAA to provide services; or,

B. Which has been awarded a subcontract from a primary service provider (AAA contractor) to provide services as approved by the AAA, to older Georgians under the Area Agency on Aging's Area Plan on Aging.

3. "Adverse Action" means:

A. The denial of an application to provide services under an Area Plan on Aging; or,

B. The termination or nonrenewal of a contract or subcontract for provision of services under an Area Plan on Aging; or,

C. The termination or nonrenewal of a grant, subgrant, contract or subcontract for the provision of nutrition services with a service provider who was once a Title VII nutrition project service provider; or,

D. The denial of an application for designation as an Area Agency on Aging or

E. The withdrawal of designation as an Area Agency on Aging; or

F. The disapproval of an application for designation of a Planning and Service Area.

4. "State Unit on Aging" means the Georgia Department of Human Services (DHS), Division of Aging Services as identified in the State Plan on Aging. For purposes of these Hearing Procedures, the terms "State Unit on Aging" and "Division of Aging Services" are interchangeable.

5. "State Plan on Aging' means the plan developed by the State Unit on Aging and submitted to the Commissioner of the Administration on Aging as specified in Section 307 of the Older Americans Act of 1965, as amended.

6. "Area Agency on Aging" (AAA) means the organization designated by the State Unit on Aging in accordance with Section 305 (5) (C) of the Older Americans Act of 1965, as amended, and as identified in the State Plan on Aging.

7. "Area Plan on Aging" means the plan developed by the designated Area Agency on Aging for a Planning and Service Area as specified in Section 306 of the Older Americans Act of 1965, as amended.

8. "Hearing Officer" means the Assistant Deputy Commissioner for the Georgia Department of Human Services' Division of Aging Services (DAS) or his/her designee.

9.

10. "Applicant to Provide Services" means an entity:

A. Which is responding to a Request for Proposal as issued by an Area Agency on Aging; or,

B. Which is responding to an approved (by the AAA) solicitation issued by a primary service provider (contractor) of the Area Agency on Aging.

IV. PROCEDURES FOR REQUESTING A HEARING

1. An opportunity for a hearing will be offered to:

A. Any applicant for designation as an Area Agency on Aging; or,

B. Any Area Agency on Aging; or,

C. Any applicant to provide a service under an Area Plan on Aging;

D. Any Title III service provider, under an Area Plan on Aging; or

E. Any applicant for designation as a Planning and Service Area.

who has been subject to an adverse action as defined above by a current service provider, Area Agency on Aging or the State Unit on Aging.

2. Any adverse action taken by any party must be in writing, must identify the party making said adverse action, and must advise all parties with rights under these procedures of the right to appeal said action by first requesting a reconsideration of the decision and, if necessary, requesting a hearing by the AAA and/or Division of Aging Services as described herein. All applicable time limits shall be clearly stated in all communications.

3. A. If the decision being appealed was made by the AAA or one of its subcontractors, then the aggrieved party must request, in writing, a reconsideration of that decision at the AAA level within seven (7) calendar days of receipt of the adverse action. If the decision being appealed was made by one of the AAA's subcontractors, the aggrieved party must also send a copy to that contractor at the same time. The AAA shall provide a reconsideration

conference for review of the action within seven (7) calendar days of receipt of the request, and shall inform, in writing, both the aggrieved party and the contractor, if appropriate, of the AAA's final decision within seven (7) calendar days of the reconsideration conference.

B. If the issue is not resolved at the AAA level, then the aggrieved party may request, in writing, a hearing by mailing a hearing request to the Assistant Deputy Commissioner, Division of Aging Services, 47 Trinity Avenue, 1st Floor, Atlanta, Georgia 30334. The hearing will be held by the Assistant Deputy Commissioner or his or her designee. The request must be made within fourteen (14) calendar days of receipt of the final decision of the AAA. The hearing request must specifically identify the complaining party, the party who took the adverse action, the adverse action being appealed, the basis for the appeal, and the relief that is being requested.

4. A. If the decision being appealed was made by the Division of Aging Services, then the aggrieved party must request, in writing, a reconsideration of that decision at the Division of Aging Services level within seven (7) calendar days of receipt of the adverse action. The Division of Aging Services shall provide a reconsideration conference for review of the action within seven (7) calendar days of receipt of the request, and shall inform, in writing, both the aggrieved party and the contractor, if appropriate, of the State Unit on Aging decision within seven (7) calendar days of the reconsideration conference.

B. If the issue is not resolved through reconsideration at the Division of Aging Services level, then the aggrieved party may request, in writing, a hearing. Request for hearing should be made to the Assistant Deputy Commissioner, Division of Aging Services, 47 Trinity Avenue, 1st Floor, Atlanta, Georgia 30334. The request must be made within fourteen (14) calendar days of receipt of the reconsideration decision of the State Unit on Aging. The hearing request must specifically identify the complaining party, the party who took the adverse action, the adverse action being appealed, the basis for the appeal, and the relief that is being requested.

C. If the decision being appealed was made by the Division of Aging Services, the Assistant Deputy Commissioner shall designate a hearing officer from outside the Division of Aging Services to preside over the formal hearing.

5. The issue at the reconsideration conference shall be limited to whether or not the decision being appealed was reached in accordance with the applicable procedures and was within the scope of authority of the agency taking the action.

V. SCOPE OF ISSUES AT HEARING

The issue at the hearing will be limited to whether or not the decision being appealed was reached in accordance with the applicable procedure and was within the scope of authority of the agency taking the action. Applicable current State and Federal laws and regulations concerning procurement, and the "Procedures for Competitive Procurement," Georgia Department of Human Services (DHS), Division of Aging Services, will govern. Where the issue involves the award, denial, or termination of a contract or subcontract, ordinary principles of Georgia contract law will also govern.

VI. HEARING PROCEDURES

1. The hearing request will not stay or otherwise delay implementation of the action appealed, unless a stay or delay is requested in writing and granted by the Hearing Officer.

2. Within thirty (30) calendar days of receipt of the hearing request by the Division of Aging Services, the Hearing Officer will mail or deliver to the parties a written notice of hearing, giving at least fifteen (15) calendar days advance notice of the hearing date.

3. The hearing will be conducted according to the "contested case" procedures of the Georgia Administrative Procedure Act and DHR Rules Chapter 290-1-1, or their successors.

4. If the hearing is conducted by the Assistant Deputy Commissionerof the Division of Aging Services, his or her written decision will be issued to the parties within thirty (30) calendar days of closure of the hearing record and will constitute the final administrative decision of the Georgia Department of Human Services. The decision of the Assistant Deputy Commissionerof the Division of Aging Services will advise the parties of any available judicial or Federal administrative appeal rights.

5. If the hearing is held by a designee of the Assistant Deputy Commissioner, the Hearing Officer will issue a written recommended decision to the parties and to the Assistant Deputy Commissioner within thirty (30) calendar days of closure of the hearing record. The Assistant Deputy Commissionerof the Division of Aging Services may affirm, modify, or reverse the recommended decision on his or her motion, or on written application of either party filed within thirty (30) calendar days of issuance of the recommended decision. The Assistant Deputy Commissioner's decision will constitute the final administrative decision of the Department of Human Services, and will advise the parties of any available judicial or Federal administrative appeal rights.

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

By_____ Date_____
(Signature of Official Authorized to Sign)

_____

_____

CERTIFICATION REGARDING
DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION
LOWER TIER COVERED TRANSACTION

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name and Title of Authorized Representative	Signature	Date

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List (Telephone 202/245-0729).

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

COASTAL REGIONAL COMMISSION
AREA AGENCY ON AGING
MONTHLY FINANCIAL REIMBURSEMENT FORM

Contractor Name: Effingham County Commissioners

County: Effingham County

Program: HCBS - Nutrition Services
Service: HCBS Home Delievered Meals
Fund Source: CBS - HCBS State

Month/Year FY2027

% of Year Completed 100.00%

Cost Per Meal/Unit	Current Month Units	YTD Units	Units Budgeted	Unexpended Units	% of Budget
$12.19	0.00	0	1,241	1,241	0.00%

Expenditure Category	Current Month	YTD Expense	Budget	Unexpended Balance	% of Budget
Unit Cost Expense Summary	$0.00	$0.00	$24,095.51	$24,095.51	0.00%
Less Cash Match	$0.00	$0.00	$0.00	$0.00	#DIV/0!
Less Program Income	$0.00	$0.00	$0.00	$0.00	#DIV/0!
	$0.00	$0.00	$0.00	$0.00	#DIV/0!
Net Expenditures	$0.00	$0.00	$24,095.51	$24,095.51	0.00%

Revenue Category	Current Month	YTD Revenue	Budget	Unexpended Balance	% of Budget
Federal (0%)	$0.00	$0.00	$0.00	$0.00	#DIV/0!
State (100%)	$0.00	$0.00	$24,095.51	$24,095.51	0.00%
Match (0%)	$0.00	$0.00	$0.00	$0.00	#DIV/0!
Program Income	$0.00	$0.00	$0.00	$0.00	#DIV/0!
	$0.00	$0.00	$0.00	$0.00	#DIV/0!
Total	$0.00	$0.00	$24,095.51	$24,095.51	0.00%

RDC USE ONLY	Vendor Code	Cost Code	Total
Contract Services	2509		
Reimbursement Amount			$0.00

SIGNATURE AND CERTIFICATION:

I certify that the information in this statement is accurate to the best of my knowledge and that all expenditures represented herein are in accordance with the terms and conditions of this contract. Certified Cost Form 5215 attached documents local sources applied.

Signature Title Date

ANNEXE

COASTAL REGIONAL COMMISSION
AREA AGENCY ON AGING
MONTHLY FINANCIAL REIMBURSEMENT FORM

Contractor Name: Effingham County Commissioner **County: Effingham County**

Program: HCBS - Nutrition Services **Month/Year** FY2027
Service: Home Delivered Meals
Fund Source: NSIP-State **% of Year Completed** 100.00%

Cost Per Meal/Unit	Current Month Units	YTD Units	Units Budgeted	Unexpended Units	% of Budget
$12.19	0.00	0.00	2,528	2,528	0.00%

Expenditure Category	Current Month	YTD Expense	Budget	Unexpended Balance	% of Budget
Unit Cost Expense Summary	$ -	$ -	$ 26,836.52	$ 26,836.52	0.00%
Less Cash Match	$ -	$ -	$ -	$ -	
Less Program Income	$ -	$ -	$ -	$ -	#DIV/0!
	$ -	$ -	$ -	$ -	#DIV/0!
Net Expenditures	$ -	$ -	$ 26,836.52	$ 26,836.52	0.00%

Revenue Category	Current Month	YTD Revenue	Budget	Unexpended Balance	% of Budget
Federal	$ -	$ -	$ -	$ -	#DIV/0!
State (100%)	$ -	$ -	$ 26,836.52	$ 26,836.52	0.00%
Match	$ -	$ -	$ -	$ -	#DIV/0!
Program Income	$ -	$ -	$ -	$ -	#DIV/0!
	$ -	$ -	$ -	$ -	#DIV/0!
Total	$ -	$ -	$ 26,836.52	$ 26,836.52	0.00%

RDC USE ONLY	Vendor Code	Cost Code	Total
Contract Services	2509		
Reimbursement Amount			$ -

SIGNATURE AND CERTIFICATION:

I certify that the information in this statement is accurate to the best of my knowledge and that all expenditures represented herein are in accordance with the terms and conditions of this contract. In-kind form 5215 attached documents local sources applied.

Signature **Title** **Date**

Annex E

COASTAL REGIONAL COMMISSION
AREA AGENCY ON AGING
MONTHLY FINANCIAL REIMBURSEMENT FORM

Contractor Name: Effingham County Commissioners

County: Effingham County

Program: HCBS Nutrition/Wellness
Service: HCBS-Home Delivered Meals
Fund Source: Title III C2 -Home Delivered Meals

Month/Year FY2027

% of Year Completed 100.00%

Cost Per Meal/Unit	Current Month Units	YTD Units	Units Budgeted	Unexpended Units	% of Budget
$12.19	0.00	0.00	8,229	8,229	0.00%
	0				

Expenditure Category	Current Month	YTD Expense	Budget	Unexpended Balance	% of Budget
Unit Cost Expense Summary	$0.00	$0.00	$100,310.96	$100,310.96	0.00%
Less Cash Match	$0.00	$0.00	$9,631.10	$9,631.10	0.00%
Less Program Income	$0.00	$0.00	$4,000.00	$4,000.00	0.00%
	$0.00	$0.00		$0.00	#DIV/0!
Net Expenditures	$0.00	$0.00	$86,679.86	$86,679.86	0.00%

Revenue Category	Current Month	YTD Revenue	Budget	Unexpended Balance	% of Budget
Federal (85%)	$0.00	$0.00	$81,864.31	$81,864.31	0.00%
State (5%)	$0.00	$0.00	$4,815.55	$4,815.55	0.00%
Match (10%)	$0.00	$0.00	$9,631.10	$9,631.10	0.00%
Program Income	$0.00	$0.00	$4,000.00	$4,000.00	0.00%
	$0.00	$0.00		$0.00	#DIV/0!
Total	$0.00	$0.00	$100,310.96	$100,310.96	0.00%

RDC USE ONLY	Vendor Code	Cost Code	Total
Contract Services	2509		
Reimbursement Amount			$0.00

SIGNATURE AND CERTIFICATION:

I certify that the information in this statement is accurate to the best of my knowledge and that all expenditures represented herein are in accordance with the terms and conditions of this contract. Certified Cost Form 5215 attached documents local sources applied.

Signature Title Date

COASTAL REGIONAL COMMISSION
AREA AGENCY ON AGING
MONTHLY FINANCIAL REIMBURSEMENT FORM

Contractor Name: Effingham County Commissioners
County: Effingham County

Program: HCBS Senior Center
Service: HCBS HDM
Fund Source: Other
Month/Year FY2027
% of Year Completed 100.00%

Cost Per Meal/Unit	Current Month Units	YTD Units	Units Budgeted	Unexpended Units	% of Budget
$12.19	0.00	0	627	627	0.00%

Expenditure Category	Current Month	YTD Expense	Budget	Unexpended Balance	% of Budget
Unit Cost Expense Summary	$0.00	$0.00	$5,802.44	$5,802.44	0.00%
Less Cash Match	$0.00	$0.00	$0.00	$0.00	#DIV/0!
Less Program Income	$0.00	$0.00	$0.00	$0.00	#DIV/0!
	$0.00	$0.00	$0.00	$0.00	#DIV/0!
Net Expenditures	$0.00	$0.00	$5,802.44	$5,802.44	0.00%

Revenue Category	Current Month	YTD Revenue	Budget	Unexpended Balance	% of Budget
Federal (0%)	$0.00	$0.00	$0.00	$0.00	#DIV/0!
State (100%)	$0.00	$0.00	$5,802.44	$5,802.44	0.00%
Match (0%)	$0.00	$0.00	$0.00	$0.00	#DIV/0!
Program Income	$0.00	$0.00	$0.00	$0.00	#DIV/0!
	$0.00	$0.00	$0.00	$0.00	#DIV/0!
Total	$0.00	$0.00	$5,802.44	$5,802.44	0.00%

RDC USE ONLY	Vendor Code	Cost Code	Total
Contract Services	2509	0	
Reimbursement Amount			$0.00

SIGNATURE AND CERTIFICATION:

I certify that the information in this statement is accurate to the best of my knowledge and that all expenditures represented herein are in accordance with the terms and conditions of this contract. Certified Cost Form 5215 attached documents local sources applied.

Signature Title Date

ANNEXE

COASTAL REGIONAL COMMISSION
AREA AGENCY ON AGING
MONTHLY FINANCIAL REIMBURSEMENT FORM

Contractor Name: Effingham County Commissioners

County: Effingham County

Program: HCBS Senior Center
Service: HCBS Congregate Meals
Fund Source: CBS - HCBS State

Month/Year FY2027

% of Year Completed 100.00%

Cost Per Meal/Unit	Current Month Units	YTD Units	Units Budgeted	Unexpended Units	% of Budget
$10.65	0.00	0	807	807	0.00%

Expenditure Category	Current Month	YTD Expense	Budget	Unexpended Balance	% of Budget
Unit Cost Expense Summary	$0.00	$0.00	$9,130.00	$9,130.00	0.00%
Less Cash Match	$0.00	$0.00	$0.00	$0.00	#DIV/0!
Less Program Income	$0.00	$0.00	$0.00	$0.00	#DIV/0!
	$0.00	$0.00	$0.00	$0.00	#DIV/0!
Net Expenditures	$0.00	$0.00	$9,130.00	$9,130.00	0.00%

Revenue Category	Current Month	YTD Revenue	Budget	Unexpended Balance	% of Budget
Federal (0%)	$0.00	$0.00	$0.00	$0.00	#DIV/0!
State (100%)	$0.00	$0.00	$19,130.00	$19,130.00	0.00%
Match (0%)	$0.00	$0.00	$0.00	$0.00	#DIV/0!
Program Income	$0.00	$0.00	$0.00	$0.00	#DIV/0!
	$0.00	$0.00	$0.00	$0.00	#DIV/0!
Total	$0.00	$0.00	$19,130.00	$19,130.00	0.00%

RDC USE ONLY	Vendor Code	Cost Code	Total
Contract Services	2509	3166/525	
Reimbursement Amount			$0.00

SIGNATURE AND CERTIFICATION:

I certify that the information in this statement is accurate to the best of my knowledge and that all expenditures represented herein are in accordance with the terms and conditions of this contract. Certified Cost Form 5215 attached documents local sources applied.

Signature Title Date

ANNEXE

COASTAL REGIONAL COMMISSION
AREA AGENCY ON AGING
MONTHLY FINANCIAL REIMBURSEMENT FORM

Contractor Name: Effingham County Commissioner | **County: Effingham County**

Program: HCBS - Senior Centers | **Month/Year** FY2027
Service: Congregate Meals
Fund Source: NSIP-State | **% of Year Completed** 100.00%

Cost Per Meal/Unit	Current Month Units	YTD Units	Units Budgeted	Unexpended Units	% of Budget
$10.65	0.00	0.00	1,214	1,214	0.00%

Expenditure Category	Current Month	YTD Expense	Budget	Unexpended Balance	% of Budget
Unit Cost Expense Summary	$ -	$ -	$ 13,734.00	$ 13,734.00	0.00%
Less Cash Match	$ -	$ -	$ -	$ -	
Less Program Income	$ -	$ -	$ -	$ -	#DIV/0!
	$ -	$ -	$ -	$ -	#DIV/0!
Net Expenditures	$ -	$ -	$ 13,734.00	$ 13,734.00	0.00%

Revenue Category	Current Month	YTD Revenue	Budget	Unexpended Balance	% of Budget
Federal	$ -	$ -	$ -	$ -	#DIV/0!
State (100%)	$ -	$ -	$ 13,734.00	$ 13,734.00	0.00%
Match	$ -	$ -	$ -	$ -	#DIV/0!
Program Income	$ -	$ -	$ -	$ -	#DIV/0!
	$ -	$ -	$ -	$ -	#DIV/0!
Total	$ -	$ -	$ 13,734.00	$ 13,734.00	0.00%

RDC USE ONLY	Vendor Code	Cost Code	Total
Contract Services	2509	33701/525	
Reimbursement Amount			$ -

SIGNATURE AND CERTIFICATION:

I certify that the information in this statement is accurate to the best of my knowledge and that all expenditures represented herein are in accordance with the terms and conditions of this contract. In-kind form 5215 attached documents local sources applied.

Signature **Title** **Date**

Annex E

COASTAL REGIONAL COMMISSION
AREA AGENCY ON AGING
MONTHLY FINANCIAL REIMBURSEMENT FORM

Contractor Name: Effingham County Commissioners

County: Effingham County

Program: HCBS - Senior Centers
Service: Congregate Meals
Fund Source: Title III C1 - Congregate Meals

Month/Year FY2027

% of Year Completed 100.00%

Cost Per Meal/Unit	Current Month Units	YTD Units	Units Budgeted	Unexpended Units	% of Budget
$10.65	0.00	0.00	6,490	6,490	0.00%

Expenditure Category	Current Month	YTD Expense	Budget	Unexpended Balance	% of Budget
Unit Cost Expense Summary	$0.00	$0.00	$69,122.77	$69,122.77	0.00%
Less Cash Match	$0.00	$0.00	$6,352.28	$6,352.28	0.00%
Less Program Income	$0.00	$0.00	$5,600.00	$5,600.00	0.00%
	$0.00	$0.00	$0.00	$0.00	#DIV/0!
Net Expenditures	$0.00	$0.00	$57,170.49	$57,170.49	0.00%

Revenue Category	Current Month	YTD Revenue	Budget	Unexpended Balance	% of Budget
Federal (85%)	$0.00	$0.00	$53,994.35	$53,994.35	0.00%
State (5%)	$0.00	$0.00	$3,176.14	$3,176.14	0.00%
Match (10%)	$0.00	$0.00	$6,352.28	$6,352.28	0.00%
Program Income	$0.00	$0.00	$5,600.00	$5,600.00	0.00%
	$0.00	$0.00	$0.00	$0.00	#DIV/0!
Total	$0.00	$0.00	$69,122.77	$69,122.77	0.00%

RDC USE ONLY	Vendor Code	Cost Code	Total
Contract Services	2509	3250/525	
Reimbursement Amount			$0.00

SIGNATURE AND CERTIFICATION:

I certify that the information in this statement is accurate to the best of my knowledge and that all expenditures represented herein are in accordance with the terms and conditions of this contract. Certified Cost Form 5215 attached documents local sources applied.

Signature Title Date

COASTAL REGIONAL COMMISSION
AREA AGENCY ON AGING
MONTHLY FINANCIAL REIMBURSEMENT FORM

Contractor Name: Effingham County Commissioners
County: Effingham County

Program: HCBS Senior Center
Service: HCBS Congregate Meals
Fund Source: Other
Month/Year FY2027
% of Year Completed 100.00%

Cost Per Meal/Unit	Current Month Units	YTD Units	Units Budgeted	Unexpended Units	% of Budget
$10.65	0.00	0	638	638	0.00%

Expenditure Category	Current Month	YTD Expense	Budget	Unexpended Balance	% of Budget
Unit Cost Expense Summary	$0.00	$0.00	$7,210.05	$7,210.05	0.00%
Less Cash Match	$0.00	$0.00	$0.00	$0.00	#DIV/0!
Less Program Income	$0.00	$0.00	$0.00	$0.00	#DIV/0!
	$0.00	$0.00	$0.00	$0.00	#DIV/0!
Net Expenditures	$0.00	$0.00	$7,210.05	$7,210.05	0.00%

Revenue Category	Current Month	YTD Revenue	Budget	Unexpended Balance	% of Budget
Federal (0%)	$0.00	$0.00	$7,210.05	$7,210.05	0.00%
State (100%)	$0.00	$0.00	$0.00	$0.00	#DIV/0!
Match (0%)	$0.00	$0.00	$0.00	$0.00	#DIV/0!
Program Income	$0.00	$0.00	$0.00	$0.00	#DIV/0!
	$0.00	$0.00	$0.00	$0.00	#DIV/0!
Total	$0.00	$0.00	$7,210.05	$7,210.05	0.00%

RDC USE ONLY	Vendor Code	Cost Code	Total
Contract Services	2509	3166/525	
Reimbursement Amount			$0.00

SIGNATURE AND CERTIFICATION:

I certify that the information in this statement is accurate to the best of my knowledge and that all expenditures represented herein are in accordance with the terms and conditions of this contract. Certified Cost Form 5215 attached documents local sources applied.

Signature Title Date

ANNEX E

DIVISION of AGING SERVICES
Taxonomy of Services Definitions

AN

Program: (Program must match what is in DDS)	Service Name: (Service must match what is in DDS)	Unit of Measure:	Individual or Group:	Method of Re-imbursement:	Designated DAS Staff: (Title, Section)	Definition:
AAA LINE ITEMS	AAA Administration	N/A	N/A	Line Item	N/A	Activities associated with overall area agency operations. Includes, but is not limited to analyzing data, planning, procurement, contracting, contract management, quality assurance, compliance monitoring, financial management, technology management, personnel management, training, technical assistance, professional development, contractor relations, program operations/management, resource identification, and development.
AAA LINE ITEMS	Advocacy	N/A	N/A	Line Item	N/A	Activities related to monitoring, evaluating, and commenting on all policies, programs, hearings, levies, and community actions that affect older persons; conducting public hearings on the needs of older people; coordinating planning with other agencies and organizations to promote new or expanded benefits and opportunities for older persons.
AAA LINE ITEMS	Coordination	N/A	N/A	Line Item	N/A	Engaging in cooperative arrangements with other service planners and providers to facilitate access to and use of all existing services and developing home—and community-based services to effectively and efficiently meet the needs of older persons.
AAA LINE ITEMS	Outreach	1 Contact	Group	Line Item	N/A	Intervention with individuals initiated by an agency or organization for the purpose of identifying potential clients, or their caregivers and encouraging their use of existing services and benefits.
AAA LINE ITEMS	Program Development	N/A	N/A	Line Item	N/A	Those activities directly related to either the establishment of a new service, or the improvement, expansion, or integration of an existing service. Activities must be intended to achieve a specific service goal or objective; must occur during a specifically defined period of time, rather than being cyclical or ongoing in nature.
ADRC	ADRC Information and Assistance	1 Contact	Individual or Group	Line Item	ADRC Team, Access to Services	A service that: (A) provides individuals with information on services available within the communities; (B) links individuals to the services and opportunities that are available within the communities; (C) to the maximum extent practicable, establishes adequate follow-up procedures. Internet web site "hits" are to be counted only if the information is requested and supplied. The ultimate goal of the ADRCs is to serve all individuals with long-term care needs regardless of their age or disability by providing easier access to public and private resources. **Note - The service of ADRC Information and Assistance includes the service of Community Options Counseling.**
ADULT PROTECTIVE SERVICES	Case Management	1 contact	Individual	N/A	Adult Protective Services (APS)	A service provided as a result of the justification that a disabled adult and/or elder person is at risk for further abuse, neglect or exploitation (is in need of protective services) and that the adult has consented to on-going APS case management services. Case management services include, but are not limited to, assessment, case plan development, identification and coordination of essential services, follow up and reassessment.
ADULT PROTECTIVE SERVICES	Intake	1 contact	Individual	N/A	Adult Protective Services (APS)	A service to receive reports of alleged abuse, neglect, exploitation and/or self neglect of disabled adults (18-64) or elder persons (65+). Reports may be accepted for investigation, provide intervention (limited telephone case management), or for information and referral.

DIVISION of AGING SERVICES
Taxonomy of Services Definitions

ANNEX F

ADULT PROTECTIVE SERVICES	Investigation	1 contact	Individual	N/A	Adult Protective Services (APS)	For reports that meet criteria, the investigation is a service to determine if alleged abuse, neglect, exploitation, and/or self-neglect has occurred, report (except self-neglect) substantiated cases to the law enforcement, and prevent further maltreatment of the adult at risk.
DISASTER SERVICES	Congregate Meals	1 Meal	Individual	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	A meal provided to a qualified individual in a congregate or group setting. The meal as offered meets all of the requirements of the Older Americans Act and State/Local laws. Used only for services provided during disaster relief.
DISASTER SERVICES	Home Delivered Meals	1 Meal	Individual	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	A meal provided to a qualified individual in his/her place of residence. The meal is served in a program administered by SUAs and/or AAAs and meets all of the requirements of the Older Americans Act and State/Local laws. May include assistive technology required for dining. Used only for services provided during disaster relief.
ELDERLY LEGAL ASSISTANCE PROGRAM (ELAP)	Elderly Legal Assistance	1 Hour1 Case1 Session	Staff Activity Logs	Line Item	State Legal Services Developer, Access to Services	Free legal representation, advice, and counseling for persons 60 and older
FSIU	Case Consultation, Technical Assistance	1 Person	N/A	N/A	Forensic Special Initiatives Unit (FSIU)	Case reviews/consultations for DAS, first responders and mandated reporters regarding issues related to Abuse, Neglect and Exploitation. Forensics is point of contact for agencies engaged in criminal & death investigations to determine if victim and/or decedent is or was receiving services through Adult Protective Services. Persons will refer to the individuals contacting FSIU for assistance, not the number of people involved in the case.
FSIU (EAP)	Information and Outreach	1 Session	N/A	N/A	Forensic Special Initiatives Unit (FSIU)	Provision of services to include information and outreach to mandated reporters and first responders to increase awareness of and response to abuse, neglect & exploitation of older adults and adults with disabilities.
HCBS - CAREGIVER SERVICES	Aging Mastery Program	1 Workshop	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	The Aging Mastery Program® (AMP) is a signature program of the National Council on Aging (NCOA). NCOA created Aging Mastery as a guide to building a playbook for aging well and making the most of the gift of longer life. The program provides a comprehensive and fun approach to positive aging by focusing on key aspects of health, finances, relationships, personal growth, and community involvement.One workshop is equal to ten sessions/classes.A completer is one participant who attends 7 of the 10 session/classes.One completer is required for reimbursement for the workshop.
HCBS - CAREGIVER SERVICES	Caregiver - Group	1 Session	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	Individual clients documented. A support group is a gathering of people who share a common health concern or interest. Support groups can be led by a lay person, a health care professional, or both, and are typically held on a regularly scheduled basis. Members share their common experiences and concerns to develop a mutual support system.
HCBS - CAREGIVER SERVICES	Community and Public Education	1 Session	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	Instruction provided to caregivers or the general public regarding available support services for caregivers or practical information on the methods and techniques of caregiving. Examples include but are not limited to health fairs, presentation, and caregiver conferences.

DIVISION of AGING SERVICES
Taxonomy of Services Definitions

HCBS - CAREGIVER SERVICES	Counseling - Group	1 Session	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	Counseling to caregivers to assist them in making decisions and solving problems relating to their caregiver roles. This includes counseling to support groups and caregiver training of families.
HCBS - CAREGIVER SERVICES	Counseling - Individual	1 Hour	Individual	Unit Cost	Caregiver Services Specialist, Livable Communities	Counseling to caregivers to assist them in making decisions and solving problems relating to their caregiver roles. This includes counseling to individuals and caregiver training of individuals and families.
HCBS - CAREGIVER SERVICES	Health Promotion/Disease Prevention	1 Session	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	The provision of activities promoting wellness, nutrition, and physical activity, disease prevention and risk management, healthy lifestyle and safety in a group setting. Activities may include: Disease Management Medications Management Physical Activity Health Promotion Health Indicators, Outcomes, Evaluation Health Literacy Preventative Action Self-Care/Self-Management
HCBS - CAREGIVER SERVICES	Home Delivered Meals	1 Meal	Individual	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	A meal provided to a qualified individual in his/her place of residence. The meal is served in a program administered by SUAs and/or AAAs and meets all of the requirements of the Older Americans Act and State/Local laws. May include assistive technology required for dining.
HCBS - CAREGIVER SERVICES	Material Aid - Home Modifications/Home Repair	Unit	Individual	Unit Cost	Caregiver Services Specialist, Livable Communities	Provision of housing improvement services designed to promote the safety and well- being of adults in their residences, to improve internal and external accessibility, to reduce the risk of injury, and to facilitate in general the ability of older individuals to remain at home. For Kinship Care, could include, but not limited to, safety electrical plugs, child safety gates, window and drawer safety latches.
HCBS - CAREGIVER SERVICES	Material Aid - Other - Group	Per Item	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	A provision of materials to caregivers for purchase of such materials. Materials may include: housing/shelter, transportation, utilities, food/meals, groceries, clothing, child safety items, incontinence supplies, cleaning supplies, school supplies, etc.
HCBS - CAREGIVER SERVICES	Material Aid - Other - Individual	Per Item	Individual	Unit Cost	Caregiver Services Specialist, Livable Communities	For purchase of materials and/or supplies that support a person's ability to continue living in the community as independently as possible. Materials may include: housing/shelter, transportation, utilities, food/meals, groceries, clothing, child safety items, incontinence supplies, cleaning supplies, school supplies, etc.
HCBS - CAREGIVER SERVICES	Material Aid - Other - Individual - Voucher	Per item	Individual	Unit Cost	Caregiver Services Specialist, Livable Communities	A voucher to be spent by caregivers for purchase of such materials. Materials may include: housing/shelter, transportation, utilities, food/meals, groceries, clothing, child safety items, incontinence supplies, cleaning supplies, school supplies, etc.
HCBS - CAREGIVER SERVICES	Outreach	1 Contact	Individual	Line Item	Caregiver Services Specialist, Livable Communities	Intervention with individuals initiated by an agency or organization for the purpose of identifying potential clients, or their caregivers and encouraging their use of existing services and benefits.

DIVISION of AGING SERVICES
Taxonomy of Services Definitions

HCBS - CAREGIVER SERVICES	Powerful Tools for Caregivers	1 Workshop	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	Powerful Tools for Caregivers is an evidence based six week education program designed to provide family caregivers with tools necessary to increase their self care and confidence. The program improves self-care behaviors, management of emotions, self-efficacy, and use of community resources. One workshop equals six weeks with one session/class per week. Completers are participants who attend 4 of 6 sessions/classes. One completer is required for reimbursement for the workshop.
HCBS - CAREGIVER SERVICES	RCICaring for You, Caring for Me	1 Workshop	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	A 10-hour evidence-informed caregiver program, conducted in five two-hour modules, that addresses the needs of family and professional caregivers. Caregivers learn: ways of coping with caregiving; resources available and how to access them; ways to share common concerns and issues. One workshop equals five 2-hour sessions/classes. A completer is one participant who attends 4 of the 5 sessions/classes. One completer is required for reimbursement for the workshop.
HCBS - CAREGIVER SERVICES	RCI Dealing with Dementia	1 Workshop	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	A four-hour workshop, paired with the comprehensive Dealing with Dementia Guide, a detailed workbook designed to help caregivers. The goal of the workshop is to increase dementia knowledge and improve the caregiver's confidence in their ability to provide care. One completer is required for reimbursement for the workshop.
HCBS - CAREGIVER SERVICES	RCI REACH(Resources Enhancing Alzheimer's Caregiver Health)	15 min	Individual	Unit Cost	Caregiver Services Specialist, Livable Communities	RCI REACH serves family caregivers who assist a care partner with Alzheimer's disease or another type of dementia. The program uses a "coaching" model rather than the usual caseworker or classroom approach to supporting caregivers. During twelve visits to the family home over a period of six months, the coach and caregiver work together to identify which issues are causing the most difficulty and then develop strategies to overcome the challenges. Caregivers also receive training in stress management and coping with dementia behaviors.
HCBS - CAREGIVER SERVICES	Respite Care - In-Home	1 Hour	Individual	Unit Cost	Caregiver Services Specialist, Livable Communities	Services that offer temporary, substitute supports or living arrangements for care recipients in order to provide a brief period of relief or rest for caregivers. Respite includes: In-Home Respite (personal care, homemaker, and other in-home respite).
HCBS - CAREGIVER SERVICES	Respite Care - In-Home - Voucher	Unit	Individual	Unit Cost	Caregiver Services Specialist, Livable Communities	Vouchers issued for caregivers to pay for services that offer temporary, substitute supports or living arrangements for care recipients in order to provide a brief period of relief or rest for caregivers. Respite includes: In-Home Respite (personal care, homemaker, and other in-home respite).
HCBS - CAREGIVER SERVICES	Respite Care - Out-of-Home	1 Hour	Individual	Unit Cost	Caregiver Services Specialist, Livable Communities	Services that offer temporary, substitute supports or living arrangements for care recipients in order to provide a brief period of relief or rest for caregivers. Respite includes: 1) respite provided by attendance of the care recipient at a senior center, adult day program, or other nonresidential program, 2) institutional respite provided by placing the care recipient in an institutional setting such as a nursing home for a short period of time as a respite service to the caregiver.
HCBS - CAREGIVER SERVICES	Respite Care - Out-of-Home - Voucher	Unit	Individual	Unit Cost	Caregiver Services Specialist, Livable Communities	Vouchers issued for caregivers to pay for services that offer temporary, substitute supports or living arrangements for care recipients in order to provide a brief period of relief or rest for caregivers. Respite includes: 1) respite provided by attendance of the care recipient at a senior center, adult day program, or other nonresidential program,2) institutional respite provided by placing the care recipient in an institutional setting such as a nursing home for a short period of time as a respite service to the caregiver.

DIVISION of AGING SERVICES
Taxonomy of Services Definitions

HCBS - CAREGIVER SERVICES	Support Group	Session	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	Individual clients documented. A support group is a gathering of people who share a common health concern or interest. Support groups can be led by a lay person, a health care professional, or both, and are typically held on a regularly scheduled basis. Members share their common experiences and concerns to develop a mutual support system.
HCBS - CAREGIVER SERVICES	Support Groups - Caregiver Group	Session	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	Individual clients documented. A support group is a gathering of people who share a common health concern or interest. Support groups can be led by a lay person, a health care professional, or both, and are typically held on a regularly scheduled basis. Members share their common experiences and concerns to develop a mutual support system.
HCBS - CASE MANAGEMENT	Behavioral Health Coaching - Congregate	1/4 hour	Individual	Unit Cost	LC Team Lead & Case Management, Livable Communities	The process of assessment, service coordination, education, and coaching to support persons living with mental health and/or substance abuse issues to live as safely and independently as possible in a congregate setting.
HCBS - CASE MANAGEMENT	Behavioral Health Coaching - Non-Congregate	1/4 hour	Individual	Unit Cost	LC Team Lead & Case Management, Livable Communities	The process of assessment, service coordination, education, and coaching to support persons living with mental health and/or substance abuse issues to live as safely and independently as possible in a non-congregate setting
HCBS - CASE MANAGEMENT	BRI Care Consultation	1/4 hour	Individual	Unit Cost	Caregiver Services Specialist, Livable Communities	An evidence-based information and coaching service delivered by telephone which empowers people to understand options, manage care, and make decisions more effectively. Participants must complete periodic contacts based on program guidelines
HCBS - CASE MANAGEMENT	Case Management	1/4 hour	Individual	Unit Cost	LC Team Lead & Case Management, Livable Communities	Short-term assistance on behalf of an older person or caregiver who is experiencing immediate risk to health and safety, is at high risk of institutional placement, or has complex needs across multiple domains of care. Activities of case management include such practices as comprehensive assessment, often across multiple domains; and developing and monitoring short-term care plans. Case Management can be provided to older adults, persons with disabilities, caregivers, or relative caregivers raising children.
HCBS - CASE MANAGEMENT	Case Management Brokering	1/4 hour	Individual	Unit Cost	LC Team Lead & Case Management, Livable Communities	The conflict-free assessment of a consumer (preferably face-to-face) to determine eligibility or appropriateness for services, the recommendation of service(s) and frequency, and the periodic rescreening of that consumer to determine ongoing eligibility or appropriateness for services.
HCBS - CASE MANAGEMENT	Support Options Coordination	1/4 hour	Individual	Unit Cost	LC Team Lead & Case Management, Livable Communities	Providing skills training and support to consumers in meeting their responsibilities as participants in the consumer-directed model of services, including training, coaching, and providing technical assistance to consumers to assist them in using their budgets correctly and avoiding overspending.
HCBS - EVIDENCE BASED SERVICES	Aging Mastery Program	1 Workshop	Group	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	The Aging Mastery Program® (AMP) is a signature program of the National Council on Aging (NCOA). NCOA created Aging Mastery as a guide to building a playbook for aging well and making the most of the gift of longer life. The program provides a comprehensive and fun approach to positive aging by focusing on key aspects of health, finances, relationships, personal growth, and community involvement. One workshop equals 10 sessions/classes. A completer is one participant who attends 7 of the 10 sessions/classes. One completer is required for reimbursement for the workshop.

HCBS - EVIDENCE BASED SERVICES	BingoCize	1 Workshop	Group	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	Bingocize ® is an evidence-based health promotion program that strategically combines the game of bingo, health education, and/or exercise. Trained leaders may select between separate 10-week workshops that focus on exercise-only, exercise and falls prevention, or exercise and nutrition. Each workshop includes a facilitator's script for each session, participants' materials, and "take home" cards for participants to complete exercises and tasks at home to reinforce the weekly health education information. Participants play Bingocize ® twice per week, with each 45-60-minute session consisting of exercises (range of motion, balance, muscle strengthening, and endurance exercises) and/or health education questions. Workshops can be delivered using a traditional in-person bingo game, along with printed curriculum facilitator and participants' materials. However, facilitators and participants are recommended to use a stand-alone online version, Bingocize ® Online, to play Bingocize ® in-person or remotely. This adds a fun, interactive technology component to the original game. One workshop equals 10-weeks with two 45 - 60 minute sessions/classes per week for a total of 20 sessions/classes. A completer is one participant who attends 16 of the 20 sessions/classes. One completer is required for reimbursement for the workshop.
HCBS - EVIDENCE BASED SERVICES	CDSME - CDSMP	1 Workshop	Group	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	Chronic Disease Self-Management Education (CDSME) Chronic Disease Self-Management Program (CDSMP)A Stanford University (SMRC) evidence-based, train the trainer program held for two an a half hours, once a week, for six consecutive weeks. Workshops and Lay Leader Trainings are facilitated by either non-health care professionals or health care professionals able to adhere to the fidelity of the program, and giving preference to individuals with chronic conditions themselves. The objective is to empower workshop participants to problem solve, and set weekly goals to improve skills needed to manage symptoms experienced by participants with chronic conditions as well as caregivers of persons with chronic conditions. Curriculum includes: medications management, developing goals around establishing/enhancing exercise programs, healthier nutrition habits, and other personal weekly action items, learning better communication techniques, managing of pain and fatigue, working with healthcare professionals and the healthcare system, and much more. One workshop equals 6 weeks of 2.5 hour sessions/classes once per week. A completer is one participant who attends 4 of the 6 sessions/classes. One completer is required for reimbursement for the workshop.
HCBS - EVIDENCE BASED SERVICES	CDSME - CPSMP	1 Workshop	Group	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	Chronic Disease Self-Management Education (CDSME) Chronic Pain Self-Management Program (CPSMP)The Chronic Pain Self-Management Program (online, synchronous) is an interactive group workshop delivered via Zoom or similar virtual platform for those living with chronic pain such as arthritis, backpain, neck pain, headache, or pelvic pain. Participants learn the skills to manage their pain on day-to-day basis: exercise, healthy eating, cognitive pain management, as well as how to deal with such concerns as fatigue, sleep problems, difficult emotions, weight loss, communicating with family, friends, and coworkers. Core self-management skills taught include action planning, problem solving and decision making. This service description specifies the target audience as "Adults, 18 years and older, living with chronic pain". For all services funded with Title IIID, the client must be 60 years of age or older. One workshop equals 6 weekly, 2.5-hour sessions/classes. A completer is one participant who attends 4 of the 6 sessions/classes. One completer is required for reimbursement for the workshop

DIVISION of AGING SERVICES
Taxonomy of Services Definitions

HCBS - EVIDENCE BASED SERVICES	CDSME - Diabetes	1 Workshop	Group	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	Chronic Disease Self-Management Education (CDSME)A Stanford University (SMRC) evidence-based, train the trainer program held for two and a half hours, once a week for six consecutive weeks. Workshops and Lay Leader trainings are facilitated by two trained individuals, one or both of whom have diabetes. Participants have diabetes or are diagnosed as being pre-diabetic. Completers will attend at least four of the six sessions. One workshop equals to 6 weeks of 2.5 hour sessions/classes once per week. A completer is one participant who attends 4 of the 6 sessions/classes. One completer is required for reimbursement for the workshop.
HCBS - EVIDENCE BASED SERVICES	CDSME - Tomando	1 Workshop	Group	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	A Stanford University (SMRC) evidence-based, train the trainer program for Spanish- speaking individuals held for two an a half hours, once a week, for six consecutive weeks. Workshops and Lay Leader Trainings are facilitated by either non-health care professionals or health care professionals able to adhere to the fidelity of the program, and giving preference to individuals with chronic conditions themselves. The objective is to empower workshop participants to problem solve, and set weekly goals to improve skills needed to manage symptoms experienced by participants with chronic conditions as well as caregivers of persons with chronic conditions.
HCBS - EVIDENCE BASED SERVICES	Falls Prevention - Matter of Balance	1 Workshop	Group	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	Developed by researchers in Maine, this is an 8 week evidence based program designed to address the fear individuals have of falling. It combines education about falls prevention as well as an introduction to physical activities that can help improve balance and stability. A completer is a participant who attends at least five of the eight sessions.One workshop equals to eight 2-hour sessions/classes, either once per week for eight weeks or twice a week for four weeks.A completer is one participant who attends 5 of the 8 sessions/classes.One completer is required for reimbursement for the workshop.
HCBS - EVIDENCE BASED SERVICES	Falls Prevention - Tai Chi	1 Workshop	Group	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	Developed by Dr. Paul Lam in Australia, TCH is 12 forms of Tai Chi taught by trained instructors over 8 (1 hour) or 12 (1 hour) week sessions. The program improves balance and especially helps persons with Arthritis. One workshop equals to 8 sessions/classes. A completer is one participant who attends 5 of 8 sessions/classes. One completer is required for reimbursement for the workshop. Or one workshop equals to 12 sessions/classes. A completer is one participant who attends 8 of 12 sessions/classes. One completer is required for reimbursement for the workshop.

DIVISION of AGING SERVICES
Taxonomy of Services Definitions

HCBS - EVIDENCE BASED SERVICES	Geri-Fit Program	1 Session	Group	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	Disease self-management support program. Designed exclusively for older adults, Geri-Fit helps rebuild strength that's been lost through the aging process. The progressive resistance strength training program uses bodybuilding techniques to increase strength. The program also incorporates range of motion exercises, stability and balance training, cardiovascular activity for heart health, and gait exercises to help improve walking. Geri-Fit helps ensure a higher level of function and improvement in activities of daily living as well as management of chronic diseases such as diabetes, heart disease, pain management, depression and more. There's no dancing, aerobics, or choreography to learn and participants never have to get on the floor. Most of the exercises are performed seated in chairs with a set of light dumbbell weights, however, participants have the option to do the exercises standing if they prefer. Each person is encouraged to work out at their own pace and fitness level. One workshop equals four weeks with two session/classes per week. A completer is one participant who attends 5 of 8 sessions/classes. One completer is required for reimbursement for the workshop. Or one workshop equals twelve weeks with two sessions/classes per week. A completer is one participant who attends 16 of the 24 sessions/classes. One completer is required for reimbursement for the workshop.
HCBS - EVIDENCE BASED SERVICES	Health Coaches for Hypertension Control	1 Workshop	Group	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	Health Coaches for Hypertension Control consists of eight sessions delivered by Health Coaches using a scripted manual and visual aids. The 90-minute sessions include experiential learning strategies appropriate for those with health literacy challenges. Specific session topics include: Basics of Hypertension Control; Nutrition with emphasis on Dietary Approaches to Stop Hypertension (DASH); Physical Activity with emphasis on creating a personal physical activity plan; Tobacco Cessation; Stress Management; Medication Management; one session about developing short- term action plans and another on creating a long-term action plan. The Nutrition and Physical Activity sessions also include content on weight control. One workshop equals eight 90-minute sessions/classes. A completer is one participant who attends 5 of the 8 sessions/classes. One completer is required for reimbursement for the workshop. OR A workshop equals two 90-minute sessions/classes per week for four weeks. A completer is one participant who attends 5 of the 8 sessions/classes. One completer is required for reimbursement for the workshop.
HCBS - EVIDENCE BASED SERVICES	Hospital Transition - Care Transitions Intervention	1 Person	Individual	Line Item	Nutrition & Evidence Based Programs Manager, Livable Communities	Transition Coordination is the assistance of eligible participants, through HCBS services, to transition from an institutional setting (i.e. Skilled Nursing Facility, Hospital) back into the community. Transition Coordinators leverage HCBS services, community-based services, and expanded circles of support to achieve transition from these institutions based on an Individualized Transition Plan (ITP) and maintains support up to thirty (365 for NHT) days after day of transition. **Note - Not MFP Eligible Clients**
HCBS - EVIDENCE BASED SERVICES	Hospital Transition - The Bridge Model	1 Person	Individual	Line Item	Nutrition & Evidence Based Programs Manager, Livable Communities	Hospital Transitions have a number of components to assist an individual transfer home post discharge including, but not limited to: meals, case management, medication management, home visit, help making follow up appointments completely based on the individual's need for supports as they recover at home.

DIVISION of AGING SERVICES
Taxonomy of Services Definitions

HCBS - EVIDENCE BASED SERVICES	Map Habit	1 Contact	Individual	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	Map Habit organizes habits, routines, and tasks into visual maps. They are interactive and engaging step-by-step how to guides that help members complete a daily activity on their own, or with help from a support partner or caregiver.
HCBS - EVIDENCE BASED SERVICES	VIVO	1 Workshop	Group	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	A 12-week strength training program, done virtually. This fitness program is based on the Science of Strength Training and consists of small-group, interactive Zoom™ classes taught by live instructors. One workshop is equal to twelve sessions/classes. A completer is one participant who attends 6 of the 12 sessions/classes. One completer is required for reimbursement for the workshop.
HCBS - HCBS SERVICES	Adult Day Care	1 Hour	Individual	Unit Cost	Caregiver Services Specialist, Livable Communities	Personal assistance for dependent elders in a supervised, protective, and congregate setting during some portion of a day. Services offered in conjunction with adult day care typically include social and recreational activities, training, and counseling.
HCBS - HCBS SERVICES	Adult Day Care - Mobile	1 Hour	Individual	Unit Cost	Caregiver Services Specialist, Livable Communities	Personal assistance for dependent elders in a supervised, protective, and congregate setting during some portion of a day. Services offered in conjunction with adult day care typically include social and recreational activities, training, and counseling. Mobile Adult Day Care are services provided by staff who travel from a central location to an off-site location(s), primarily, but not limited to, rural areas.
HCBS - HCBS SERVICES	Adult Day Health	1 Hour	Individual	Unit Cost	Caregiver Services Specialist, Livable Communities	Personal assistance for dependent elders in a supervised, protective, and congregate setting during some portion of a day. Services offered in conjunction with adult day health typically include social and recreational activities, training, and counseling, and services such as rehabilitation, medications assistance and home health aide services for adult day health. Adult Day Health programs must have an RN or LPN present at all time.
HCBS - HCBS SERVICES	Community and Public Education	1 Session	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	Instruction provided to potential clients, caregivers, or the general public regarding available support services or to provide general program information. Examples include but are not limited to information and assistance, health fairs, and presentations.
HCBS - HCBS SERVICES	Counseling - Group	1 Session	Group	Unit Cost	LC Team Lead & Case Management, Livable Communities	Guidance to assist older adults, persons with disabilities and caregivers in making decisions and solving problems offered in a group setting. Primary reasons for counseling include, but are not limited to, depression, grief, family problems and lifestyle changes.
HCBS - HCBS SERVICES	Counseling - Individual	1 Hour	Individual	Unit Cost	LC Team Lead & Case Management, Livable Communities	Guidance to assist older adults, persons with disabilities and caregivers in making decisions and solving problems. Primary reasons for counseling include, but are not limited to, depression, grief, family problems and lifestyle changes.

DIVISION of AGING SERVICES
Taxonomy of Services Definitions

ANNEX F

HCBS - HCBS SERVICES	Material Aid - Assistive Technology	Per item	Individual	Unit Cost	In-Home Services Specialist, Livable Communities	Any item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals. Items can range from low tech to high tech and include eyeglasses, dental care, and hearing aids. Services under AT involve selecting, designing, fitting, customizing, adapting, applying, maintaining, or donating (device reutilization program) assistive technology devices. Includes trial use and short-term loans of assistive technology. "Try before you buy" (device loan program) Coordinating and using necessary therapies, interventions, or services with assistive technology devices, such as therapies (occupational therapy, physical therapy, and nurses, etc.), interventions, or services associated with education and rehabilitation plans and programs.
HCBS - HCBS SERVICES	Material Aid - Assistive Technology - Voucher	Per item	Individual	Unit Cost	In-Home Services Specialist, Livable Communities	A voucher is provided for any item, piece of equipment, or product system, whether acquired commercially, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals. Items can range from low tech to high tech and include eyeglasses, dental care, and hearing aids. Services under AT involve selecting, designing, fitting, customizing, adapting, applying, maintaining, or donating (device reutilization program) assistive technology devices. Includes trial use and short-term loans of assistive technology. "Try before you buy" (device loan program) Coordinating and using necessary therapies, interventions, or services with assistive technology devices, such as therapies (occupational therapy, physical therapy, and nurses, etc.), interventions, or services associated with education and rehabilitation plans and programs.
HCBS - HCBS SERVICES	Nutrition Risk Assessments	1 Session	Individual	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	Administering standard examinations, procedures, or tests for the purpose of gathering information about a client to determine need for healthcare services. Information selected may include health status, nutrition status, and/or financial status.
HCBS - HCBS SERVICES	Telephone Reassurance	1Contact/Completed Call with Client	Individual	Unit Cost	Social Isolation Specialist, Livable Communities	Interaction with individuals by telephone to reduce social isolation, provides support and ensures health and safety.
HCBS - IN-HOME SERVICES	Chore	1 Hour	Individual	Unit Cost	In-Home Services Specialist, Livable Communities	Non-continuous household maintenance and assistance in heavy housework, yard work, or sidewalk maintenance for an individual to improve and maintain the safety of the individual. Assistance such as heavy housework, yard work or sidewalk maintenance for a person.
HCBS - IN-HOME SERVICES	Homemaker	1 Hour	Individual	Unit Cost	In-Home Services Specialist, Livable Communities	Assistance such as preparing meals, shopping for personal items, managing money, using the telephone or doing light housework.
HCBS - IN-HOME SERVICES	Homemaker - Voucher	Unit	Individual	Unit Cost	In-Home Services Specialist, Livable Communities	Providing a voucher for assistance such as preparing meals, shopping for personal items, managing money, using the telephone or doing light housework.
HCBS - IN-HOME SERVICES	Material Aid - Home Modifications/Home Repair	Unit	Individual	Unit Cost	In-Home Services Specialist, Livable Communities	Provision of housing improvement services designed to promote the safety and well- being of adults in their residences, to improve internal and external accessibility, to reduce the risk of injury, and to facilitate in general the ability of older individuals to remain at home. For Kinship Care, could include, but not limited to, safety electrical plugs, child safety gates, window and drawer safety latches.

DIVISION of AGING SERVICES
Taxonomy of Services Definitions

HCBS - IN-HOME SERVICES	Material Aid - Other - Individual	Per Item	Individual	Unit Cost	In-Home Services Specialist, Livable Communities	For purchase of materials and/or supplies that support a person's ability to continue living in the community as independently as possible. Materials may include: housing/shelter, transportation, utilities, food/meals, groceries, clothing, child safety items, incontinence supplies, cleaning supplies, school supplies, etc.
HCBS - IN-HOME SERVICES	Monitored Living Solution-Installation	Unit	Individual	Unit Cost	In-Home Services Specialist, Livable Communities	Installation of technology designed to provide in-home or off-site monitoring with the intention of managing the health and safety of at-risk older adults and those with disabilities. Some examples include remote video monitoring, door sensors, telemedicine, health monitors, sensor mats, fall detectors, movement detectors, etc. Monitoring can be done privately or by agencies who offer professional telecaregiving services. In addition to managing and monitoring health and safety, this type of technology may also provide respite for the in-home caregiver.
HCBS - IN-HOME SERVICES	Monitored Living Solution-Monitoring	1 Month Service	Individual	Unit Cost	In-Home Services Specialist, Livable Communities	Monitoring of technology designed to provide in-home or off-site monitoring with the intention of managing the health and safety of at-risk older adults and those with disabilities. Some examples include remote video monitoring, door sensors, telemedicine, health monitors, sensor mats, fall detectors, movement detectors, etc. Monitoring can be done privately or by agencies who offer professional telecaregiving services. In addition to managing and monitoring health and safety, this type of technology may also provide respite for the in-home caregiver.
HCBS - IN-HOME SERVICES	Personal Care	1 Hour	Individual	Unit Cost	In-Home Services Specialist, Livable Communities	Providing personal assistance, stand-by assistance, supervision, or cures for individuals having difficulties with basic activities of daily living such as bathing, grooming, dressing, eating. Personal assistance, stand-by assistance, supervision or cues.
HCBS - IN-HOME SERVICES	Personal Care - Voucher	Unit	Individual	Unit Cost	In-Home Services Specialist, Livable Communities	Providing a voucher for personal assistance, stand-by assistance, supervision, or cures for individuals having difficulties with basic activities of daily living such as bathing, grooming, dressing, eating. Personal assistance, stand-by assistance, supervision or cues.
HCBS - KINSHIP CARE	Care Receiver Supervision	1 Session	Individual	Unit Cost	Caregiver Services Specialist, Livable Communities	Individual clients documented. Watchful oversight for care receivers while kinship caregiver participates in other program activities
HCBS - KINSHIP CARE	Community and Public Education	1 Session	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	Instruction provided to potential clients, caregivers, or the general public regarding available support services or to provide general program information. Examples include but are not limited to health fairs, presentations, and caregiver conferences.
HCBS - KINSHIP CARE	Counseling - Group	1 Session	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	Counseling to caregivers to assist them in making decisions and solving problems relating to their caregiver roles. This includes counseling to support groups and caregiver training of families.
HCBS - KINSHIP CARE	Counseling - Individual	1 Hour	Individual	Unit Cost	Caregiver Services Specialist, Livable Communities	Counseling to caregivers to assist them in making decisions and solving problems relating to their caregiver roles. This includes counseling to individuals and caregiver training of individuals.

DIVISION of AGING SERVICES
Taxonomy of Services Definitions

HCBS - KINSHIP CARE	Kinship Care - Group	1 Session	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	Individual clients documented. A support group is a gathering of people who share a common health concern or interest. Support groups can be led by a lay person, a health care professional, or both, and are typically held on a regularly scheduled basis. Members share their common experiences and concerns to develop a mutual support system.
HCBS - KINSHIP CARE	Material Aid - Other - Group	Per Item	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	A provision of materials to relative caregivers raising children for purchase of such materials. Materials may include: housing/shelter, transportation, utilities, food/meals, groceries, clothing, child safety items, incontinence supplies, cleaning supplies, school supplies, etc.
HCBS - KINSHIP CARE	Material Aid - Other - Individual	Per Item	Individual	Unit Cost	Caregiver Services Specialist, Livable Communities	For purchase of materials and/or supplies that support a person's ability to continue living in the community as independently as possible. Materials may include: housing/shelter, transportation, utilities, food/meals, groceries, clothing, child safety items, incontinence supplies, cleaning supplies, school supplies, etc.
HCBS - KINSHIP CARE	Material Aid - Other - Individual - Voucher	Per item	Individual	Unit Cost	Caregiver Services Specialist, Livable Communities	A voucher to be spent by relative caregivers raising children for purchase of such materials. Materials may include: housing/shelter, transportation, utilities, food/meals, groceries, clothing, child safety items, incontinence supplies, cleaning supplies, school supplies, etc.
HCBS - KINSHIP CARE	Powerful Tools for Caregivers	1 Workshop	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	Powerful Tools for Caregivers is an evidence based six week education program designed to provide family caregivers with tools necessary to increase their self care and confidence. The program improves self-care behaviors, management of emotions, self-efficacy, and use of community resources. One workshop equals six weeks with one session/class per week. Completers are participants who attend 4 of 6 sessions/classes. One completer is required for reimbursement for the workshop.
HCBS - KINSHIP CARE	Respite Care - Out-of-Home	1 Hour	Individual	Unit Cost	Caregiver Services Specialist, Livable Communities	Services that offer temporary, substitute supports or living arrangements for children in order to provide a period of relief or rest for kinship caregivers. Respite includes: 1) attendance of the child or children at a summer camp, 2) other types of short-term childcare settings that provide respite for the kinship caregiver. .**Note - Use this service for hourly reimbursement.**
HCBS - KINSHIP CARE	Respite Care - Out-of-Home - Other	Unit	Individual or Group	Unit Cost	Caregiver Services Specialist, Livable Communities	Services that offer temporary, substitute supports or living arrangements for children in order to provide a period of relief or rest for kinship caregivers.Respite includes: 1) attendance of the child or children at a summer camp, 2) other types of short-term childcare settings that provide respite for the kinship caregiver. **Note - Use this service for reimbursements when the unit cost equals $1.00.**
HCBS - KINSHIP CARE	Support Group	1 Session	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	Individual clients documented. A support group is a gathering of people who share a common health concern or interest. Support groups can be led by a lay person, a health care professional, or both, and are typically held on a regularly scheduled basis. Members share their common experiences and concerns to develop a mutual support system.
HCBS - KINSHIP CARE	Training	1 Session	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	Individual clients documented. Provision of skill building through instruction for family caregivers and/or professional caregivers conducted in a group setting.

DIVISION of AGING SERVICES
Taxonomy of Services Definitions

HCBS - KINSHIP CARE	Tutoring	1 Session	Group	Unit Cost	Caregiver Services Specialist, Livable Communities	Individual clients documented. Giving instruction to small groups (or to individuals), to help participants help themselves, or to assist or guide them to the point at which they become independent learners in academic subjects, including languages.
HCBS - NUTRITION SERVICES	Disaster Services - Home Delivered Meals	1 Meal	Individual	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	A meal provided to a qualified individual in his/her place of residence. The meal is served in a program administered by SUAs and/or AAAs and meets all of the requirements of the Older Americans Act and State/Local laws. May include assistive technology required for dining. Used only for services provided during disaster relief.
HCBS - NUTRITION SERVICES	Home Delivered Meals	1 Meal	Individual	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	A meal provided to a qualified individual in his/her place of residence. The meal is served in a program administered by SUAs and/or AAAs and meets all of the requirements of the Older Americans Act and State/Local laws. May include assistive technology required for dining.
HCBS - NUTRITION SERVICES	Home Delivered Meals - Voucher	1 Meal	Individual	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	A voucher provided for a meal provided to a qualified individual in his/her place of residence. The meal is served in a program administered by SUAs and/or AAAs and meets all of the requirements of the Older Americans Act and State/Local laws. May include assistive technology required for dining.
HCBS - NUTRITION SERVICES	Nutrition Counseling	1/4 hour	Individual	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	Individualized guidance to individuals who are at nutritional risk because of their health or nutrition history, dietary intake, chronic illnesses or medications use, or to caregivers. Counseling is provided one-on-one by a registered dietitian, and addresses the options and methods for improving nutrition status.
HCBS - NUTRITION SERVICES	Nutrition Education	1 Session	Individual or Group	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	A program to promote better health by providing accurate and culturally sensitive nutrition, physical fitness, or health (as it relates to nutrition) information and instruction to participants, caregivers or participants and caregivers in a group or individual setting overseen by a dietitian or individual of comparable expertise. **Note - Nutrition Education Group is documented on the Health Promotion and Disease Prevention Staff Activity Log.**
HCBS - SENIOR CENTERS	Congregate Meals	1 Meal	Individual	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	A meal provided to a qualified individual in a congregate or group setting. The meal as offered meets all of the requirements of the Older Americans Act and State/Local laws.
HCBS - SENIOR CENTERS	Congregate Meals - Voucher	1 Meal	Individual	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	A voucher provided for a meal provided to a qualified individual in a congregate or group setting. The meal as offered meets all of the requirements of the Older Americans Act and State/Local laws. Used only for services provided during disaster relief.
HCBS - SENIOR CENTERS	Disaster Services - Congregate Meals	1 Meal	Individual	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	A meal provided to a qualified individual in a congregate or group setting. The meal as offered meets all of the requirements of the Older Americans Act and State/Local laws. Used only for services provided during disaster relief.

DIVISION of AGING SERVICES
Taxonomy of Services Definitions

HCBS - SENIOR CENTERS	Emergency Home Delivered Meals	1 Meal	Individual	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	Temporary home delivered meal service provided to registered congregate meal site participants who are ill, incapacitated, or temporarily homebound, at the discretion of the AAA.
HCBS - SENIOR CENTERS	Health Promotion/Disease Prevention	1 Session	Group	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	The provision of activities promoting wellness, nutrition, and physical activity, disease prevention and risk management, healthy lifestyle and safety in a group setting. Staff activities will include: Disease Management Medications Management Physical Activity Health Promotion Health Indicators, Outcomes, Evaluation Health Literacy Preventative Action Self-Care/Self-Management
HCBS - SENIOR CENTERS	Medications Management - Group	1 Session	Group	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	Provision of group education regarding how to correctly obtain, take, and manage medications to prevent incorrect medication use and adverse drug reactions.
HCBS - SENIOR CENTERS	Medications Management - Individual	1 Session	Individual	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	Provision of one-on-one education regarding how to correctly obtain, take, and manage medications to prevent incorrect medication use and adverse drug reactions.
HCBS - SENIOR CENTERS	Outreach	1 Contact	Group	Line Item	Nutrition & Evidence Based Programs Manager, Livable Communities	Intervention with individuals initiated by an agency or organization for the purpose of identifying potential clients (or their caregivers) and encouraging their use of existing services and benefits.
HCBS - SENIOR CENTERS	Senior Recreation	1 Session	Group	Unit Cost	Nutrition & Evidence Based Programs Manager, Livable Communities	Individual clients documented. Nutrition related activities; activities that promote socialization, physical and mental enrichment; clubs; education sessions and programming for other leisure activities (i.e., sports, performing arts, games, crafts, travel, volunteering; community gardening; environmental activities; and intergenerational activities, etc.) offered to eligible persons sponsored by and/or at an approved senior center facility which are facilitated by an instructor or provider. These
HCBS - SUPPORT OPTIONS	Support Options	1 Unit Received	Individual	Unit Cost	LC Team Lead & Case Management, Livable Communities	Consumer direction, or self-directed care, means an approach to providing services (including programs, benefits, supports, and technology) to assist an individual with activities of daily living, in which each individual plans, budgets, purchases, and controls services that they receive (including the amount, duration, scope, provider, and location of such services)
HCBS - TRANSPORTATION	Transportation - Individual	1 One-Way Trip	Individual	Unit Cost	LC Team Lead & Case Management, Livable Communities	Transportation of an established group of consumers from one location to another, for example a senior center outing. Does not include any other activity.
HCBS - TRANSPORTATION	Transportation - Individual - Voucher	1 Trip	Individual	Unit Cost = $1	LC Team Lead & Case Management, Livable Communities	Transportation of an approved consumer in which the consumer pays the provider for the trip with a voucher OR the AAA has an agreement with a provider to accept payment vouchers. The AAA or the consumer negotiates the rate and trip type (one- way, round trip) with the provider.

DIVISION of AGING SERVICES
Taxonomy of Services Definitions

HCBS - TRANSPORTATION	Transportation (DHS Unified)	1 One-Way Trip or hourly rate for group trips	N/A	Line Item	LC Team Lead & Case Management, Livable Communities	Provision of DHS Unified transportation as a means of transporting clients from one location to another. **Only allowable for funding designated for DHS Unified Transportation.**
MDSQ OPTIONS COUNSELING	MDSQ Options Counseling	1 Person	Individual	Line Item	ADRC Team Lead or Transitions Specialist, Access to Services	An interactive decision support process whereby consumers, along with designated members of their circles of support, are supported in their deliberations to determine appropriate long-term care choices in the context of the consumers needs, preferences, values and individual circumstances. Service is provided face-to-face.
MFP TRANSITION COORDINATION	MFP - Transition Coordination	1 Person	Individual	Line Item	ADRC Team Lead or Transitions Specialist, Access to Services	Transition Coordination is the assistance of eligible Money Follows the Person (MFP) participants, through HCBS services, to transition from an institutional setting (i.e. Skilled Nursing Facility, Hospital) back into the community. Transition Coordinators leverage MFP services, community-based services, and expanded circles of support to achieve transition from these institutions based on an Individualized Transition Plan (ITP) and maintains MFP Support for one year after day of transition.
NURSING HOME TRANSITION	Nursing Home Transitions	1 Person	Individual	Line Item	ADRC Team Lead or Transitions Specialist, Access to Services	Transition Coordination is the assistance of eligible participants (non-MFP), through HCBS services, to transition from an institutional setting (i.e. Skilled Nursing Facility, Hospital) back into the community. Transition Coordinators leverage NHT Transition Services, community-based services, and expanded circles of support to achieve transition from these institutions based on a prescribed Care Plan and maintains support for 365 days after day of transition.
OPTIONS COUNSELING	Community Options Counseling	1 Person	Individual	Line Item	ADRC Team Lead or Options Counseling Specialist, Access to Services	Provided to individuals in the community where counseling is an interactive decision support process whereby consumers, family members, and/or significant others are supported in their deliberations to determine appropriate long-term care choices in the context of the consumer's needs, preferences, values and individual circumstances for individuals currently residing in the community and is provided either face-to-face or by phone. **Note - This must be budgeted under the service of ADRC Information and Assistance.**
PUBLIC GUARDIANSHIP OFFICE	Guardianship	N/A	Individual	N/A	N/A	Guardianship case management services are provided to adult persons under guardianship, also referred to as "wards," whom a probate court has determined lack sufficient capacity to make or communicate decisions concerning health or safety. When no other guardian is appropriate or available, a probate court may appoint the Department of Human Services as guardian. The Division of Aging Services' Public Guardianship Office carries out guardianship duties when DHS has been appointed to serve as guardian. Case managers acting as guardians make and express decisions
SCSEP	SCSEP	1 Enrollment	Individual	Line Item	SCSEP Coordinator, Livable Communities	Provision of services to assist older persons with subsidized employment training opportunities and to obtain unsubsidized employment. May include assessment of skills and abilities, upgrading of job-seeking skills, employability training, development of individual development plans, job placement into unsubsidized employment and follow-up activities.

GEORGIA DEPARTMENT OF HUMAN SERVICES
DIVISION OF AGING SERVICES
REPORT OF CERTIFIED COSTS

Completed by Contractor:

For the period of: Date: _____ To Date: _____

Name of Contractor: _____ Program Officer, DHS: _____

Specify Type of Certified Costs:

Certified Costs: _____ Non-Cash Match: _____

Specify Type of Program

Type of Program: _____ Contract #: _____

Identification #: _____ Control #: _____

Name of Provider: _____
Address of Provider:

_____
_____
_____
_____

Costs Detailed:

Personnel:

Name	Title	Salary/Benefits	%of Time	Applicable Amount
			Subtotal	

Detailed Other Costs:
Local Cash Match

_____
_____
_____

I, the undersigned, hereby certify that the above certified costs and/or non-cash match have been provided/received in compliance with the requirements and conditions of the applicable federal or state program. I further certify that my office has available a set of accounting records relative to these certified costs that specifically identifies each specific detailed transaction direct to this federal or state program and that these records are available to DHS or federal auditors to review.

Date: _____ Signature: _____

Title: _____

HIPAA BUSINESS ASSOCIATE AGREEMENT

This Business Associate Agreement (hereinafter referred to as "Agreement"), effective the day and year first written above, is made and entered into by and between the Georgia Department of Human Services (hereinafter referred to as "DHS") and the Contractor (hereinafter referred to as "Business Associate").

WHEREAS, DHS is required by the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191 ("HIPAA"), to enter into a Business Associate Agreement with certain entities that provide functions, activities, or services involving the use of Protected Health Information, as defined by HIPAA;

WHEREAS, Contractor, under the Contract provides functions, activities, or services involving the use of Protected Health Information, as defined by HIPAA, and individually identifiable information ("PHI") protected by other state and federal law;

NOW, THEREFORE, for and in consideration of the mutual promises, covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, DHS and Contractor (each individually a "Party" and collectively the "Parties") hereby agree as follows:

1. Terms used but not otherwise defined in this Agreement shall have the same meaning as those terms have in HIPAA and in Title XIII of the American Recovery and Reinvestment Act of 2009 (the Health Information Technology for Economic and Clinical Health Act, or "HITECH"), Public Law 111-5, and in the implementing regulations of HIPAA and HITECH. Implementing regulations are published as the Standards for Privacy and Security of Individually Identifiable Health Information in 45 C.F.R. Parts 160 and 164. Together, HIPAA, HITECH, and their implementing regulations are referred to in this Agreement as the "Privacy Rule and Security Rule." If the meaning of any defined term is changed by law or regulation, then this Agreement will be automatically modified to conform to such change. The term "NIST Baseline Controls" means the baseline controls set forth in National Institute of Standards and Technology (NIST) SP 800-53 established for "moderate impact" information.

2. Except as limited in this Agreement, Contractor may use or disclose PHI only to the extent necessary to meet its responsibilities as set forth in the Contract provided that such use or disclosure would not violate the Privacy Rule or the Security Rule, if done by DHS. Furthermore, except as otherwise limited in this Agreement, Contractor may:

   A. Use PHI for internal quality control and auditing purposes.

   B. Use or disclose PHI as Required by Law.

   C. Use and disclose PHI to consult with an attorney for purposes of determining Contractor's legal options with regard to reporting conduct by DHS that Contractor in good faith believes to be unlawful, as permitted by 45 C.F.R. § 164.502(j)(1).

3. Contractor warrants that only individuals designated by title or name on Appendix G-1 and Appendix G-2 will request PHI from DHS or access DHS PHI in order to perform the services of the Contract, and these individuals will only request the minimum necessary amount of information necessary in order to perform the services.

4. Contractor warrants that the individuals listed by title on Appendix G-1 require access to PHI in order to perform services under the Contract. Contractor agrees to send updates to G-1

whenever necessary. Uses or disclosures of PHI by individuals not described on Appendix G-1 are impermissible.

5. Contractor warrants that the individuals listed by name on Appendix G-2 require access to a DHS information system in order to perform services under the Contract. Contractor agrees to notify the Project Leader and the Access Control Coordinator named on Appendix G-2 immediately, but at least within 24 hours, of any change in the need for DHS information system access by any individual listed on Appendix G-2. Any failure to report a change within the 24-hour time period will be considered a security incident and may be reported to Contractor's Privacy and Security Officer, Information Security Officer and the Georgia Technology Authority for proper handling and sanctions. G-1

6. Contractor agrees that it is a Business Associate to DHS as a result of the Contract, and warrants to DHS that it complies with the Privacy Rule and Security Rule requirements that apply to Business Associates and will continue to comply with these requirements. Contractor further warrants to DHS that it maintains and follows written policies and procedures to achieve and maintain compliance with the HIPAA Privacy and Security Rules and updates such policies and procedures as necessary in order to comply with the HIPAA Privacy and Security Rules that apply to Business Associates. These policies and procedures shall be provided to DHS upon request.

7. The Parties agree that a copy of all communications related to compliance with this Agreement will be forwarded to the following Privacy and Security Contacts:

   A. At DHS:

      Jamila Coleman
      DHS HIPAA Privacy Officer
      Office of Counsel General
      privacy@dhs.ga.gov
      404-463-0363

      Shirlan C. Johnson
      DHS Chief Information Security Officer
      shirlan.johnson@dhs.ga.gov
      404-655-8371

   B. At CRC/ AAA:

      Gennifer Jones
      ADRC Program Manager/ HIPPA Privacy Officer
      gjones@crc.ga.gov
      912-514-1622

C. At Contractor (HIPAA Privacy Officer):

_____

_____

_____

8. Contractor agrees that it will:

A. Not request, create, receive, use or disclose PHI other than as permitted or required by this Agreement, the Contract, or as required by law.

B. Establish, maintain and use appropriate administrative, physical and technical safeguards to prevent use or disclosure of the PHI other than as provided for by this Agreement or the Contract. Such safeguards must include all NIST Baseline Controls, unless DHS has agreed in writing that the control is not appropriate or applicable.

C. Implement and use administrative, physical and technical safeguards that reasonably and appropriately protect the confidentiality, integrity and availability of the electronic protected health information that it creates, receives, maintains, or transmits on behalf of DHS. Such safeguards must include all NIST Baseline Controls, unless DHS has agreed in writing that the control is not appropriate or applicable.

D. In addition to the safeguards described above, include access controls that restrict access to PHI to the individuals listed on Appendix G-1 and Appendix G-2, as amended from time to time, and shall implement encryption of all electronic PHI during transmission and at rest.

E. Upon DHS's reasonable request, but, no more frequently than annually, obtain an independent assessment of Contractor's implementation of the NIST Baseline Controls and the additional safeguards required by this Agreement with respect to DHS PHI, provide the results of such assessments to DHS, and ensure that corrective actions identified during the independent assessment are implemented.

F. Mitigate, to the extent practicable, any harmful effect that may be known to Contractor from a use or disclosure of PHI by Contractor in violation of the requirements of this Agreement, the Contract or applicable regulations. Contractor shall bear the costs of mitigation, which shall include the reasonable costs of credit monitoring or credit restoration when the use or disclosure results in exposure of information commonly used in identity theft.

G. Ensure that its agents or subcontractors to whom it provides PHI are contractually obligated to comply with at least the same obligations that apply to Contractor under this Agreement, and ensure that its agents or subcontractors comply with the conditions, restrictions, prohibitions and other limitations regarding the request for, creation, receipt,

use or disclosure of PHI, that are applicable to Contractor under this Agreement and the Contract.

H. Except for "Non-Reportable Incidents," report to DHS any use or disclosure of PHI that is not provided for by this Agreement or the Contract of which it becomes aware. Non-Reportable Incidents are limited to the following:

i. the unintentional acquisition, access, or use of PHI by a workforce member of Contractor acting under the authority of Contractor, so long as the PHI is not further acquired, accessed, used or disclosed in an impermissible manner;

ii. the inadvertent disclosure of PHI from a person designated in G-1 or Appendix G-2 as authorized to access DHS PHI to a workforce member of Contractor who is not designated in Appendix G-1 or Appendix G-2, but is authorized to access other Protected Health Information maintained by Contractor, so long as the information is not further acquired, accessed, used or disclosed in an impermissible manner.

I. Make an initial report to DHS in writing in such form as DHS may require within three (3) business days after Contractor (or any subcontractor) becomes aware of the unauthorized use or disclosure. This report will require Contractor to identify the following:

i. The nature of the impermissible use or disclosure (the "incident"), which will include a brief description of what happened, including the date it occurred and the date Contractor discovered the incident;

ii. The Protected Health Information involved in the impermissible use or disclosure, such as whether the full name, social security number, date of birth, home address, account number or other information were involved;

iii. Who (by title, access permission level and employer) made the impermissible use or disclosure and who received the Protected Health Information as a result;

iv. What corrective or investigational action Contractor took or will take to prevent further impermissible uses or disclosures, to mitigate harmful effects, and to prevent against any further incidents;

v. What steps individuals who may have been harmed by the incident might take to protect themselves; and

vi. Whether Contractor believes that the impermissible use or disclosure constitutes a Breach of Unsecured Protected Health Information.

Upon request by the DHS HIPAA Privacy and Security Officer or the DHS Information Security Officer, Contractor agrees to make a complete report to DHS in writing within two weeks of the initial report that includes a root cause analysis and a proposed corrective action plan. Upon approval of a corrective action plan by DHS, Contractor agrees to implement the corrective action plan and provide proof of implementation to DHS within five (5) business days of DHS's request for proof of implementation.

J. Report to the DHS HIPAA Privacy and Security Officer and the DHS Agency Information Security Officer any successful unauthorized access, modification, or destruction of PHI or interference with system operations in Contractor's information systems as soon as practicable but in no event later than three (3) business days of discovery. If such a security incident resulted in a use or disclosure of PHI not permitted by this Agreement, Contractor shall also make a report of the impermissible use or disclosure as described above.

Contractor agrees to make a complete report to DHS in writing within two weeks of the initial report that includes a root cause analysis and, if appropriate, a proposed corrective action plan designed to protect PHI from similar security incidents in the future. Upon DHS's approval of Contractor's corrective action plan, Contractor agrees to implement the corrective action plan and provide proof of implementation to DHS.

K. Upon DHS's reasonable request and not more frequently than once per quarter, report to the DHS Agency Information Security Officer any (A) attempted (but unsuccessful) unauthorized access, use, disclosure, modification, or destruction of PHI or (B) attempted (but unsuccessful) interference with system operations in Contractor's information systems. Contractor does not need to report trivial incidents that occur on a daily basis, such as scans, "pings," or other routine attempts that do not penetrate computer networks or servers or result in interference with system operations.

L. Cooperate with DHS and provide assistance necessary for DHS to determine whether a Breach of Unsecured Protected Health Information has occurred and whether notification of the Breach is legally required or otherwise appropriate. Contractor agrees to assist DHS in its efforts to comply with the HIPAA Privacy and Security Rules, as amended from time to time. To that end, the Contractor will abide by any requirements mandated by the HIPAA Privacy and Security Rules or any other applicable laws in the course of this Contract. Contractor warrants that it will cooperate with DHS, including cooperation with DHS privacy officials and other compliance officers required by the HIPAA Privacy and Security Rules and all implementing regulations, in the course of performance of this Contract so that both parties will be in compliance with HIPAA.

M. If DHS determines that a Breach of Unsecured Protected Health Information has occurred as a result of Contractor's impermissible use or disclosure of PHI or failure to comply with obligations set forth in this Agreement or in the Privacy or Security Rules, provide all notifications to Individuals, HHS and/or the media, on behalf of DHS, after the notifications are approved by DHS. Contractor shall provide these notifications in accordance with the security breach notification requirements set forth in 42 U.S.C. §17932, 45 C.F.R. Part 160, & 45 C.F.R. Part 164, Subparts A, D & E, as of their respective Compliance Dates, and shall pay for the reasonable and actual costs associated with such notifications. In the event that DHS determines a Breach has occurred, without unreasonable delay, and in any event no later than thirty (30) calendar days after Discovery, Contractor shall provide the DHS HIPAA Privacy and Security Officer a list of Individuals and a copy of the template notification letter to be sent to Individuals. Contractor shall begin the notification process only after obtaining DHS's approval of the notification letter.

N. Make any amendment(s) to PHI in a Designated Record Set that DHS directs or agrees to pursuant to 45 C.F.R. §164.526 within five (5) business days after request of DHS. Contractor also agrees to provide DHS with written confirmation of the amendment in such format and within such time as DHS may require.

O. In order to meet the requirements under 45 C.F.R. § 164.524, regarding an individual's right of access, within five (5) business days following DHS's request, or as otherwise required by state or federal law or regulation, or by another time as may be agreed upon in writing by DHS, provide DHS access to the PHI in an individual's Designated Record Set. However, if requested by DHS, Contractor shall provide access to the PHI in a Designated Record Set directly to the individual to whom such information relates.

P. Give the Secretary of the U.S. Department of Health and Human Services (the "Secretary") or the Secretary's designees access to Contractor's books and records and policies, practices or procedures relating to the use and disclosure of PHI for or on behalf of DHS within five (5) business days after the Secretary or the Secretary's designees request such access or otherwise as the Secretary or the Secretary's designees may require. Contractor also agrees to make such information available for review, inspection and copying by the Secretary or the Secretary's designees during normal business hours at the location or locations where such information is maintained or to otherwise provide such information to the Secretary or the Secretary's designees in such form, format or manner as the Secretary or the Secretary's designees may require.

Q. Document all disclosures of PHI and information related to such disclosures as would be required for DHS to respond to a request by an Individual or by the Secretary for an accounting of disclosures of PHI in accordance with 45 C.F.R. § 164.528. By no later than five (5) business days of receipt of a written request from DHS, or as otherwise required by state or federal law or regulation, or by another time as may be agreed upon in writing by the DHS HIPAA Privacy and Security Officer, Contractor shall provide an accounting of disclosures of PHI regarding an Individual to DHS. If requested by DHS, Contractor shall provide an accounting of disclosures directly to the individual. Contractor shall maintain a record of any accounting made directly to an individual at the individual's request and shall provide such record to DHS upon request.

R. In addition to any indemnification provisions in the Contract, indemnify DHS, its officers and employees from any liability resulting from any violation of the HIPAA Privacy and Security Rules or Breach that arises from the conduct or omission of Contractor or its employee(s), agent(s) or subcontractor(s). Such liability will include, but not be limited to, all actual and direct costs and/or losses, civil penalties and reasonable attorneys' fees imposed on DHS.

S. For any requirements in this Agreement that include deadlines, pay performance guarantee payments of $300.00 per calendar day, starting with the day after the deadline and continuing until Contractor complies with the requirement. Contractor shall ensure that its agreements with subcontractors enable Contractor to meet these deadlines.

9. DHS agrees that it will:

A. Notify Contractor of any new limitation in DHS's Notice of Privacy Practices in accordance with the provisions of the Privacy Rule if, and to the extent that, DHS determines in the exercise of its sole discretion that such limitation will affect Contractor's use or disclosure of PHI.

B. Notify Contractor of any change in, or revocation of, authorization by an Individual for DHS to use or disclose PHI to the extent that DHS determines in the exercise of its sole discretion that such change or revocation will affect Contractor's use or disclosure of PHI.

C. Notify Contractor of any restriction regarding its use or disclosure of PHI that DHS has agreed to in accordance with the Privacy Rule if, and to the extent that, DHS determines in the exercise of its sole discretion that such restriction will affect Contractor's use or disclosure of PHI.

D. Prior to agreeing to any changes in or revocation of permission by an Individual, or any restriction, to use or disclose PHI, DHS agrees to contact Contractor to determine feasibility of compliance. Following the receipt by DHS of a written cost estimate, DHS agrees to assume all costs incurred by Contractor in compliance with such special requests.

10. The **Term of this Agreement** shall be effective on the Effective Date and shall terminate when all of the PHI provided by DHS to Contractor, or created or received by Contractor on behalf of DHS, is destroyed or returned to DHS, or, if it is infeasible to return or destroy PHI, protections are extended to such information, in accordance with the termination provisions in this section.

A. **Termination for Cause.** Upon DHS's knowledge of a material breach of this Agreement by Contractor, DHS shall either:

i. Provide an opportunity for Contractor to cure the breach of Agreement within a reasonable period of time, which shall be within thirty (30) calendar days after receiving written notification of the breach by DHS;

ii. If Contractor fails to cure the breach of Agreement, terminate the Contract upon thirty (30) calendar days' notice; or

iii. If neither termination nor cure is feasible, DHS shall report the breach of Agreement to the Secretary of the Department of Health and Human Services.

B. Effect of Termination.

i. Upon termination of this Agreement, for any reason, DHS and Contractor shall determine whether return of PHI is feasible. If return of the PHI is not feasible, Contractor agrees to continue to extend the protections of this Agreement to the PHI for so long as the Contractor maintains the PHI and shall limit the use and disclosure of the PHI to those purposes that made return or destruction of the PHI infeasible. If at any time it becomes feasible to return or destroy any such PHI maintained pursuant to this paragraph, Contractor must notify DHS

and obtain instructions from DHS for either the return or destruction of the PHI.

ii. Contractor agrees that it will limit its further use or disclosure of PHI only to those purposes DHS may, in the exercise of its sole discretion, deem to be in the public interest or necessary for the protection of such PHI, and will take such additional actions as DHS may require for the protection of patient privacy and the safeguarding, security and protection of such PHI.

iii. This Effect of Termination section survives the termination of the Agreement.

11. **Interpretation.** Any ambiguity in this Agreement shall be resolved to permit DHS to comply with applicable laws, rules and regulations, the HIPAA Privacy Rule, the HIPAA Security Rule and any rules, regulations, requirements, rulings, interpretations, procedures or other actions related thereto that are promulgated, issued or taken by or on behalf of the Secretary; provided that applicable laws, rules and regulations and the laws of the State of Georgia shall supersede the Privacy Rule if, and to the extent that, they impose additional requirements, have requirements that are more stringent than or have been interpreted to provide greater protection of patient privacy or the security or safeguarding of PHI than those of the HIPAA Privacy Rule.

12. **No Third-Party Beneficiaries.** Nothing express or implied in this Agreement is intended to confer, nor shall anything herein confer, upon any person other than the Parties and the respective successors or assigns of the Parties, any rights, remedies, obligations or liabilities whatsoever.

13. All other terms and conditions contained in the Contract and any amendment thereto, not amended by this Agreement, shall remain in full force and effect.

IN WITNESS WHEREOF, Contractor, through its authorized officer and agent, has caused this Agreement to be executed on its behalf as of the date indicated.

BY: _____ _____
SIGNATURE DATE

_____
PRINT NAME

_____
TITLE

APPENDIX G-1

List of Individuals Permitted to Receive, Use and Disclose DHS PHI

The following Position Titles, as employees and/or representatives of Contractor, need access to DHS Protected Health Information in order for Contractor to perform the services described in the Contract. **If this is not applicable please mark the first line below with N/A**:

- _____
- _____
- _____
- _____
- _____

Transfers of PHI must comply with DHS Policy and Procedure 419: Appropriate Use of Information Technology Resources.

Approved methods of secure delivery of PHI between Contractor and DHS:

- Secure FTP file transfer (preferred)
- Encrypted email or email sent through "secure tunnel" approved by DHS Information Security Officer
- Email of encrypted document (password must be sent by telephone only)
- Encrypted portable media device and tracked delivery method

Contractor must update this list as needed and provide the updated form to DHS. Use of DHS Protected Health Information by individuals who are not described on this Appendix G-1, as amended from time to time, is impermissible and a violation of the Agreement. Contractor must update this Appendix G-1 as needed and provide the updated form to DHS Project Leader Contact.

APPENDIX G-2

Part 1:
Please initial beside the correct option. Please select only one option.

_____ Contractor **DOES NOT** need any user accounts to access DHS Information Systems. Do not complete Part 2 of this form.

_____ Contractor **DOES** need user accounts to access DHS Information Systems. Please complete Part 2 of this form.

Part 2:
Please complete the table below if you indicated that Contractor **DOES** need any user accounts to access DHS Information Systems. Please attach additional pages if needed.

List of Individuals Authorized to Access a DHS Information System Containing PHI

The following individuals, as employees and/or representatives of Contractor, need access to DHS Information Systems containing DHS Protected Health Information in order for Contractor to perform the services described in the Contract:

Full Name	Employer	DHS Information System	Type of Access (Read only? Write?)

The DHS Project Leader must submit a completed DHS Network Access Request Form for each individual listed above. Access will be granted and changed in accordance with DHS Policy and Procedure 435: Managing Authorization, Access and Control of Information Systems.

Contractor must notify the Project Leader identified in the Contract and the DHS Access Control Coordinators privacy@dhs.ga.gov and shirlan.johnson@dhs.ga.gov, as well as AAA HIPPA Privacy Officer gjones@crc.ga.gov, immediately, but at least within 24 hours, after any individual on this list no longer needs the level of access described. Failure to provide this notification on time is a violation of the Agreement and will be reported as a security incident.

Contractor must update this Appendix G-2 as needed and provide the updated form to DHS Project Leader Contact and the CRC AAA HIPPA Privacy Officer, Gennifer Jones.

ANNEX H

DHS DIVISION OF AGING SERVICES UNIFORM COST METHODOLOGY
Personnel Spreadsheet SFY 2027

Enter Provider Name: Effingham County Board of Commissioners

STAFF LIST (Paid staff only - do not include volunteers or other donated)	Number of Staff Positions (Auto-populates)	Base Wages (Auto-populates)	Fringe Benefits Rate (Auto-populates)	Fringe Benefit Dollars (Auto-populates)	Total Wages and Benefits (Auto-populates)	Productive Hours (Auto-populates)	General Admin % (Auto-populates)	Admin Hours (Auto-populates)	General Admin Costs (Auto-populates)	Staff for Building Maintenance % (Auto-populates)	Shared Building Space Hours (Auto-populates)	Shared Building Space (Auto-populates)	#1 Congregate Meals Management Only: TOTAL HOURS (Auto-populates)	#1 Congregate Meals Management Only: Billable Hours (Auto-populates)	#1 Congregate Meals Management Only: % OF STAFF TIME (Auto-populates)	#1 Congregate Meals Management Only: W & B COST (Auto-populates)	#2 Congregate Meals Cost Only: TOTAL HOURS (Auto-populates)	#2 Congregate Meals Cost Only: Billable Hours (Auto-populates)	#2 Congregate Meals Cost Only: % OF STAFF TIME (Auto-populates)	#2 Congregate Meals Cost Only: W & B COST (Auto-populates)	#3 Home Delivered Meals Management Only: TOTAL HOURS (Auto-populates)	#3 Home Delivered Meals Management Only: Billable Hours (Auto-populates)	#3 Home Delivered Meals Management Only: % OF STAFF TIME (Auto-populates)	#3 Home Delivered Meals Management Only: W & B COST (Auto-populates)
Director	1	$ 70,216	35%	$24,245	$ 94,460	2,080	50%	1040	$47,230	0%	0	$0	416	416	20%	$18,892	0	0	0%	$0	381	381	18%	$17,316
Assistant Director	1	$ 51,630	66%	$34,178	$ 85,808	2,080	10%	208	$8,581	0%	0	$0	312	312	15%	$12,871	0	0	0%	$0	191	191	9%	$7,866
Instructor	2.5	$ 82,800	47%	$39,386	$ 123,186	5,200	5%	312	$7,391	0%	0	$0	364	364	7%	$8,623	0	0	0%	$0	381	381	7%	$9,034
Activities Coordinator	1	$ 36,036	54%	$19,361	$ 55,397	2,080	5%	104	$2,770	0%	0	$0	0	0	0%	$0	0	0	0%	$0	0	0	0%	$0
Administrative Assistant	1	$ 35,556	20%	$7,171	$ 42,727	2,080	50%	1040	$21,363	0%	0	$0	416	416	20%	$8,545	0	0	0%	$0	208	208	10%	$4,272
Client/Meal Transportation Cost Pool Section Only																								
Driver	0	$ -	0%	$0	$ -	0	0%	0	$0	0%	0	$0	0	0	0%	$0	0	0	0%	$0	0	0	0%	$0
Driver	0	$ -	0%	$0	$ -	0	0%	0	$0	0%	0	$0	0	0	0%	$0	0	0	0%	$0	0	0	0%	$0
Driver	0	$ -	0%	$0	$ -	0	0%	0	$0	0%	0	$0	0	0	0%	$0	0	0	0%	$0	0	0	0%	$0
Driver	0	$ -	0%	$0	$ -	0	0%	0	$0	0%	0	$0	0	0	0%	$0	0	0	0%	$0	0	0	0%	$0
Driver	0	$ -	0%	$0	$ -	0	0%	0	$0	0%	0	$0	0	0	0%	$0	0	0	0%	$0	0	0	0%	$0
Driver	0	$ -	0%	$0	$ -	0	0%	0	$0	0%	0	$0	0	0	0%	$0	0	0	0%	$0	0	0	0%	$0
Driver	0	$ -	0%	$0	$ -	0	0%	0	$0	0%	0	$0	0	0	0%	$0	0	0	0%	$0	0	0	0%	$0
Driver	0	$ -	0%	$0	$ -	0	0%	0	$0	0%	0	$0	0	0	0%	$0	0	0	0%	$0	0	0	0%	$0
Driver	0	$ -	0%	$0	$ -	0	0%	0	$0	0%	0	$0	0	0	0%	$0	0	0	0%	$0	0	0	0%	$0
Driver	0	$ -	0%	$0	$ -	0	0%	0	$0	0%	0	$0	0	0	0%	$0	0	0	0%	$0	0	0	0%	$0
(The following data calculates automatically - do not enter)																								
Total Wages and Benefits	7	$ 277,237			$ 401,577				#####			$0				$48,932				$0				$38,490
Percent of Total Wages and Benefits					100.00%				21.75%			0.00%				12.18%				0.00%				9.58%
Total Hours						13,520		2,704			0			1,508				0				1,161		
Unit of Service														1.00				1.00				1.00		
Percent of Total Hours						100.00%		20.00%			0.00%			11.15%				0.00%				8.59%		

DHS DIVISION OF AGING SERVICES UNIFORM COST METHODOLOGY
Personnel Spreadsheet SFY 2027

	In Balance					#1	#2	#3	#4	All Other
Enter Provider Name: Effingham County Board		General Administration COST POOL	Shared Building Space COST POOL	Client/Meal Transportation COST POOL	Support COST POOL	Congregate Meals Management Only	Congregate Meals Cost Only	Home Delivered Meals Management Only	Home Delivered Meals Cost Only	All Other
PROPOSED ANNUAL EXPENSES										
WAGES & BENEFITS *(Auto-populates)*	$401,577	$87,335	$0			$48,932	$0	$38,490	$0	$226,821
Auto-populates % of Wages and Benefits from Personnel Spreadsheet(1)	100.00%	21.75%	0.00%			12.18%	0.00%	9.58%	0.00%	56.48%
Auto-populates % of Hours from Personnel Spreadsheet (1)	100.00%	20.00%	0.00%			11.15%	0.00%	8.59%	0.00%	60.26%
STAFF TRAVEL EXPENSES *(Auto-populates)*	$600									
Staff Mileage/Per Diem Reimbursement	$600	$600				$0	$0	$0	$0	$0
Volunteer Mileage/Per Diem Reimbursement	$0	$0				$0	$0	$0	$0	$0
Other Staff Travel Expenses	$0	$0				$0	$0	$0	$0	$0
VEHICLE OPERATING EXPENSES *(Auto-populates)*	$0									
Vehicle Gas & Oil	$0			no driver personnel		$0	$0	$0	$0	$0
Vehicle Insurance	$0			no driver personnel		$0	$0	$0	$0	$0
Vehicle Maintenance	$0			no driver personnel		$0	$0	$0	$0	$0
Other Vehicle Operating Expenses	$0			no driver personnel		$0	$0	$0	$0	$0
BUILDING EXPENSES *(Auto-populates)*	$36,080									
Building Depreciation	$0		$0			$0	$0	$0	$0	$0
Building Insurance	$3,100		$3,100			$0	$0	$0	$0	$0
Building Maintenance/Janitorial	$10,980		$10,980			$0	$0	$0	$0	$0
Building Repairs	$0		$0			$0	$0	$0	$0	$0
Rent	$0		$0			$0	$0	$0	$0	$0
Utilities	$22,000		$22,000			$0	$0	$0	$0	$0
Other Space Expenses (Security)	$0		$0			$0	$0	$0	$0	$0
COMPUTER OPERATION EXPENSES *(Auto-populates)*	$0									
Computer Purchase	$0	$0				$0	$0	$0	$0	$0
Computer Maintenance	$0	$0				$0	$0	$0	$0	$0
Computer Supplies	$0	$0				$0	$0	$0	$0	$0
Computer Training	$0	$0				$0	$0	$0	$0	$0
Other Computer Operation Expenses	$0	$0				$0	$0	$0	$0	$0

ANNEX H

DHS DIVISION OF AGING SERVICES UNIFORM COST METHODOLOGY
Support Spreadsheet SFY 2027

	In Balance					#1	#2	#3	#4	All Other
Enter Provider Name: Effingham County Board		General Administration COST POOL	Shared Building Space COST POOL	Client/Meal Transportation COST POOL	Support COST POOL	Congregate Meals Management Only	Congregate Meals Cost Only	Home Delivered Meals Management Only	Home Delivered Meals Cost Only	All Other
PROPOSED ANNUAL EXPENSES										
CAPITAL EQUIPMENT EXPENSES *(Auto-populates)*	$0									
Capital Equipment Depreciation/Usage Fee	$0	$0				$0	$0	$0	$0	$0
Equipment Maintenance	$0	$0				$0	$0	$0	$0	$0
Other Equipment Expenses	$0	$0				$0	$0	$0	$0	$0
SUPPLY EXPENSES *(Auto-populates)*	$25,118									
Advertising	$0				$0	$0	$0	$0	$0	$0
Copy/Printing	$618				$618	$0	$0	$0	$0	$0
Dues/Subscriptions	$0				$0	$0	$0	$0	$0	$0
Employee Testing	$0				$0	$0	$0	$0	$0	$0
Insurance	$1,000				$1,000	$0	$0	$0	$0	$0
Office/Paper Supplies	$2,500				$2,500	$0	$0	$0	$0	$0
Postage	$0				$0	$0	$0	$0	$0	$0
Site Supplies	$12,200				$12,200	$0	$0	$0	$0	$0
Telephone & Other Telecommunications	$8,800				$8,800	$0	$0	$0	$0	$0
Training/Meeting Expense	$0				$0	$0	$0	$0	$0	$0
Other Supply Expenses	$0				$0	$0	$0	$0	$0	$0
SERVICE CONTRACTS *(Auto-populates)*	$0									
SCSEP	$0					$0	$0	$0	$0	$0
General Liability Insurance	$0				$0	$0	$0	$0	$0	$0
Identify Contract Type	$0				$0	$0	$0	$0	$0	$0
Identify Contract Type	$0				$0	$0	$0	$0	$0	$0
Identify Contract Type	$0				$0	$0	$0	$0	$0	$0
CONGREGATE MEAL EXPENSES *(Auto-populates)*	$77,810									
Vendor Meal Contract - Congregate	$77,810					$0	$77,781	$0	$0	$0
On-Site or Central Kitchen Preparation:										
Raw Food Costs	$0					$0	$0	$0	$0	$0
Labor	$0					$0	$0	$0	$0	$0
Utilities	$0					$0	$0	$0	$0	$0
Disposable Supplies	$0					$0	$0	$0	$0	$0
Transportation Costs	$0					$0	$0	$0	$0	$0
Meal Delivery Costs	$0					$0	$0	$0	$0	$0
Equipment	$0					$0	$0	$0	$0	$0
Taxes	$0					$0	$0	$0	$0	$0
Other Meal Costs (Kinship Care - monthly mtgs)	$0					$0	$0	$0	$0	$0

DHS DIVISION OF AGING SERVICES UNIFORM COST METHODOLOGY

Support Spreadsheet SFY 2027

	In Balance					#1	#2	#3	#4	All Other
Enter Provider Name: Effingham County Board		General Administration COST POOL	Shared Building Space COST POOL	Client/Meal Transportation COST POOL	Support COST POOL	Congregate Meals Management Only	Congregate Meals Cost Only	Home Delivered Meals Management Only	Home Delivered Meals Cost Only	All Other
PROPOSED ANNUAL EXPENSES										
HOME DELIVERED MEAL EXPENSES *(Auto-populates)*	$124,445									
Vendor Meal Contract - Home Delivered	$85,445					$0	$0	$0	$85,413	$0
On-Site or Central Kitchen Preparation:										
Raw Food Costs	$0					$0	$0	$0	$0	$0
Labor	$0					$0	$0	$0	$0	$0
Utilities	$0					$0	$0	$0	$0	$0
Disposable Supplies	$0					$0	$0	$0	$0	$0
Transportation Costs	$0					$0	$0	$0	$0	$0
Meal Delivery Costs	$39,000					$0	$0	$39,000	$0	$0
Equipment	$0					$0	$0	$0	$0	$0
Taxes	$0					$0	$0	$0	$0	$0
Other Meal Costs (List)	$0					$0	$0	$0	$0	$0
OTHER OPERATING COSTS *(Auto-populates)*	$0									
Agency Indirect (Federal Cognizant Agency On	$0	$0				$0	$0	$0	$0	$0
Audit/Legal Fees	$0	$0				$0	$0	$0	$0	$0
Profit/Surplus Margin	$0	$0				$0	$0	$0	$0	$0
Other Misc. Operating Costs	$0	$0				$0	$0	$0	$0	$0
Spreadsheet Check *(Auto-populates)*	$665,631									
TOTAL ALLOWABLE COSTS *(Auto-populates)*	$665,570	$87,935	$36,080	$0	$25,118	$48,932	$77,781	$77,490	$85,413	$226,821

ANNEX H

Support Spreadsheet SFY 2027

Enter Provider Name: Effingham County	File is.. In Balance	General Administration COST POOL	Shared Building Space COST POOL	Client/Meal Transportation COST POOL	Support COST POOL	#1 Congregate Meals Management Only	#2 Congregate Meals Cost Only	#3 Home Delivered Meals Management Only	#4 Home Delivered Meals Cost Only	All Other All Other
PROPOSED ANNUAL EXPENSES										
COST POOL SECTION:										
Service Subcontract Allowance (per contract) *Contracts over $50,000 Only - Enter Service Subcontract Adjustment (Contract Amount minus $25,000)*						$25,000 $0	$25,000 $0	$25,000 $0	$25,000 $0	$25,000 $0
Reallocate Support Costs *Auto-populates based on Percent of Total Staff Hours from Personnel*		$5,024 20.00%	$0 0.00%		($25,118)	$2,802 11.15%	$0 0.00%	$2,158 8.59%	$0 0.00%	$15,135 60.26%
Reallocate Shared Building Space *Enter Square Footage Occupied (In Red Only)*	6310	$858 150	($36,080)			$2,287 400	$0 0	$0 0	$0 0	$32,935 5760
Reallocate Client Transportation Costs *Auto-populates % of Driver Time Per Program from Personnel*				$0		$0 0.00%	$0 0.00%	$0 0.00%	$0 0.00%	$0 0.00%
Reallocate General Administration Costs *Auto-populates based on Modified Total Direct Costs*		($93,817)				$8,889 $48,932	$14,130 $77,781	$14,077 $77,490	$15,516 $85,413	$41,205 $226,821
TOTAL ACTUAL COSTS BY SERVICE	$665,570		$0			$62,909	$91,911	$93,724	$100,929	$316,096
Number of Billing Units						14,544	14,544	15,971	15,971	0
ACTUAL COST PER UNIT OF SERVICE						**$4.33**	**$6.32**	**$5.87**	**$6.32**	**$0.00**
DONATED PERSONNEL OR NON-CASH MATCH SECTION										
Enter description (Column A) and then $ value (Column B)	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
Donated Cost Pool Section:			$0	$0						
Reallocate Donated Building Space *(Auto-populates from Cost Pool Section above)*		$0 150	$0			$0 400	$0 0	$0 0	$0 0	$0 5,760
Reallocate Donated Client Transportation Costs *(Auto-populates from Cost Pool Section above)*				$0		$0 0.00%	$0 0.00%	$0 0.00%	$0 0.00%	$0 0.00%
Reallocate Donated General Administration *(Auto-Populates from Cost Pool Section above)*		$0 $0				$0 $48,932	$0 $77,781	$0 $77,490	$0 $85,413	$0 $226,821
Spreadsheet Check *(Auto-populates)*	$665,570									
TOTAL COSTS (Plus Donated/Non-Cash Match)	$665,570		$0			$62,909	$91,911	$93,724	$100,929	$316,096
Number of Billing Units *(Auto-populates from Cost Pool Section above)*						14,544	14,544	15,971	15,971	-
POTENTIAL UNIT COST						**$4.33**	**$6.32**	**$5.87**	**$6.32**	**$0.00**

SFY: 2027

AAA: Coastal Georgia Region AAA

Area Plan Version 1 - Approved (ActiveVersion)

Fund Source	Federal	State	SubTotal (Payable)	Match	Total	Program Income	Other Source	Total Amount	Units	Unit Cost	# Served
Provider: Effingham County Senior Citizens Center											
Program: HCBS - Nutrition Services											
Service: Home Delivered Meals								**HCBS - Nutrition Services**			
CBS - HCBS State (Unit Cost)	$0.00	$24,095.51	$24,095.51	$0.00	**$24,095.51**	$0.00	$4.12	$24,099.63	1,977.00	$12.19	8
NSIP - State (Unit Cost)	$0.00	$26,836.52	$26,836.52	$0.00	**$26,836.52**	$0.00	$5.86	$26,842.38	2,202.00	$12.19	9
OAA Title III C2 - Home Delivered Meals (Unit Cost)	$81,864.31	$4,815.55	$86,679.86	$9,631.10	**$96,310.96**	$4,000.00	$0.55	$100,311.51	8,229.00	$12.19	13
Other (Unit Cost)	$0.00	$0.00	$0.00	$0.00	**$0.00**	$0.00	$5,802.44	$5,802.44	476.00	$12.19	2
Service Total:	**$81,864.31**	**$55,747.58**	**$137,611.89**	**$9,631.10**	**$147,242.99**	**$4,000.00**	**$5,812.97**	**$157,055.96**	**12,884.00**		
Program Total:	**$81,864.31**	**$55,747.58**	**$137,611.89**	**$9,631.10**	**$147,242.99**	**$4,000.00**	**$5,812.97**	**$157,055.96**	**12,884.00**		
Program: HCBS - Senior Centers											
Service: Congregate Meals								**HCBS - Senior Centers**			
CBS - HCBS State (Unit Cost)	$0.00	$19,130.00	$19,130.00	$0.00	**$19,130.00**	$0.00	$8.05	$19,138.05	1,797.00	$10.65	8
NSIP - State (Unit Cost)	$0.00	$13,734.00	$13,734.00	$0.00	**$13,734.00**	$0.00	$4.50	$13,738.50	1,290.00	$10.65	6
OAA Title III C1 - Congregate Meals (Unit Cost)	$53,994.35	$3,176.14	$57,170.49	$6,352.28	**$63,522.77**	$5,600.00	$6.38	$69,129.15	6,491.00	$10.65	26
Other (Unit Cost)	$0.00	$0.00	$0.00	$0.00	**$0.00**	$0.00	$7,210.05	$7,210.05	677.00	$10.65	3
Service Total:	**$53,994.35**	**$36,040.14**	**$90,034.49**	**$6,352.28**	**$96,386.77**	**$5,600.00**	**$7,228.98**	**$109,215.75**	**10,255.00**		
Program Total:	**$53,994.35**	**$36,040.14**	**$90,034.49**	**$6,352.28**	**$96,386.77**	**$5,600.00**	**$7,228.98**	**$109,215.75**	**10,255.00**		
Provider Total:	**$135,858.66**	**$91,787.72**	**$227,646.38**	**$15,983.38**	**$243,629.76**	**$9,600.00**	**$13,041.95**	**$266,271.71**	**23,139.00**		



Code of Conduct Compliance Questionnaire for Employees of Subrecipients/Subcontractors

Amended: 8/23/2012

CODE OF CONDUCT COMPLIANCE QUESTIONNAIRE

All employees of subrecipients/subcontractors to The Coastal Regional Commission ("the Center" or "CRC") are being asked to complete this Compliance Questionnaire. The Center is committed to providing a workplace where employees and contractors can and do act responsibly and ethically. The CRC's Code of Conduct sets out specific standards of conduct, which should govern our behavior towards our fellow employees, suppliers, subrecipients, contractors, subcontractors, and member governments. Please answer each of the following questions and, if necessary, provide an explanation. *For any "yes" response, please explain in the extra space provided on the last page.*

Conflict of Interest

1. During fiscal _26_, did you, or are you aware of anyone who received from any person or center doing business with the Center any loan, gift, trip, gratuity, or other payment, which did or could cause prejudice toward or obligation to the giver, or could be perceived by others as creating an obligation to the giver? *(Note: Each item, or the total of items from a single vendor with a value of more than, $50.00 must be reported, except that* ***you*** *do not need to report loans made by financial institutions on normal and customary terms).*

   Yes **No**

2. In fiscal _26_, did you, or are you aware of anyone who participated in or influenced any transaction between the Center and another entity, or between your employer and other entity, in which they or any member of their family had a direct or indirect financial interest?

   Yes **No**

3. In fiscal _26_, did you, or are you aware of anyone who had a material financial interest in or held a position of influence with any business which furnishes goods or services to the Center or to your employer? *(Note: The term "material financial interest" means someone who by virtue of their stock ownership or monetary interest in a business is able to direct or to influence business decisions, or a commissioned sales representative; "position of influence" means someone holding an influential position such as a sole proprietor, partner, member of a board of directors, an executive, or a manager.)*

   Yes **No**

4. For fiscal _26_, did you, or are you aware of anyone who used resources (including funds, equipment, supplies, or personnel) for purposes other than business or business-sponsored activities?

   Yes **No**

5. During fiscal _26_, did you, or are you aware of anyone who received gifts or entertainment from individuals or organizations having dealings with the Center or with your employer, including but not necessarily limited to loans, any form of cash gratuities, private or personal discounts not sanctioned by the Center, or remuneration or service related to illegal activities?

   Yes **No**

6. During fiscal _26_, did you, or are you aware of anyone who accepted any consideration or special favors from suppliers or potential suppliers which in fact or appearance could be deemed a bribe, kickback or reward given to influence your business judgment?
   Yes **No**

7. Were you involved, or are you aware of any employee who was involved in a conflict of interest situation during fiscal year _26_?
   Yes **No**

8. I have listed names, addresses and the nature of the relationships of all persons or entities doing business with the Center or with my employer from whom I or any member of my immediate family has received, directly or indirectly, cash or a gift of more than nominal value ($50.00) during the fiscal year ended June 30, _26_. *(If there are no persons or entities to be listed, so indicate by writing "NONE" in the first space provided below.)*

Name of Person /Entity	Nature of Relationship/Outside Activity

Political

9. In fiscal _26_, did you, or are you aware of anyone who received any payments from the Center or from your employer for the purpose of making a contribution to any political party, candidate, or election committee?
   Yes **No**

Financial Integrity

10. Are you aware of any entries made in the books and records in fiscal _26_ that you believe are false or intentionally misleading?
    Yes **No**

11. Are you aware of any assets, liabilities, or transactions that you believe were improperly omitted from the books in fiscal _26_?
    Yes **No**

12. In fiscal _26_, are you aware of anyone seeking to influence any governmental official (including foreign officials) or governmental employee, or individual doing business with the Center or with your employer, by offering money, goods, or services in return for some special consideration?
    Yes **No**

13. Are you aware of any incident involving the Center or your employer that you feel constituted noncompliance with laws, regulations, policies, guidelines, procedures, or ethical principles, other than those matters referred to in other questions or incidents, which have already been reported? *(Note: If you prefer to report an incident or violation anonymously, please answer this question "NO" and contact a member of the CRC Audit Committee.)*

    Yes **No**

14. Please provide any explanations for "yes" responses.

_____

_____

_____

In the space below, please provide any suggestions you may have for improving the Code of Conduct and Compliance Program.

_____

_____

_____

_____

Printed Name

_____

Signature

_____

Date

Contractor Responsibilities, Rewards, and Sanctions

Scope and Background. This provides policies and procedures to be used by the CRC in assessing compliance by their CONTRACTORs, with contract requirements and responsibilities and developing appropriate performance-based rewards or sanctions, relative to compliance status. To the extent feasible, the CRC will reward those CONTRACTORs which the CRC finds have demonstrated exceptional performance. Likewise, should there be findings of non-compliance with the terms of a contract which governs the use of monies appropriated under that contract, the CRC may take such actions, described in this section, as may be legally available and appropriate to the circumstances. This section outlines the rewards available for compliance with a contract and the potential sanctions which can be levied for non-compliance with contract terms and conditions.

Definitions. Definitions for terms used in this section shall have the following meanings, unless the context clearly indicates otherwise.

(a) Levels of Sanctions include but are not limited to:

(1) Level One Sanction - The sanction that the CRC may impose as a response to a contractual breach and/or failure to comply with CRC policies and procedures and specific state and federal requirements.
(2) Level Two Sanction - The sanction that the CRC may impose as a response to a severe problem and the potential negative impact that such a problem may have on a CONTRACTOR agency's region or on the State.
(3) Level Three Sanction - The sanction that the CRC may impose with a severe and/or continued failure to comply with contractual requirements, CRC policies and procedures, and/or state and/or federal laws may affect service delivery and/or CONTRACTOR agency financial stability.
(4) Level Four Sanction - The sanction that the CRC may impose where a severe and/or continued failure to comply with contractual requirements, CRC policies and procedures, and/or state and/or federal laws continue to go uncorrected.

(b) Acceptable corrective action plan - Identification of actions to be taken, including a time line, that are acceptable to the CRC to correct and identify issue of contractual or legal non-compliance.

(c) Certified - When used in conjunction with performance measure testing, describes having obtained acceptable results, within parameters established by the CRC, for data tested.

(d) Discretionary funds - Any funds issued by the CRC that are not awarded based on a general funding formula or not awarded to all Providers by the CRC.

(e) Extension - An approved request, submitted to the CRC on or before the original due date, to submit required reports or other required information, later than the established due date, and granted at the discretion of the CRC for good cause shown.

Preventive maintenance. Preventive maintenance activities or approaches, developed to ensure achievement of desired program outcomes and provide fiscal accountability, include technical

assistance, procedural issuances and policy manual issuances, timely and effective program and fiscal monitoring, performance measure testing, and quality reviews.

(a) Technical assistance is performance-driven and outcome-based. Specified CRC or Division of Aging Services staff with appropriate programmatic, technical and/or administrative expertise will provide technical assistance for administrative, programmatic and fiscal issues. Training is included as a preventive maintenance approach, to the extent that resources are available to arrange for and provide such training.

(b) Procedural issuances and manual issuances provide clarification and interpretation of federal and state requirements and are performance-driven and outcome-based. They may relate to both programmatic and fiscal issues.

(c) Program and Fiscal Monitoring assistance may include site visits, desk reviews and analysis of both financial and program outcomes to help identify potential weaknesses, before such weaknesses result in sub-standard performance or questioned costs. Monitoring may result in recommendations that provide practical solutions that can be used to take immediate corrective action.

(d) Performance measure testing is conducted to determine the accuracy (including completeness) of data submitted to the CRC and to assess the quality of the controls in place to ensure the consistency of accurate and well-documented data.

(e) Quality reviews include the routine evaluation of essential quality indicators and certification systems and will be enhanced with timely and relevant training and technical assistance to help develop and maintain the knowledge, skills and abilities required across all program lines.

CONTRACTOR Responsibilities. Contractors are responsible for compliance with the terms of the contract and will:

(a) comply, as applicable, with all governing documents;

(b) comply with the requirements of approved contracts or plans;

(c) meet the administrative and service requirements established by the CRC, including, but not limited to, all budget documents and required reporting in a timely, complete and accurate manner; and

(d) respond to requests by the CRC for specific correction as a result of:

(1) the area plan or area plan amendment review;
(2) program and fiscal reviews, monitoring and assessments;
(3) investigation and response to complaints; or
(4) erroneous or incomplete information on program performance or financial reports.

(e) respond to or comply with corrective action plans as requested or required by the CRC.

(f) notify the CRC immediately if service levels are to be temporarily limited or reduced by

unanticipated staffing constraints or other unexpected circumstances.

Rewards. Rewards for exceptional performance will be determined by the CRC based on the results of periodic and annual monitoring and evaluation. The CRC will work with the provider network to establish reward and recognition initiatives that are both meaningful and tangible. Exceptional performance is characterized by those activities that produce results which substantially exceed minimum requirements, and could be related to superior consumer satisfaction ratings, outstanding leadership in the community and state, highly effective stewardship of funds, highly effective advocacy efforts resulting in actions taken to benefit programs or clients, innovations leading to process improvements, and improved results. Actual rewards are not limited to, but may include any one, or a combination of:

(a) notification and publicizing of outstanding performance to the public in the Area Agency's region and to the governing board of the designated Regional Development Center or non-profit organization. This could include holding annual recognition events, giving "Best in Class" Awards for AAAs and providers, highlighting accomplishments in newsletters and annual reports;

(b) providing discretionary funding awards for conferences, training events, or leadership workshops, including in-state and, *when appropriate,* out-of-state travel;

(c) providing discretionary funding awards for the purchase of equipment, including upgrades to computer hardware and software;

(d) reducing the frequency of monitoring and other review processes, as long as performance levels are maintained at the exceptional level;

(e) providing the opportunity to participate in policy and program development initiatives;

(f) giving priority consideration for new projects, activities or funding.

Sanctions. The CRC may apply sanctions which can be both progressive and cumulative in nature and which can include, but are not limited to, the following:

Level One Sanctions. Level One Sanctions may result in one or more of the following actions:

(a) requiring the development, submission and implementation of an acceptable corrective action plan to address identified weaknesses, contractual breaches, and/or non-compliance;

(b) submission of additional and/or more detailed financial and/or performance reports;

(c) designation as a high-risk CONTRACTOR, requiring additional monitoring visits;

(d) repayment of disallowed costs; and

(e) requiring directed amendments to contract.

Level Two Sanctions. Level Two Sanctions may result in one or more of the following actions:

(a) imposition of one or more Level One Sanctions;

(b) restrictions on ability to draw down CONTRACTOR/Agency funds, including suspension or termination of funding, with notice of such action to the agency director, the agency director's superior (if applicable), and the agency's board chairperson, or comparable agency official;

(c) prohibition of participation in discretionary funds application process;

(d) imposition of required technical assistance, and

(e) requiring directed amendments to contract or subcontract proposals

Level Three Sanctions. Level Three Sanctions may result in one or more of the following actions:

(a) imposition of one or more Level One sanctions;

(b) imposition of one or more Level Two sanctions;

(c) prohibition or limitation of the provision of direct services;

(d) imposition of the requirement that reimbursement payments made to the CONTRACTOR for the remainder of the fiscal year shall only be made following submission of bills paid or other documentation to show that bills for which reimbursement is sought have been paid; and

(e) requiring directed amendments to contract or subcontract proposals.

Level Four Sanctions. Level Four Sanctions may result in one or more of the following actions:

(a) imposition of one or more Level One sanctions;

(b) imposition of one or more Level Two sanctions;

(c) imposition of one or more Level Three sanctions;

(d) requiring a directed amendment to the current area plan/proposal; and

(e) withdrawal of designation and/or cancellation of provider contract.

Administrative Violations. Administrative violations shall result in disciplinary and/or corrective actions as specified in this section, unless the violation occurred as a result of an act of God or action by the Division/Department. The CRC is responsible for documenting violations. Higher levels of administrative sanctions will be applied for non-compliance issues deemed most serious, and for continued non-compliance, including failure to take appropriate corrective action, for less serious issues.

Violations Subject to Level One Sanctions. Violations which may result in the imposition of Level One sanctions include, but are not limited to, the following:

(a) failure to satisfactorily resolve an identified contractual breach within specified timeframes.

(b) failure to submit a required report by the due date or date of approved extension.

(c) failure to submit required reports accurately and completely, if identified by the CRC (not to exceed two instances in one fiscal year), and not corrected within five workdays following notification;

(d) failure, on the third occurrence, to submit required reports accurately and completely, if identified by the CRC, whether or not a violation notice was previously issued;

(e) failure to submit timely an acceptable corrective action plan for findings of program and fiscal monitoring within thirty (30) calendar days;

(f) failure to resolve deficiencies noted in an audit review within timeframes established by contract.

Violations Subject to Level Two Sanctions. Violations which may result in the imposition of Level Two sanctions include, but are not limited to, the following:

(a) failure to rectify any level one sanction within the timeframe established for corrective action;

(b) failure to complete in a timely manner any corrective actions provided in any corrective action plan;

(c) failure to submit in a timely manner a Single Audit, in accordance with OMB Circular A-133, to the Department;

(d) failure to be certified as having had accurate data following performance measure testing;

Violations Subject to Level Three Sanctions. Violations which may result in the imposition of Level Three sanctions include, but are not limited to, the following:

(a) failure to rectify any Level One sanction within sixty (60) calendar days following the timeframe established for corrective action;

(b) failure to rectify any Level Two sanction within the timeframe established for corrective action;

(c) failure to appropriately act upon reported or identified threats to the health and safety of program participants, within established timeframes, as follows:

(1) immediately, or on the next business day, when an immediate threat to life and safety of participants is reported or identified;
(2) within forty-eight (48) work hours, when there is some risk to health or safety, which is considered not to be life threatening;
(3) within seven (7) work days for all other reports or risks identified.

(d) failure to appropriately report and respond to allegations of abuse, neglect, and/or exploitation, and/or allegations of fraud or ethics code violations; [1]

(e) failure to have tested data certified as accurate two times out of any four consecutive performance measure tests; and

(f) occurrence of four or more Level One violations or three or more Level Two violations within the same fiscal year.

Violations Subject to Level Four Sanctions. Violations which may result in the imposition of Level Four sanctions include, but are not limited to, the following:

(a) failure to rectify any Level One sanction within 120 calendar days following the timeframe established for corrective action;

(b) failure to rectify any Level Two sanction within 90 calendar days following the timeframe established for corrective action; and

(c) failure to rectify any Level Three sanction within the timeframe established for corrective action.

Notice of Pending Action. The CRC is responsible for providing adequate and timely notice of pending actions, including sanctions, according to the following guidelines.

(a) The date of notice shall be the date the notice is sent to the CONTRACTOR via facsimile transmission (FAX), if transmitted or recorded as delivered by 12:00 Noon on a regular business day. If transmitted after 12:00 Noon, the next business day will be considered the date of notice.

(b) All notices of violations will be sent by postal mail for violations subject to a Level one and Level Two sanction or, for violations subject to a Level Three and Level Four sanction, by postal mail, return receipt requested, or by commercial delivery services with signature of receipt required.

(c) All notices will be addressed to:

(1) the agency's/CONTRACTOR's Executive Director or designated representative;
(2) the CONTRACTOR's Board Chair or comparable agency official.

Fraud. All allegations of fraud will be investigated by the Department of Human Services *or* other agency(ies) with jurisdiction. Complaints will be referred to the appropriate agency for action. Since payments to CONTRACTORs are made from both State and Federal funds, submission of false or

[1] Refer to "Requirements for Non-Medicaid Home and Community Based Services" General and Individual Services requirements, regarding mandatory reporting of suspected abuse, neglect or exploitation of participants. Provider staff are considered to be mandated reporters as defined in O.C.G.A. 30-4, Protection of Disabled Adults and Elder Persons. AAAs which provide direct services, including case management, will be subject to mandated reporting.

fraudulent claims, statements, documents, or the concealment of a material fact may be prosecuted as a felony in either Federal or State Court.

(a) The Department/Division will inform the agency/CONTRACTOR of the exact nature of the complaint and may require the CONTRACTOR to conduct its own internal investigation.

(b) The Department will document its investigation's findings and conclusions and inform the CONTRACTOR and the complainant of the results. If an investigation substantiates fraud, the Department will require the CONTRACTOR to take corrective action and/or refer the complaint to the Georgia Attorney General's Office, the United States Attorney General's Office, and other appropriate law enforcement agencies.

Ethics Code Violations. The Department/Division is bound by the Code of Ethics for Government Service and expects all CONTRACTORs, including area agencies on aging and their sub-CONTRACTORs to abide by the same (See Appendix 93-B). Violations of the Ethics Code requirements will be investigated by the Department and referred by the Department to the appropriate law enforcement agency. Ethics violations may result in criminal prosecution and may be pursued based on the provisions pertinent laws and regulations.

(a) The Department will inform the CONTRACTOR of the exact nature of the complaint and may require the CONTRACTOR to conduct its own internal investigation.

(b) The Department will document its investigation's findings and conclusions and inform the CONTRACTOR and the complainant of the results. If an investigation indicates there is a substantiated situation in which there is a question of ethics code violations, the Department will require the CONTRACTOR to take corrective action and/or refer the complaint to appropriate law enforcement agencies.

Abuse, Neglect, and Exploitation. Abuse, neglect, exploitation and other violations of client rights will be reported by the Department/Division to the appropriate authorities. [2]

Other Remedies. The CRC may take and/or impose other remedies that are legally available based on the circumstances involved.

Effective Date: July 2026

Review Date: March, annually, or at any other such time as there are changes in laws or regulations which affect this policy.

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[2] See note 1.

Contract Amendment Correspondences

Security and Immigration Compliance Affidavit

Subcontractor Affidavit under O.C.G.A. § 13-10-91

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of the Coastal Regional Commission has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

_____
Federal Work Authorization User Identification Number (E-verify Number)

_____
Date of Authorization

_____
Name of Contractor

I hereby declare under the penalty of perjury that the foregoing is true and correct.

Executed on _____, ____, 202___ in _____ (City), _____ (State).

_____
Signature of Authorized Officer or Agent

_____
Printed Name of Authorized Officer or Agent

_____
Title of Authorized Officer or Agent

_____
Date

SUBSCRIBED AND SWORN BEFORE ME ON THIS THE _____ DAY OF _____, 202__.

_____
Notary Public
My Commission Expires: _____

Department of Human Services
STRONGER FAMILIES FOR A STRONGER GEORGIA

FY2025 – Coastal Regional Commission
Division of Aging Services – Multi-Funded

Brian P. Kemp
Governor

Candice L. Broce
Commissioner

Georgia Department of Human Services

Aging Services | Child Support Services | Family & Children Services

NOTICE CONCERNING CRITICIAL INCIDENT REPORTING

Georgia Department of Human Services (DHS) requires that its contractors/service providers make every reasonable effort to ensure the safety of the individuals served through its programs.

To report an incident or situation that you feel may lead to serious injury or death to a DHS client or consumer, please contact the DHS Office of Inspector General at:

Telephone: 404-463-5495 (local Atlanta area)

Fax: 404-463-5496

Email: inspectorgeneralhotline@dhs.ga.gov

Via web: http://dhs.georgia.gov, Navigate to "Divisions & Offices", scroll to "Office of Inspector General" and click "online form".

Address: 47 Trinity Avenue, SW
Atlanta, Georgia 30334

Staff Report

Subject: Ratification of FY 2026 LRA Supplemental Signature Pages
Author: Brooke Sutherland, Engineering Project Coordinator
Department: Procurement, Engineering
Meeting Date: October 20th, 2026
Item Description: Consideration to ratify the correct signature pages for the FY 2026 Local Road Assistance (LRA) Supplemental funding application previously approved by the Board of Commissioners on June 2, 2026.

Summary Recommendation: Staff recommends ratification of the FY 2026 LRA Supplemental signature pages to correct an administrative error in the documents executed following the June 2, 2026 Board approval.

Executive Summary / Background: On June 2, 2026, the Board of Commissioners approved the FY 2026 Local Road Assistance (LRA) Supplemental funding application. However, the signature pages for the FY 2026 Local Maintenance & Improvement Grant (LMIG) application were inadvertently uploaded and subsequently signed instead of the correct FY 2026 LRA Supplemental signature pages.
The error was limited to the signature documents and did not affect the information, funding request, or projects presented to and approved by the Board. The correct FY 2026 LRA Supplemental signature pages have since been prepared and executed. No changes to the original Board approval are being requested.

Alternatives for Commission to Consider:

1. Ratify the FY 2026 LRA Supplemental signature pages.
2. Do not approve
3. Provide staff with direction

Recommended Alternative: 1
Other Alternatives: 2, 3
Department Review: Procurement, Engineering
Funding Source: N/A
Attachments: FY 2026 LRA Supplemental Application Signature Pages

Revised 2/18/2026

GEORGIA DEPARTMENT OF TRANSPORTATION LOCAL MAINTENANCE & IMPROVEMENT GRANT (LMIG) APPLICATION FOR FISCAL YEAR 2026 LRA Supplemental

TYPE OR PRINT LEGIBLY. ALL SECTIONS MUST BE COMPLETED.

LOCAL GOVERNMENT AFFIDAVIT AND CERTIFICATION

I, Damon M. Rahn (Name), the Chairman at Large (Title), on behalf of Board of Commissioners of Effingham County, Georgia (Local Government), who being duly sworn do swear that the information given herein is true to the best of his/her knowledge and belief. Local Government swears and certifies that it has read and understands the LMIG General Guidelines and Rules and that it has complied with and will comply with the same.

Local government further swears and certifies that it has read and understands the regulations for the Georgia Planning Act (O.C.G.A. § 45-12-200, et seq.), Service Delivery Strategy Act (O.C.G.A. § 36-70-20, et seq.), Immigration Sanctuary Policies; prohibition; penalties (O.C.G.A. § 36-80-23), and the Local Government Budgets and Audits Act (O.C.G.A. § 36-81-7 et seq.) and will comply in full with said provisions. Local government further swears and certifies that the roads or sections of roads described and shown on the local government's Project List are dedicated public roads and are part of the Public Road System in said county/city. Local government further swears and certifies that it complied with federal and/or state environmental protection laws and at the completion of the project(s), it met the match requirements as stated in the Transportation Investment Act (TIA) (O.C.G.A. § 48-8-240).

Further, the local government shall be responsible for any claim, damage, loss or expense that is attributable to negligent acts, errors, or omissions related to the designs, drawings, specifications, work and other services furnished by or on behalf of the local government pursuant to this Application ("Loss"). To the extent provided by law, the local government further agrees to hold harmless and indemnify the DEPARTMENT and the State of Georgia from all suits or claims that may arise from said Loss.

If the local government fails to comply with these General Guidelines and Rules, or fails to comply with its Application and Certification, or fails to cooperate with the auditor(s) or fails to maintain and retain sufficient records, the DEPARTMENT may, at its discretion, prohibit the local government from participating in the LMIG program in the future and may pursue any available legal remedy to obtain reimbursement of the LMIG funds. Furthermore, if in the estimation of the DEPARTMENT, a project shows evidence of failure(s) due to poor workmanship, the use of substandard materials, or the failure to follow the required design and construction guidelines as set forth herein, the Department may pursue any available legal remedy to obtain reimbursement of the allocated LMIG funds or prohibit local government from participating in the LMIG program until such time as corrections are made to address the deficiencies or reimbursement is made. All projects identified on the Project list shall be constructed in accordance with the Department's Standard Specifications of Transportation Systems (Current Edition), Supplemental Specifications (Current Edition), and Special Provisions.

Local Government:

Damon M Rahn (Signature)

Damon Rahn (Print)

Mayor / Commission Chairperson

06/02/2026 (Date)

LOCAL GOVERNMENT SEAL (required):

185295

E-Verify Number

Sworn to and subscribed before me,

This 2nd day of June, 2026.

In the presence of:

NOTARY PUBLIC

Stephanie Johnson

My Commission Expires: 03/15/2028

NOTARY PUBLIC SEAL (required):

CERTIFICATION OF COMPLIANCE WITH
ANNUAL IMMIGRATION REPORTING REQUIREMENTS/
NO SANCTUARY POLICY/FEDERAL LAW ENFORCEMENT COOPERATION

By executing this document, the undersigned duly authorized representative of the Local Governing Body, certifies that the Local Governing Authority:

1) has filed a compliant Annual Immigration Compliance Report with the Georgia Department of Audits & Accounts ("GDA&A") for the preceding calendar year required by O.C.G.A. § 50-36-4(b), or has been issued a written exemption from GDA&A from doing so;

2) has not enacted a "Sanctuary Policy" in violation of O.C.G.A. § 36-80-23(b); and,

3) is in compliance with O.C.G.A. §§ 35-1-17 et seq. regarding its obligation to cooperate with federal immigration enforcement authorities to deter the presence of criminal illegal aliens.

As an ongoing condition to receiving funding from the Georgia Department of Transportation, the Local Governing Body shall continue to remain fully compliant with O.C.G.A. §§ 50-36-4, 36-80-23 and 35-1-17 et seq. for the duration of time the subject agreement is in effect.

Signature of Authorized Officer or Agent

Damon Rahn

Printed Name of Authorized Officer or Agent

Chairman At Large

Title of Authorized Officer or Agent

06/02/2026

Date

Form Date - May 10, 2024

GEORGIA DEPARTMENT OF TRANSPORTATION LOCAL MAINTENANCE & IMPROVEMENT GRANT (LMIG) APPLICATION FOR FISCAL YEAR 2026 LRA Supplemental

TYPE OR PRINT LEGIBLY. ALL SECTIONS MUST BE COMPLETED.

LOCAL GOVERNMENT AFFIDAVIT AND CERTIFICATION

I, Damon Rahn (Name), the Chairman (Title), on behalf of Effingham County (Local Government), who being duly sworn do swear that the information given herein is true to the best of his/her knowledge and belief. Local Government swears and certifies that it has read and understands the LMIG General Guidelines and Rules and that it has complied with and will comply with the same.

Local government further swears and certifies that it has read and understands the regulations for the Georgia Planning Act (O.C.G.A. § 45-12-200, et seq.), Service Delivery Strategy Act (O.C.G.A. § 36-70-20, et seq.), Immigration Sanctuary Policies; prohibition; penalties (O.C.G.A. § 36-80-23), and the Local Government Budgets and Audits Act (O.C.G.A. § 36-81-7 et seq.) and will comply in full with said provisions. Local government further swears and certifies that the roads or sections of roads described and shown on the local government's Project List are dedicated public roads and are part of the Public Road System in said county/city. Local government further swears and certifies that it complied with federal and/or state environmental protection laws and at the completion of the project(s), it met the match requirements as stated in the Transportation Investment Act (TIA) (O.C.G.A. § 48-8-240).

Further, the local government shall be responsible for any claim, damage, loss or expense that is attributable to negligent acts, errors, or omissions related to the designs, drawings, specifications, work and other services furnished by or on behalf of the local government pursuant to this Application ("Loss"). To the extent provided by law, the local government further agrees to hold harmless and indemnify the DEPARTMENT and the State of Georgia from all suits or claims that may arise from said Loss.

If the local government fails to comply with these General Guidelines and Rules, or fails to comply with its Application and Certification, or fails to cooperate with the auditor(s) or fails to maintain and retain sufficient records, the DEPARTMENT may, at its discretion, prohibit the local government from participating in the LMIG program in the future and may pursue any available legal remedy to obtain reimbursement of the LMIG funds. Furthermore, if in the estimation of the DEPARTMENT, a project shows evidence of failure(s) due to poor workmanship, the use of substandard materials, or the failure to follow the required design and construction guidelines as set forth herein, the Department may pursue any available legal remedy to obtain reimbursement of the allocated LMIG funds or prohibit local government from participating in the LMIG program until such time as corrections are made to address the deficiencies or reimbursement is made. All projects identified on the Project list shall be constructed in accordance with the Department's Standard Specifications of Transportation Systems (Current Edition), Supplemental Specifications (Current Edition), and Special Provisions.

Local Government:

Damon M Rahn (Signature)

Damon Rahn (Print)

Mayor / Commission Chairperson

10/14/2026 (Date)

LOCAL GOVERNMENT SEAL (required):

SEAL • EFFINGHAM COUNTY BOARD OF COMMISSIONERS • EFFINGHAM COUNTY, GEORGIA

185295

E-Verify Number

Sworn to and subscribed before me,

This 14th day of October, 2026.

In the presence of:

NOTARY PUBLIC

Stephanie Johnson

My Commission Expires:

NOTARY PUBLIC SEAL (required):

STEPHANIE JOHNSON NOTARY PUBLIC Comm. Exp. 03/15/28 EFFINGHAM COUNTY, GA

CERTIFICATION OF COMPLIANCE WITH
ANNUAL IMMIGRATION REPORTING REQUIREMENTS/
NO SANCTUARY POLICY/FEDERAL LAW ENFORCEMENT COOPERATION

By executing this document, the undersigned duly authorized representative of the Local Governing Body, certifies that the Local Governing Authority:

1) has filed a compliant Annual Immigration Compliance Report with the Georgia Department of Audits & Accounts ("GDA&A") for the preceding calendar year required by O.C.G.A. § 50-36-4(b), or has been issued a written exemption from GDA&A from doing so;

2) has not enacted a "Sanctuary Policy" in violation of O.C.G.A. § 36-80-23(b); and,

3) is in compliance with O.C.G.A. §§ 35-1-17 et seq. regarding its obligation to cooperate with federal immigration enforcement authorities to deter the presence of criminal illegal aliens.

As an ongoing condition to receiving funding from the Georgia Department of Transportation, the Local Governing Body shall continue to remain fully compliant with O.C.G.A. §§ 50-36-4, 36-80-23 and 35-1-17 et seq. for the duration of time the subject agreement is in effect.

Damon M Rahn
_____
Signature of Authorized Officer or Agent

Damon Rahn
_____
Printed Name of Authorized Officer or Agent

Chairman
_____
Title of Authorized Officer or Agent

10/14/2026
_____
Date

Form Date - May 10, 2024

Previous Grant Completion Status

(for FY 2026 LRA Supplemental)

Fiscal Year	Grant Type	Percent Complete (%)	SFE Submitted (Y/N)	Comments
2026	LMIG		N	
2025	LRA	100	N	SFE to be submitted by 10/16/26
2025	LMIG	100	N	SFE to be submitted by 10/16/26
2024	LRA	100	Y	
2024	LMIG	100	Y	
2023	LMIG	100	Y	
2022	LMIG	100	Y	
			N	

For the FY 2026 LRA Application: Please complete and attach this page with your Signature Page.

1. Grant Type: (LMIG or Local Road Assistance 'LRA')
2. Percent Complete: (0% - 100%)
3. SFE Submitted: For grants that are 100% complete, indicate whether the Statement of Final Expenditures (SFE), with supporting documents, has been submitted to the Georgia Department of Transportation, by a "Y" for yes or a "N" for no.

Staff Report

Subject: Approval of the Purchase of Kubota M6 w/ Batwing Mower
Author: Danielle Carver, Director of Procurement and Contract Services
Department: Procurement
Meeting Date: 10/20/2026 – Postponed from the 10/06/26 BOC Meeting
Item Description: Consideration to approve the purchase of one Kubota M6 tractor with rotary cutter from Shea Tractor & Equipment Company.

Summary Recommendation: Staff recommends the Board approve the purchase of one Kubota M6 tractor with Land Pride Flex Wing Rotary Cutter from Shea Tractor & Equipment Company utilizing Kubota governmental pricing.

Executive Summary/Background:
Effingham County is working to expand its existing in-house roadside mowing operation to provide additional mowing capacity and reduce reliance on contracted roadside mowing services. The County currently operates an inmate mowing program and has existing equipment, staffing, and supervision in place. The proposed expansion allows the County to phase in additional equipment as operational needs are demonstrated.

As part of this expansion, staff requested pricing for one Kubota M6 tractor equipped with a batwing-style rotary cutter. Shea Tractor & Equipment Company provided a quote for a Kubota M6-131DTC-F-1 Ag Tractor with a Land Pride RC3712 Flex Wing Rotary Cutter for a total of **$121,900.00**.

The purchase will utilize Kubota's 2026 Governmental Sales Program, which includes the M6 Series and is available to county and local government agencies.

Purchasing the equipment will provide additional capacity for the County's in-house roadside mowing operation as contracted routes are transitioned to County crews.

Alternatives for Commission to Consider:

1. Approve the purchase of one Kubota M6 tractor with Land Pride Flex Wing Rotary Cutter from Shea Tractor & Equipment Company utilizing governmental pricing
2. Do not approve the purchase.

Recommended Alternative: 1
Other Alternatives: 2
Department Review: Procurement, ESCO
Funding Source: Fund FY27
Attachments: Shea Tractor Quote; Kubota 2026 Governmental Sales Program

SALES ORDER

SHEA TRACTOR AND EQUIPMENT COMPANY
Kubota

9066 Hwy 301 South
Statesboro, Georgia 30458
(912) 259 - 1050
www.sheatractor.com

September 29, 2026

Customer Name and Address

Effingham County Board of Commissioners
Sydney Edwards (912) 754-2159
804 S. Laurel Street
Springfield, Ga 31329

Quantity	Serial #	Dealer Stock #	Description	Amount
1			Kubota M6-131DTC-F-1 Ag Tractor	$101,000.00
			Enclosed Cab with Heat & AC, Bluetooth Radio	
			Air Ride Suspension Seat, Instructors/Buddy Seat	
			24 Speed Intelli-Shift Transmission	
			2 Rear Remote Valves with Flow Control	
			Front & Rear R1 Agriculture Radial Tires	
			Weight Bumper w/ Full Set of Weights	
1			Land Pride RC3712 Flex Wing Rotary Cutter	$20,700.00
			3" Cut Capacity, Laminated Tires,	
			Performance Self-Leveling Hitch	
			Additional 2yr/2000hr Orange Protection	$0.00
			M6-PROMO (If Purchased in 2026)	
				$121,700.00

Special Stipulations: CASH SALE	1. ADMIN & DOCUMENT FEE	$200.00
	2. SUBTOTAL	$121,900.00
Finance Terms: CASH	3. KUBOTA INSURANCE	$0.00
	4. SALES TAX EXEMPT - GATE	$0.00
Warranty: Basic-Standard: 2yrs/2000hrs Powertrain: 3yrs/3000hrs (Whichever Occurs First) 13 Month Implement, 5yr Limited Gearbox	5. STATE UCC FEE	$0.00
	6. CASH DOWN	$0.00
	7. TOTAL FINANCED	$121,900.00
Estimated Payment: CASH SALE	8. 3% CARD PROCESSING FEE	$0.00
	9. BALANCE DUE	$121,900.00

CUSTOMER HEREBY ACKNOWLEDGES AND AGREES THAT THE TERMS AND CONDITIONS STATED ON THE SECOND PAGE HEREOF GOVERN ALL SALES TO CUSTOMER AND SAID TERMS AND CONDITIONS ARE INCORPORATED IN THIS SALES ORDER.

All Trade in units are free and clear of all liens and encumbrances. _____Customer Initials

MANUFACTURER WARRANTY DOES NOT INCLUDE TRAVEL TIME OR MILEAGE

THIS SALES ORDER WILL BECOME BINDING UPON AND ENFORCEABLE AGAINST SHEA TRACTOR & EQUIPMENT COMPANY ONLY WHEN SIGNED BY AUTHORIZED AGENTS OF BOTH CUSTOMER AND SHEA TRACTOR & EQUIPMENT COMPANY.

Shea Tractor & Equipment: Jeffrey Biser

9/29/2026
Salesman's Signature Date

Customer: Effingham Co BOC

Customer's Signature Date

2026 GOVERNMENTAL SALES PROGRAM
FOR LARGE AG EQUIPMENT

TO	**All Kubota Large Ag Equipment Dealers**
FROM	**Mike Jacobson, Sr. Director of Product Marketing- Ag Large Equipment**
SUBJECT	**2026 Governmental Sales Program for Large Ag Equipment**
EFFECTIVE DATE	**January 1, 2026 through December 31, 2026**

ELIGIBLE PRODUCTS

- M4N Specialty
- M5 Series (includes Specialty)
- M6 Series (includes Specialty)
- M7 Series (MH contract)
- M8 Series (MR contract)
- BV Series Balers
- Select DM Series (see models)
- DMC Series Disc Mower Conditioners

PROGRAM FINANCING

- This program may be used with DSA Standard financing, and standard lease.

PRICING

Governmental Sales quotes will be estimates only, not final pricing. Price will be determined at the time of product delivery to the governmental customer.

M4N/M5N M5L/M6L M6H (All Speciality)	21%
M5 (All)	16%
M6S (All)	15%
M6 (All)	18%
M7 (All)	27%
M8 (All)	27%
BV Series Balers (all models)	15%
DMC Series Disc Mower Conditioners (all models)	15%
DM2000 Series Disc Mowers (all models)	8%
DM3000, DM4000, & DM5000 Series Disc Mowers (all models)	15%

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PROGRAM TERMS & CONDITIONS

- To qualify for this program, R&I and settlement documentation must be submitted via KOARS within 60 days of the retail delivery date or the incentives will not be issued.
- Any missed incentives at the time of remittance must be submitted on the Incentive Correction Request (ICR) Form within 30 days of the Retail Delivery Date (R&I Date) or incentive is forfeited.
- Incentive Correction Request (ICR) Form must be submitted for any incentives reversed for incorrect submission on or before the date listed in the comments provided with the reversal or incentive is forfeited.
- Attachments/implements invoiced through Kubota Parts DO NOT qualify for the incentive. Eligibility for this program requires the implement to be sold in conjunction with an eligible Kubota Tractor model.
- Customer programs will be established "at time of delivery to the customer" based on the prevailing program.

PROGRAM COMPATIBILITY

- Gov Bid
  - Is eligible with DSI, Target Marketing Funds, and DSA Standard Rate Financing.
  - **No other discounts apply**
- **NATIONAL ACCOUNTS DO NOT QUALIFY**

PROGRAM INCENTIVES

- Qualified Agencies –
  - Federal, State, County and Local Municipality/Government Agencies
  - Cemeteries (profit and non-profit)
  - Public & Private Utilities
  - Railroads
  - Accredited Public & Private Schools
  - Non-profit Organizations (Status Certificate Required)
  - Churches
  - Private Contractors(1) – per the following criteria:

  (1)Private Contractors only (sub-contractors are not eligible) who contract directly with qualified agencies listed above are eligible under this Governmental Sales Program. Discounts are qualified and issued under the following conditions:
  - The contract must be for a minimum of 12 months and the equipment purchased must be exclusively used in the performance of this Private Contract.
  - A copy of the contract showing the beginning and ending dates, as well as the signatures of both parties must be submitted with the Bid Discount Request Form for the credit to be issued.
- All sales under this program must be within the Dealers' LMA, and exceptions to this must be approved by District (DSTM) or Division Manager (DM).
- Sales under this program are **not** eligible for DSA, CIR, promotional rate financing, multi unit discounts (see DSB-2026-017), and promotional leasing. Sales under this program are eligible for Standard leasing.
- Attachments must be invoiced as Wholegoods and sold with the base unit in order to receive discounts. Stand-alone sales of attachments do not qualify for discounts
- Attachments (non-serialized items) invoiced by Wholegoods but separately from the corresponding tractor or implement are eligible to receive the discount. List attachments with dealer net cost and discount amount on Discount Request Form.

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DEALER PROCEDURES

- Select the eligible models in KOARS as listed above to create a remittance.
- Create the R&I.
- Based on the “BID” customer type selected, the government bid discount will be automatically calculated.
- The government bid discount will be displayed on the Kubota Incentive Builder screen below the invoice on the Incentives/Deductions section
    - To take discounts for Kubota (Wholegoods) Invoiced non-serialized implements/attachments, please select **NON-SERIALIZED GOV BID** on the TRACTOR invoice (non-serialized items or implements MUST be mounted on and sold with the base unit), type “**NON-SERIALIZED GOV BID**” in the comments section, and manually enter the discount. Please upload the completed Discount Request Form in its entirety.
    - For Marketing Assessment Fee (MAF - $ amount on invoice), also select**NON-SERIALIZED GOV BID**, type “MAF” in the comments section, and type the discount manually.
- Copy of the customer P.O. must be uploaded to the remittance. (Other documents w/ verification qualified agencies must have purchase details and agency information, logo, letterhead – accepted on exception basis if no P.O. available).
- For more detailed information go to KubotaLink: Kubota University Learning Portal.

Standard Sales Allowance Program terms & conditions apply (DSB-2026-001 current revision) except as noted above. KTC reserves the right to cancel this program entirely or modify or otherwise amend any aspect of it at any time without prior notice. Please contact your Division Sales Department if you have any questions about this program.

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Staff Report

Subject: **Retired Educators Day Proclamation**
Author: Stephanie Johnson, County Clerk
Department: Administration
Meeting Date: October 20, 2026
Item Description: Consideration to approve a Proclamation celebrating November 1, 2026 as Retired Educators Day

Summary Recommendation:
Staff recommends approval of the request.

Executive Summary:
An email was received from Debra Snooks requesting the board recognize retired educators.

Background:
Georgia Retired Educators Association (GREA) began in 1958 as Georgia Retired Teachers Association. The organization has evolved, through sixty-four years of specialization and diversity of educational roles and adopted its current name in 1998 to better describe the membership potential. GREA continues to be the only organization that concentrates exclusively on the needs of Georgia retired educators.

Governor Kemp has proclaimed Sunday, November 1, 2026 as Retired Educators Day in Georgia.

According to reports there are approximately more than 145,000 retired educators in Georgia, and over 32,000 of those retirees belong to the Georgia Retired Educators Association.

Alternatives for Commission to Consider:
1. Approve a Proclamation celebrating November 1, 2026 as Retired Educators Day
2. To not approve the Proclamation.

Recommended Alternative: Staff recommends Alternative 1

Other Alternatives: N/A **Department Review:** Administration

Funding Source: No funding is required related to this request.

Attachments:
1. BOC Proclamation
2. Governor Kemp's Proclamation

BOARD OF COMMISSIONERS OF EFFINGHAM COUNTY, GEORGIA

Effingham County Georgia
Board of Commissioners

GEORGIA • RETIRED EDUCATORS ASSOCIATION • 1958 GREA

WHEREAS: The Governor of the State of Georgia has proclaimed the day of Sunday, November 1, 2026, as Retired Educators Day in Georgia; and

WHEREAS: There are more than 145,000 retired educators in Georgia, over 35,000 of whom are members of the Georgia Retired Educators Association; and

WHEREAS: The retired educators of Georgia donate thousands of hours of volunteer service and make invaluable contributions to the welfare of their respective communities across the state; and

WHEREAS: It is appropriate that a day be designated for citizens to express their appreciation for the contributions that retired educators have made and continue to make for the betterment of human lives and for society; and

WHEREAS: Local churches will recognize those lasting contributions made by retired educators in this community; now

THEREFORE: I, Chairman of Effingham County Board of Commissioners do hereby proclaim November 10, 2024, shall be recognized as "RETIRED EDUCATORS DAY" in Effingham County and call upon our citizens to observe this day in an appropriate manner honoring retired educators.

Given unto my hand and seal at Effingham County Georgia, on this _____ day of _____, in the year of our Lord, 2026.

_____
Damon M. Rahn, Chairman

ATTESTED BY:

_____
Stephanie D. Johnson, County Clerk

BY THE GOVERNOR OF THE STATE OF GEORGIA

A PROCLAMATION

RETIRED EDUCATORS DAY

WHEREAS: More than 145,000 retired educators have devoted their time and talents to public education in our state, fostering the academic development of millions of outstanding citizens in the State of Georgia; and

WHEREAS: Retired educators touched and impacted the lives of generations of young people, motivating and inspiring their students to use their innate talents and abilities to the fullest, prompting them to become responsible, contributing citizens; and

WHEREAS: Retired educators possess valuable knowledge and use their vast experience and skill to enrich the education process in varied settings, often continuing to be a major source of insight and direction in education for our state and nation; and

WHEREAS: For sixty-nine years, the Georgia Retired Educators Association has dedicated its efforts to improving the welfare of retired educators, and it has provided opportunities for them to become involved in community activities; and

WHEREAS: On Retired Educators Day, the State of Georgia recognizes these individuals for their time and commitment to bettering our communities and country, and encourages Georgians to express their gratitude for the work done by retired educators; now

THEREFORE: I, BRIAN P. KEMP, Governor of the State of Georgia, do hereby proclaim November 1, 2026, as RETIRED EDUCATORS DAY in Georgia.

In witness thereof, I have hereunto set my hand and caused the Seal of the Executive Department to be affixed this 25th day of June in the year of our Lord, Two Thousand and Twenty-Six.

Brian P. Kemp

GOVERNOR

ATTEST

Lauren M. Curry

CHIEF OF STAFF

Staff Report

Subject: Professional Services – Proposal by CAA
Author: Pamela Melser, Director of Development Services
Department: Development Services
Meeting Date: 10/20/2026

Item Description: Consideration of a proposal submitted by Charles Abbott Associates, Inc. (CAA) to provide professional services for Phase 1 development review, building and structural plan review, construction inspection, fire plan review, civil/site review, project administration, and related regulatory oversight services.

Executive Summary/Background:

CAA proposes to serve as an extension of Effingham County staff for development review and construction oversight for Project Camellia. CAA has over 40 years of experience serving public agencies, more than 200 full-time employees, and experience with 23 data center projects throughout Georgia, including projects associated with Amazon Web Services, Google, and Microsoft.

CAA's proposal is intended to provide Effingham County with technical and inspection capacity while maintaining the County's role as jurisdictional authority. CAA states that the County would retain ultimate governmental and policy authority, while CAA would provide assigned technical administration, plan review, inspection, documentation, coordination, and enforcement support.

Alternatives

1. Approve the Proposal for Phase 1 of Project Camellia Development Review and Construction Oversight Services
2. Deny the Proposal for Phase 1 of Project Camellia Development Review and Construction Oversight Services

Department Review: County Manager, Development Services, Engineering, County Attorney, and Procurement
Funding: 272-7401-024-52-1101

Attachments:

1. CAA Proposal for Phase 1 of Project Camellia Development Review and Construction Oversight Services

AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, 2026, by and between EFFINGHAM COUNTY, hereinafter referred to as "County", with principal offices at 804 S Laurel Street, Springfield, GA 31329, and CHARLES ABBOTT ASSOCIATES, INC., hereinafter referred to as "Consultant", with corporate offices located at 27201 Puerta Real, Suite 200, Mission Viejo, CA 92691 and local offices located at 20 Pointe North Drive, Suite 107, Cartersville, GA 30120.

WHEREAS, the County proposes to utilize the services of Consultant for Development Review and Construction Oversight Services.

WHEREAS, the Consultant has represented to the County that the Consultant has the requisite qualifications and experience, and has the requisite facilities to properly perform the proposed services in a thorough, competent, professional, and workmanlike manner.

Now, therefore, in consideration of the foregoing and the mutual promises and covenants herein contained, the parties hereto agree as follows:

SCOPE OF SERVICES

A. Consultant agrees to provide Project Administration, Building Inspection, Building Plan Review, Civil and Site Review, and Fire Plan Review and Inspection services related to Project Camellia, as defined below and outlined in Exhibit A, Scope of Work.

B. For purposes of this Agreement, "Initial Development Services" refers to the permitting, plan review, inspection, and related support services associated with the first two data-center buildings planned as part of Project Camellia. The specific buildings and associated site improvements will be mutually identified by the County and Consultant and outlined in an agreed-upon scope of services. This designation is intended to establish the Consultant's initial responsibilities and compensation and is not necessarily tied to the developer's construction schedule or phases established under the PILOT agreement.

C. Services will continue through final inspections, applicable occupancy approvals, and administrative closeout. As the project progresses, the County and Consultant may mutually agree to expand services to additional buildings, improvements, or infrastructure through a written amendment addressing the additional scope and compensation.

D. Consultant will perform services based on directives issued by the County. Consultant will not undertake any work, which will result in costs, expenses, or fees without written permission from the County. Consultant may utilize subcontractors, such as a planner, as needed.

E. The County may require Consultant to provide additional services beyond the items described above. For such services, the rates and quantities will be negotiated between the County and Consultant. If approved by the County, a written work order will be provided.

F. Consultant and its employees acknowledge that they are independent contractors and not employees of the County.

COMPENSATION

A. The County shall pay the Consultant according to the fee schedule outlined in Exhibit B. All fees outlined below are inclusive of general and administrative cost, travel, per diem, training,

materials, supplies, and other items necessary to complete the project.

B. Fees do not include office space or utility vehicle for onsite transportation.

C. Consultant will provide monthly invoices, which will itemize all work performed and related charges for that work. The County will pay each such invoice within 30 days of receipt of each invoice. Consultant will provide an unconditional release for any and all amounts due upon receiving payment from the County. The County will contact Consultant not later than 5 business days, excluding County holidays, of receipt of any invoice which is in dispute.

TERM

A. This Agreement will take effect on _____ and will automatically renew each calendar year for a period of 5 years from execution of the agreement unless terminated by either Party.

B. This Agreement may be terminated by the County without cause by giving 30 days' written notice to the Consultant. If this Agreement is terminated by the County, Consultant will be compensated for such services up to the point of termination based on the work completed to such date. Consultant may terminate this agreement by providing the County with written notice, at least 60 days in advance of such termination. If this Agreement is terminated by the Consultant, the Consultant will be compensated for services up to the point of termination, based on the work completed to such date.

C. Consultant will perform the services under this Agreement in a skillful and competent manner and according to the standards observed by a competent practitioner of the work in which Consultant is engaged. Services provided pursuant to this Agreement will be provided in a substantial, first class, and workmanlike manner to conform to the standards of quality normally provided in the field.

INSURANCE

A. Consultant will not begin work under this Agreement until it has obtained all insurance required hereunder from a company or companies rated A or better, nor will Consultant allow any additional Sub-Consultant to commence work for any part of this agreement until all insurance required of this Agreement (as outlined below) has been obtained.

B. Throughout the term of this Agreement, at Consultant's sole cost and expense, Consultant will keep, or cause to be kept, in full force and effect, for the mutual benefit of the County and Consultant the following insurance policies:

Coverage	**Limits of Liability**
Worker's Compensation	Statutory
Professional Liability	$1,000,000 / $2,000,000
Commercial General Liability	$1,000,000 / $2,000,000
Automobile Bodily Injury Liability	$500,000 per person $1,000,000 each occurrence
Automobile Property Damage Liability	$1,000,000 each occurrence

All insurance required by this Agreement will be carried only with responsible insurance companies licensed to do business in the State of Georgia. General and Auto Liability policies will name the County, its officers, agents and employees as additional insured.

INDEMNIFICATION

The Consultant shall defend, indemnify and hold harmless the County, its officers, directors, employees, and agents from and against all Claims, to the extent arising out of Consultant's negligence or misconduct in the performance of its obligations under this Agreement to the extent provided by law.

NONDISCRIMINATION BY CONSULTANT

Consultant represents and agrees that Consultant does not and will not discriminate against any sub-consultant, employee, or applicant for employment because of race, religion, color, gender, handicap, or national origin. Such nondiscrimination will include, but not be limited to, the following: employment, upgrading, promotion, demotion, transfers, recruitment, recruitment advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

OWNERSHIP OF DOCUMENTS

Consultant agrees that all original documents, plans, reports, and other materials developed during the course of providing the services specified in the Agreement will be the property of the County and will be provided by the Consultant to the County upon their completion.

CONSULTANT'S RECORDS

Consultant will keep records and invoices in connection with its work to be performed under this Agreement. Consultant will maintain complete and accurate records with respect to the costs incurred under this Agreement. All such records will be clearly identifiable. Consultant will allow a representative of the County during normal business hours to examine, audit, and make transcripts or copies of such records. Consultant will allow inspection of all work, data, documents, proceedings, and activities related to the Agreement for a period of five years from the date of final payment under this Agreement.

ENTIRE AGREEMENT

This Agreement supersedes any and all agreements, either oral or written, between the parties hereto, and contains all of the covenants and agreements between the parties with respect to rendering of services described herein. Each party to this Agreement acknowledges that no representations, inducements, promises, or agreements, orally or otherwise, have been made with regard to such services by any party, or anyone acting on behalf of any party, which are not embodied herein, and that no other agreement, statement, or promise regarding such services not contained in this Agreement will be valid or binding. Any modification of this Agreement will be effective only if it is in writing and signed by the party to be charged.

GOVERNING LAW AND VENUE

A. This Agreement will be governed by and construed in accordance with the laws of the State of Georgia.

B. Effingham County will be the venue for any legal proceedings, including mediation, arbitration, or court actions that are initiated regarding this Agreement.

BREACH OF AGREEMENT

If the Consultant defaults in the performance of any of the terms or conditions of this Agreement, it will have ten days after service upon it of written notice of such default in which to cure the default by

rendering a satisfactory performance. In the event that the Consultant fails to cure its default within such period of time, the County will have the right, notwithstanding any other provision of this Agreement, to terminate this Agreement without further notice and without prejudice to any other remedy to which it may be entitled at law, in equity, or under this Agreement. The failure of the County to object to any default in the performance of the terms and conditions of this Agreement will not constitute a waiver of either that term or condition or any other term or condition of this Agreement.

ATTORNEY'S FEES

If any action at law or in equity, including an action for declaratory relief, is brought to enforce or interpret the provisions of this Agreement, the prevailing party will be entitled to reasonable attorney's fees, which may be set by the court in the same action or in a separate action brought for that purpose, in addition to any other relief to which that party may be entitled.

NON-SOLICITATION

During and for a period of six (6) months following termination of this Agreement, neither party shall directly or indirectly solicit for hire or engage any personnel (whether as employee, consultant or in any other capacity) of CAA with responsibilities related to this Agreement without CAA's prior written consent.

SEVERABILITY

If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

ACCEPTED AND AGREED TO THIS _____ DAY OF _____, 2026.

BOARD OF COMMISSIONERS OF EFFINGHAM COUNTY, GEORGIA

BY: _____

CHARLES ABBOTT ASSOCIATES, INC.

BY: _____
Rusty R. Reed, President

ATTEST: _____

Signed, sealed and delivered in the presence of:

_____
Witness

_____
Notary Public

EXHIBIT A: SCOPE OF WORK

CAA provides comprehensive review of building and engineering plans, performs inspections of all structures, delivers detailed inspection reports, and advises County staff as needed. CAA will ensure compliance with the Georgia State Minimum Standards Mandatory Codes and construction related zoning requirements.

- Project Administration
- Civil and Site Review
- Building and Structural Review
- Construction Inspection and Compliance
- Fire Plan Review and Inspections

Project Administration

CAA's dedicated Building Officials are responsible for the administration and enforcement of codes and ordinances related to building safety, safeguarding public health, and supporting sustainable community development. Our services focus on ensuring compliance, fostering economic protection, and promoting long-term building safety.

CAA supports the protection of the community's economic interests with the goal of ensuring the development of safe and sustainable buildings for subsequent generations.

Our Services include the following responsibilities:

- Participate in kickoff, preconstruction, coordination, progress, issue-resolution, and executive-status meetings as directed by the County.
- Maintain permit-package, submittal, review-comment, inspection, correction, decision, and occupancy tracking logs.
- Coordinate interfaces among County departments, the owner, design team, contractors, utilities, and other reviewing agencies while preserving each party's authority.
- Forecast staffing needs by phase and adjust qualified resources with County approval.
- Provide routine written reports to County management and concise Board-level summaries when requested.

Civil and Site Review

CAA provides coordinated site development oversight.

CAA will review civil and site-development plans, calculations, and supporting reports for compliance with County standards, permit conditions, and accepted engineering practices. Our team will coordinate revisions with building plans and field conditions while tracking required outside-agency approvals to help prevent conflicts, delays, and unauthorized work.

CAA will:

- Review assigned grading, drainage, stormwater-management, erosion and sediment-control, roadway, utility, floodplain, right-of-way, plat, and supporting engineering documents.
- Review calculations and technical reports for completeness and consistency with applicable County standards, permit conditions, and accepted engineering practices.
- Coordinate civil/site revisions with building packages and field conditions so changes are evaluated before affected work proceeds.
- Track outside-agency permits and approvals identified by the County, without assuming the authority of those agencies.

Building and Structural Review

CAA provides plan review services of all structures for compliance with all local ordinances and state and federal laws that pertain to Building and Safety, and for compliance with the adopted Building Code.

Our approach to plan review ensures that plans submitted to CAA for review are properly tracked and processed. Our system ensures that each plan or permit is tracked, reviewed, and returned on time and within budget. The status of any plan can easily be determined at any point in time. Our registered professionals and certified plan examiners review all plans and calculations, thus assuring that the technical components and all code items are thoroughly reviewed. Most of our plan examiners are cross-trained and also certified as inspectors, providing a very efficient use of personnel and expediting the process for the applicant. We provide timely turnaround of plan reviews and re-reviews based on guaranteed turn-around times. Our staff also handles any coordination required as part of the review.

A certified plan reviewer will conduct a reasonable and lawful plan review of submitted construction documents for compliance with the following items:

- Review architectural, structural, accessibility, energy, and assigned building-system documents for compliance with applicable codes and County requirements.
- Review structural calculations, design criteria, gravity and lateral systems, special loading conditions, materials, delegated designs, deferred submittals, and revisions within the reviewer's professional scope.
- Coordinate review comments across disciplines and identify conflicts between approved packages before construction.
- Maintain clear review cycles, written comment resolution, and approval records.

Construction Inspection and Compliance

CAA provides consistent field oversight and enforcement.

CAA will provide thorough, well-documented inspections of site, building, structural, and specialty work to verify compliance with approved plans and applicable requirements. Our team will identify deficiencies and unauthorized work, track corrective actions and required testing, perform reinspections, and support the County's decisions regarding continued construction and final occupancy.

Services provided include:

- Perform scheduled and periodic inspections of assigned site, building, structural, and specialty work for compliance with approved documents and applicable requirements.
- Record the date, location, inspection type, inspector, observed conditions, violations, corrective action, and authorization to proceed or notice of failure.
- Require access to work before concealment and verify corrections before approval of affected work.
- Coordinate special inspections, testing reports, third-party certifications, and deferred submittals as assigned by the County.
- Identify unauthorized deviations, incomplete work, unsafe conditions, and work performed without required approvals.
- Perform reinspection and closeout verification and support County decisions concerning temporary or final occupancy.

Fire Plan Review and Inspections

CAA provides fire prevention plan checking and inspection services and any other associated review.

CAA will provide qualified fire prevention professionals to review plans and inspect construction for compliance with the County's adopted building and fire codes, Georgia amendments, applicable ordinances, NFPA standards, and State Fire Marshal requirements.

Services may include:

- Perform Review of site access, fire hydrant locations, architectural plans, fire sprinklers, fire alarms, hood and duct systems, and alternative suppression systems.
- Preliminary consultations with applicants, design professionals, and contractors.
- Coordination and performance of construction, system, annual, and emergency fire inspections.
- Documentation of deficiencies, corrective actions, reinspections, and code violations.
- Issuance or recommendation of stop-work action for noncompliant construction when authorized and required.
- Coordination with and recommendations to the County's Building Official, Fire Marshal, or designee.
- Attendance at project meetings and ongoing maintenance of required professional certifications.

EXHIBIT B: COST PROPOSAL

CAA proposes a developer-funded compensation model for the Initial Development Services of Project Camellia. Under this approach, the cost of the specialized plan review, permitting and inspection services required for the project will be supported by fees paid by the developer rather than the County's General Fund or local taxpayers.

Building Plan Review and Inspection Services

CAA proposes the following percentage-based fees for building-related services:

Service Provided	CAA Compensation
Building Plan Review, Building and Fire Inspections	75% of all building permit and plan-review fees collected

Effingham County will retain the remaining 25% of collected building permit and plan-review fees to support the County's administrative cost.

The percentages above apply to building permit and plan-review fees collected for buildings included in the Initial Development Services. Engineering and land-development services are compensated separately at the hourly rates shown below.

Engineering and Land Development Services

Engineering and land-development services will be provided on an hourly basis:

Service Provided	Rate* (billed in whole hours)
Electronic Engineering and Land Development Plan Review	$ 149 / hr
Site / E&S Inspections	$169 / hr

**Hourly rates may be adjusted annually upon renewal based on the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, All Items, published by the U.S. Bureau of Labor Statistics, for the most recent available 12-month period. Any annual increase shall not exceed 3%. CAA shall provide Effingham County at least 30 days' written notice before adjusted rates take effect.*

Consultant will monitor costs associated with engineering services under this Agreement and notify Effingham County when expenditures reach or are reasonably anticipated to exceed 5% of the permit fees collected for the project. Upon notification, the County and Consultant will review projected engineering costs and mutually determine any necessary adjustments to funding or services. This provision applies solely to engineering services (Land Development) and intends to provide financial oversight while maintaining flexibility to accommodate evolving project needs, subject to applicable County authorization requirements.

Charles Abbott Associates, Inc.



Proposal for Phase 1 of

Project Camellia Development Review and Construction Oversight Services

Effingham County

Attn: Timothy Callanan, County Manager
804 S Laurel Street
Springfield, GA 31329

Date: September 14, 2026

Charles Abbott Associates, Inc.
20 Pointe North Drive, Suite 107
Cartersville, GA 30120
Toll Free: (866) 530-4980
www.caa.inc

Charles Abbott Associates, Inc.

Table of Contents

Introduction Letter **3**

Executive Summary **5**

Company Background **9**

Scope of Services **12**
- Project Administration 13
- Civil and Site Review 14
- Building and Structural Review 14
- Construction Inspection and Compliance 15
- Fire Plan Review and Inspections 15

Staff Qualifications **17**
- Project Team 18

Data Center Experience **31**

Other Large Projects **35**

Local References **38**

Cost Proposal **43**
- Phase 1 Cost Proposal 44



Charles Abbott Associates, Inc.

Introduction Letter



"Empowering the public sector through exceptional public service delivery, built on a foundation of employee development, operational excellence, and community impact"

Charles Abbott Associates, Inc. (CAA) is pleased to present this Proposal to support Effingham County with development review, building-safety administration, site and structural plan review, construction inspection, and project coordination for Project Camellia.

Project Camellia is a proposed four-building, approximately 4.5 million-square-foot AI infrastructure campus within the Savannah Gateway Industrial Hub. Publicly announced plans describe approximately $20 billion in private investment and 3.2 gigawatts of power to be delivered in phases between 2028 and 2032. The scale, technical complexity, compressed schedules, and public importance of this development will require experienced oversight and a disciplined regulatory process.

CAA is prepared to serve as an extension of County staff. Our team brings direct experience supporting major industrial, manufacturing, healthcare, logistics, and infrastructure projects, and experience with 23 data center projects throughout Georgia, including major hyperscale campuses developed for Amazon Web Services, Google, and Microsoft.

Our responsibility will be to Effingham County. CAA will coordinate constructively with the owner, design professionals, contractors, utilities, and partner agencies, while independently applying adopted codes, approved plans, permit conditions, and County requirements. We will document deficiencies, require corrective action, and use the enforcement authority delegated by the County when work cannot safely or lawfully proceed.



Charles Hugh Abbott, Jr
1941-1999

COMPANY QUICK FACTS

- **Over 40 years' experience in serving the public sector**
- **Proven capabilities in building and safety, engineering, public works, environmental and fire protection**
- **More than 200 full-time, fully credentialed and trained staff**
- **Credibility, financial strength and resources of a fully licensed firm that has been involved with billions of dollars worth of construction projects**

CAA has the staffing depth to scale with the project, the technical resources to review complex systems, and the municipal experience to protect the County while helping a major project advance efficiently. CAA's proposed compensation model means Effingham County receives expert, fully-staffed regulatory oversight for Project Camellia at no cost to the County's General Fund or local taxpayers. We appreciate the opportunity to be considered and are ready to work with County leadership to finalize the service model, authority, staffing plan, reporting protocols, and mobilization schedule.

Sincerely,

Tim Inglis, CBO
Vice President

Charles Abbott Associates, Inc.

Executive Summary



Since 1984, CAA has served public agencies with a clear understanding that governmental accountability and regulatory oversight differ fundamentally from private construction management. Our experience includes representing Bryan County on site-development and building-safety matters for the 2,200-acre Hyundai Metaplant, giving CAA directly relevant coastal Georgia megaproject experience, as well as supporting 23 data center projects throughout Georgia. CAA can combine consistent on-site leadership with specialized plan reviewers, engineers, and additional inspectors to meet the demands of phased construction and peak workloads. Most importantly, our personnel are prepared to make independent, technically defensible enforcement decisions, including rejecting noncompliant work and stopping affected construction when authorized and required.

Project Camellia is expected to transform the scale of development activity in Effingham County. The campus will require careful coordination across civil/site work, utilities, structures, specialized electrical and mechanical systems, fire and life safety, accessibility, erosion and sediment control, phased permitting, testing, commissioning, and occupancy. Multiple design packages and concurrent construction activities are likely to create interfaces that must be tracked across disciplines and phases.

Effingham County needs an experienced, independent team capable of supplementing County capacity without weakening County control. The County must remain the authority having jurisdiction while also maintaining timely decisions and a predictable process. CAA's proposed program is designed to preserve that authority, provide a clear chain of responsibility, and prevent unresolved issues from being carried forward into later phases where correction becomes more disruptive and expensive.

Project Need	CAA Response
Experienced megaproject leadership	Direct experience with 23 Data Centers, the Hyundai Motor Group Metaplant, and other major Georgia industrial developments.
Independent County representation	CAA acts as an extension of County staff and applies County requirements without regard to private schedule pressure.
Integrated technical review	Building, structural, civil/site, accessibility, energy, fire and life-safety coordination through one accountable team.
Consistent site oversight	Dedicated project management and site inspection personnel supported by additional qualified resources as workload changes.
Clear enforcement	Written findings, correction tracking, inspection holds, rejection of noncompliant work, and stop-work action when authorized and warranted.

Project Need	CAA Response
Board and management visibility	Regular updates, decision logs, exception reporting, schedule-risk reporting, and escalation of unresolved issues.

CAA will work under the direction of Effingham County and within the authority expressly delegated by the County. The County will retain ultimate governmental and policy authority. CAA will provide the day-to-day technical administration, review, inspection, documentation, coordination, and enforcement support assigned under the final agreement and applicable County procedures.

Function	CAA Responsibility
Executive oversight	Maintain accountability to County leadership, resolve resource needs, monitor performance, and support Board-level reporting.
Project management	Serve as the principal operational contact; coordinate assignments, priorities, schedules, meetings, issue resolution, and reporting.
Site review and inspection	Review and inspect grading, drainage, erosion control, stormwater, roadway, utility, and other assigned civil/site work.
Building and structural review	Review building and structural documents, calculations, deferred submittals, revisions, and field changes for code compliance.
Building and specialty inspections	Perform assigned inspections, document results, track corrections, and coordinate required follow-up.
Fire and life safety support	Coordinate building and fire-code interfaces and support County fire officials within the final delegated scope. Effingham County's designated fire official will retain Fire Marshal and final fire-code authority unless otherwise expressly delegated. CAA will coordinate building/fire interfaces, perform assigned reviews and inspections, track comments and approvals, and elevate unresolved life-safety issues through the County's established chain of authority.

Function	CAA Responsibility
Enforcement support	Reject noncompliant work, withhold approvals, document violations, and exercise or recommend stop-work authority as delegated.
Closeout and occupancy	Track outstanding items, verify required approvals and testing, and support defensible occupancy recommendations.

Charles Abbott Associates, Inc.

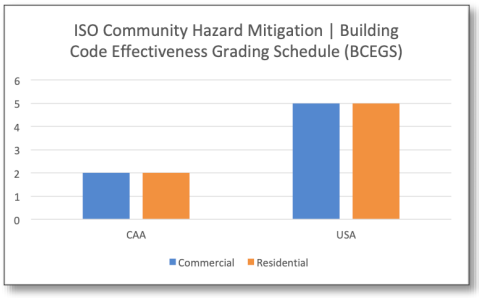
Company Background



With more than 40 years of experience supporting public agencies, extensive expertise overseeing large-scale developments, and a thorough understanding of Georgia's building codes and regulatory requirements, CAA has the specialized personnel and scalable resources necessary to support a project of Project Camellia's size and complexity.

Company Name:	Charles Abbott Associates, Inc. (CAA)
Mailing Address:	27201 Puerta Real, #200 Mission Viejo, CA 92691 (866) 530-4980
Local Office:	20 Pointe North Drive, Suite 107 Cartersville, GA 30120
Contact Person:	Tim Inglis, CBO Vice President (407) 421-0046 timinglis@caa.inc
Entity Type:	Corporation
Date of Incorporation:	1984
Principal Officers:	Sue Abbott, Rusty Reed
Number of Employees:	221

CAA's Certified Building Officials have helped numerous jurisdictions achieve high Insurance Services Office (ISO) ratings. The ISO assesses each community on a scale of 1 to 10 with regard to the administration and enforcement of the building codes and mitigation of losses from natural hazards. CAA's Georgia building departments are rated in the top 1% of Georgia's ISO ratings. These ratings demonstrate CAA's commitment to mitigating losses and enforcing codes to improve safety in our communities.



CAA cross-trains employees to streamline the inspection process and improve efficiency. Each inspector is able to perform multiple discipline inspections, which is both cost effective for the County and simplifies the process for contractors, reducing wait times for inspection approvals. Our approach to training is ongoing and not just occasional, assuring clients of work that is in full compliance to current standards. In addition, because our people are well trained, they face no learning curve and are able to get to work immediately. This is why staff regularly attends, teaches, or sponsors training seminars to ensure we are proficient in the most relevant issues in our industry. As part of our commitment to training and regulatory compliance, CAA pursued the International Code Council's (ICC) Preferred Provider Program to establish ourselves as a leader in building code training. Consequently, CAA was recognized as an ICC Preferred Provider, becoming only the 14th organization in the country to receive this recognition.

ICC INTERNATIONAL CODE COUNCIL® PREFERRED PROVIDER

We are highly skilled and experienced at providing the right services at the right time to ensure the County's services are operating smoothly and efficiently. CAA inspectors are ICC certified and have extensive experience with the enforcement of the State adopted Codes and Standards. Our staff is technically qualified, trained, properly licensed and certified to provide all services to meet your needs, including project plan review, structural plan review, building code compliance review, building inspections, and related services. All work will be performed under the direction of a licensed Building Official who will conduct inspections and review plans for compliance with all applicable codes, regulations, guidelines, and permits as required. We have experience in large-scale economic development projects, such as automotive plants, hospitals, business parks, large warehouses, and shopping centers.

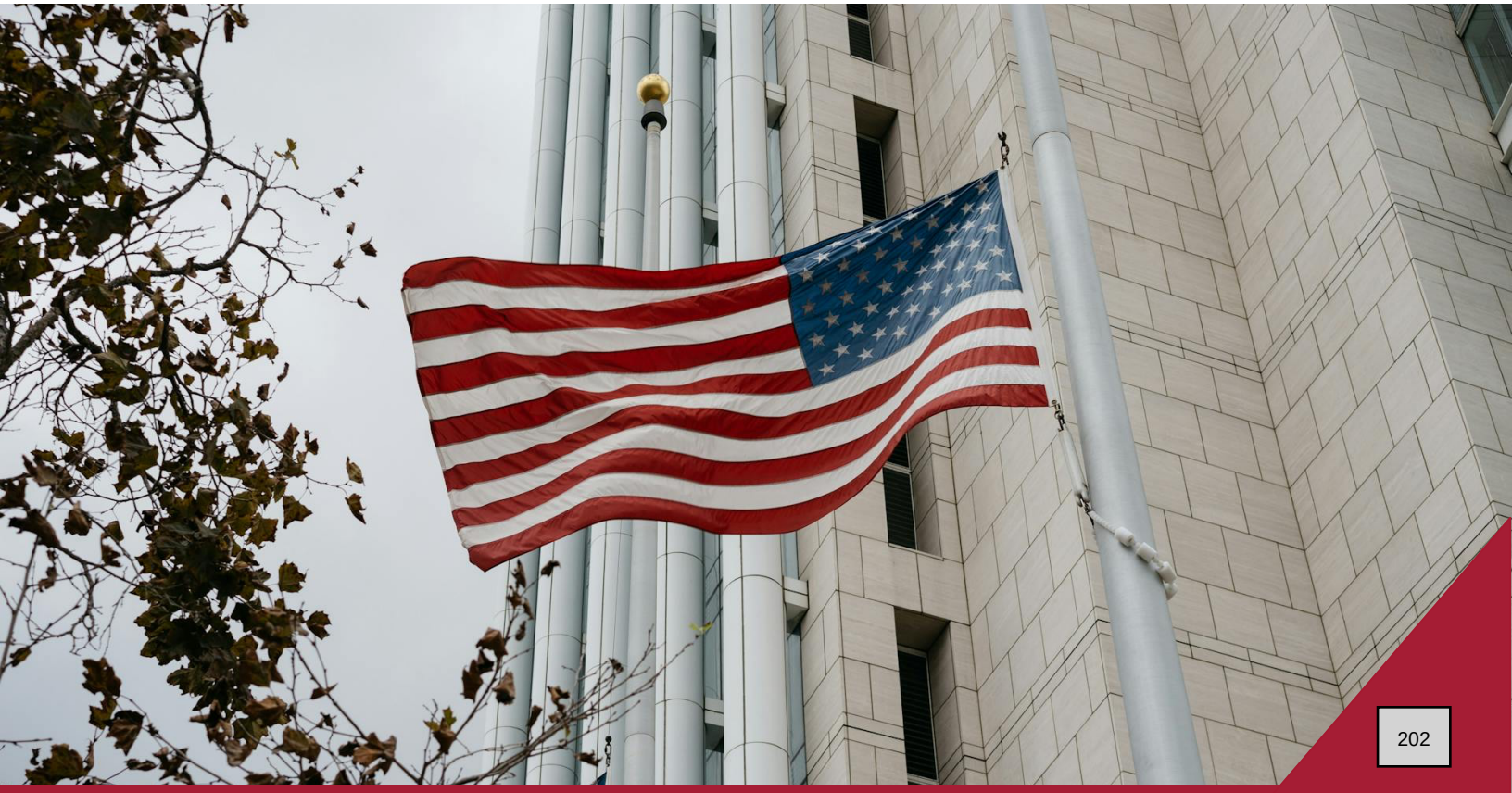
CAA's approach to providing excellence in customer service sets us apart from other companies by providing a project-based staff as dictated by workload. We will provide ICC Certified Plans Examiners and Registered Professional Engineers to handle all residential and commercial plan review, as well as ICC Certified Building Inspectors to meet the County's needs for inspections. CAA staffing levels will ensure that all inspections and plan reviews are conducted in an efficient and courteous manner that is responsive to the County and the public's needs. CAA has the experience, knowledge, and ability to manage such tasks, assignments, and responsibilities while reducing the County's financial and staffing burdens. And when workload demands increase, CAA has the ability to add certified and qualified staff to meet a change of scope or increase in workload.

CAA currently provides services to over 30 Georgia communities with our local staff of over 50 licensed and certified professionals across this State, including:

- Pickens County
- Bryan County
- Bartow County
- Butts County
- City of Forsyth/Monroe County
- Lamar County
- Lumpkin County
- City of Johns Creek
- City of Zebulon
- City of Fairburn
- City of Albany/Dougherty County
- City of Chamblee
- City of LaGrange
- City of Dahlonega
- City of Newnan
- City of Thomaston
- City of Emerson
- City of Griffin
- City of Jackson
- City of Peachtree City
- City of South Fulton
- City of Covington
- City of Hogansville
- City of Brookhaven
- City of Manchester
- City of Riverdale
- City of Palmetto
- City of Adairsville

Charles Abbott Associates, Inc.

Scope of Services



CAA exclusively serves public agencies and proposes to perform the following services for the County:

CAA provides comprehensive review of building and engineering plans, performs inspections of all structures, delivers detailed inspection reports, and advises County staff as needed. CAA will ensure compliance with the Georgia State Minimum Standards Mandatory Codes and construction related zoning requirements.

- Project Administration
- Civil and Site Review
- Building and Structural Review
- Construction Inspection and Compliance
- Fire Plan Review and Inspections

Project Administration

CAA's dedicated Building Officials are responsible for the administration and enforcement of codes and ordinances related to building safety, safeguarding public health, and supporting sustainable community development. Our services focus on ensuring compliance, fostering economic protection, and promoting long-term building safety.

CAA supports the protection of the community's economic interests with the goal of ensuring the development of safe and sustainable buildings for subsequent generations.

Our Services include the following responsibilities:

- Develop a project-specific procedures manual defining submittal, review, inspection, escalation, documentation, and closeout protocols.
- Participate in kickoff, preconstruction, coordination, progress, issue-resolution, and executive-status meetings as directed by the County.
- Maintain permit-package, submittal, review-comment, inspection, correction, decision, and occupancy tracking logs.
- Coordinate interfaces among County departments, the owner, design team, contractors, utilities, and other reviewing agencies while preserving each party's authority.
- Forecast staffing needs by phase and adjust qualified resources with County approval.
- Provide routine written reports to County management and concise Board-level summaries when requested.

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Civil and Site Review

CAA provides coordinated site development oversight.

CAA will review civil and site-development plans, calculations, and supporting reports for compliance with County standards, permit conditions, and accepted engineering practices. Our team will coordinate revisions with building plans and field conditions while tracking required outside-agency approvals to help prevent conflicts, delays, and unauthorized work.

CAA will:

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- Track outside-agency permits and approvals identified by the County, without assuming the authority of those agencies.

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CAA provides plan review services of all structures for compliance with all local ordinances and state and federal laws that pertain to Building and Safety, and for compliance with the adopted Building Code.

Our approach to plan review ensures that plans submitted to CAA for review are properly tracked and processed. Our system ensures that each plan or permit is tracked, reviewed, and returned on time and within budget. The status of any plan can easily be determined at any point in time. Our registered professionals and certified plan examiners review all plans and calculations, thus assuring that the technical components and all code items are thoroughly reviewed. Most of our plan examiners are cross-trained and also certified as inspectors, providing a very efficient use of personnel and expediting the process for the applicant. We provide timely turnaround of plan reviews and re-reviews based on guaranteed turn-around times. Our staff also handles any coordination required as part of the review.

A certified plan reviewer will conduct a reasonable and lawful plan review of submitted construction documents for compliance with the following items:

- Review architectural, structural, accessibility, energy, and assigned building-system documents for compliance with applicable codes and County requirements.
- Review structural calculations, design criteria, gravity and lateral systems, special loading conditions, materials, delegated designs, deferred submittals, and revisions within the reviewer's professional scope.
- Coordinate review comments across disciplines and identify conflicts between approved packages before construction.
- Maintain clear review cycles, written comment resolution, and approval records.

Construction Inspection and Compliance

CAA provides consistent field oversight and enforcement.

CAA will provide thorough, well-documented inspections of site, building, structural, and specialty work to verify compliance with approved plans and applicable requirements. Our team will identify deficiencies and unauthorized work, track corrective actions and required testing, perform reinspections, and support the County's decisions regarding continued construction and final occupancy.

Services provided include:

- Perform scheduled and periodic inspections of assigned site, building, structural, and specialty work for compliance with approved documents and applicable requirements.
- Record the date, location, inspection type, inspector, observed conditions, violations, corrective action, and authorization to proceed or notice of failure.
- Require access to work before concealment and verify corrections before approval of affected work.
- Coordinate special inspections, testing reports, third-party certifications, and deferred submittals as assigned by the County.
- Identify unauthorized deviations, incomplete work, unsafe conditions, and work performed without required approvals.
- Perform reinspection and closeout verification and support County decisions concerning temporary or final occupancy.

Fire Plan Review and Inspections

CAA provides fire prevention plan checking and inspection services and any other associated review.

CAA will provide qualified fire prevention professionals to review plans and inspect construction for compliance with the County's adopted building and fire codes, Georgia amendments, applicable ordinances, NFPA standards, and State Fire Marshal requirements.

Services may include:

- Perform Review of site access, fire hydrant locations, architectural plans, fire sprinklers, fire alarms, hood and duct systems, and alternative suppression systems.
- Preliminary consultations with applicants, design professionals, and contractors.
- Coordination and performance of construction, system, annual, and emergency fire inspections.
- Documentation of deficiencies, corrective actions, reinspections, and code violations.
- Issuance or recommendation of stop-work action for noncompliant construction when authorized and required.
- Coordination with and recommendations to the County's Building Official, Fire Marshal, or designee.

- Attendance at project meetings and ongoing maintenance of required professional certifications.

CAA understands that its responsibility is to Effingham County, not to the developer, contractor, design team, or project schedule. When acting under authority delegated by the County, CAA personnel will make independent, technically defensible decisions based on adopted codes, approved construction documents, permit conditions, applicable ordinances, and written County direction.

CAA will work proactively to resolve issues before they affect critical construction. Collaboration, however, does not mean approving work that does not comply. CAA inspectors and reviewers will document deficiencies clearly, identify the required corrective path, verify completion, and escalate unresolved or repeated issues through the County-approved chain of authority.

Charles Abbott Associates, Inc.

Staff Qualifications



Maintaining high quality services is what has contributed to CAA's continued success.

We understand that having experienced and qualified personnel is a fundamental requirement of being able to deliver quality service to our clients, and we place considerable effort in attracting and retaining our highly trained staff. CAA employs full-time personnel to staff local government engagements. The firm recruits individuals who are looking for long-term employment with a stable firm and a rewarding career. We are proposing experienced staff that meets the County's required qualifications and possess all certifications and registrations as required by state agencies. CAA will not utilize any subcontractors to fulfill the anticipated Scope of Work.

Since our incorporation in 1984, CAA has grown to a full-time staff of over 200 employees. CAA has a record of very low staff turnover, which has proven highly beneficial to our clients. We employ a fully credentialed, cross-trained staff that effectively meets our building and safety commitments to our clients. Each one of our team members has worked on similar projects and served the public sector for many years. CAA's proposed staff of highly qualified inspectors is well trained, experienced, and familiar with the adopted codes.

CAA's team is structured to allow flexibility in manpower and will match fluctuating workloads and priorities with proper staff. Short-term fluctuations are leveled out through temporary use of other CAA personnel brought in for peak periods. Long-term needs are met through the addition or removal of trained staff, with County approval, as well as finding more efficient ways to manage and accomplish existing work. CAA currently provides comprehensive Building Department Services to several nearby communities and will be able to share sufficient available resources to address any increase in workload as it arises.

Project Team

We are proposing experienced staff members who meet the required qualifications and possess all certifications and registrations as required by state agencies. Our team has experience with small and large economic development projects, and will work seamlessly as members of the County staff, thus effectively augmenting their efforts and reach.

Team Member	Role	Responsibility
Tim Inglis CBO	Executive oversight and County liaison	Executive coordination, major interpretations, resource commitments, and escalation support.
Will Hart CBO	Preconstruction Subject Matter Expert	technical guidance, staffing support, and project-delivery input through mobilization and commencement of active services.

Team Member	Role	Responsibility
Bill Golberg CBO CFM MCP	Building Official and Project Manager	Day-to-day program leadership, assignment coordination, schedule and issue tracking, meetings, and reporting. Building-code administration, complex code issues, plan review and inspection support, and quality control.
Roger Raines PE	Site Inspector and Plans Examiner	On-site civil and site-development inspection and plan review.
Bennett White PE CFM	Site Review	Civil/site, grading, drainage, stormwater, erosion control, floodplain, utility, and related engineering review.
Kyle Golberg	Building and Technical Services	Assigned building review, inspection, and technical coordination responsibilities.
Brittany Witt	Erosion and Sediment Control	Erosion and sediment control, including review of site-development plans and best management practices; field compliance inspections; documentation of deficiencies and corrective actions; and coordination with the County, contractors, and project representatives throughout construction.
Patrick Ranew CBO MCP	Building and Fire Review Support	Building plan review and inspection support with fire plan review experience.
Michael Buenger	Fire Plan Review	Technical review for assigned fire and life-safety plans.
Steve Ahuna PE CBO	Structural Plan Review	Architectural and structural review of complex nonresidential plans and calculations.

Charles Abbott Associates, Inc.

TIM INGLIS, CBO

VICE PRESIDENT

Years of Experience: **20+**



EDUCATION

- M.P.A. in Public Administration, Georgia Southern University
- B.S. in Construction Management, Georgia Southern University

Mr. Inglis brings more than 20 years of community development experience and extensive knowledge of Georgia's regulatory and municipal service environment. Since entering the private sector in 2006, he has helped develop and implement effective building inspection and environmental compliance programs serving more than 50 cities and counties throughout Georgia. For Project Camellia, he will provide executive leadership and strategic oversight, helping coordinate CAA's multidisciplinary resources, maintain alignment with Effingham County's objectives, and ensure that services scale effectively with the project's permitting, construction, and compliance demands.

CERTIFICATIONS

- Building Official
- Building Code Specialist
- Zoning Inspector
- Building Inspector
- Housing Code Official
- Building Code Official
- ICC/AACE Property Maintenance and Housing Inspector
- Residential Combination Inspector
- Accessibility Inspector/Plans Examiner
- Building Plans Examiner
- NAHB Certified Green Professional
- AEE Building Analyst Professional

PROFESSIONAL MEMBERSHIPS

- National Contract Management Association
- International Code Council
- Association of Energy Engineers
- Greater Atlanta Home Builders Association

Charles Abbott Associates, Inc.

BILL GOLBERG, CBO, CFM, MCP

PROJECT MANAGER

Years of Experience: **30+**



EDUCATION

- A.A.S. in Engineering

Mr. Golberg has over 30 years of Building & Safety and contractor experience. He has extensive experience performing inspections and reviewing plans for all residential, commercial and industrial buildings and structures. He also has experience with Building and Life Safety Departments, Code Enforcement and Licensing Departments. He has extensive experience with riverfront, waterway building, and development issues. He will review plans and construction to verify compliance with FEMA, NFIP, and any state and local flood plain ordinances. As Project Manager for the Hyundai Motor Group Metaplant in Bryan County, he helped lead County-side oversight of one of Georgia's largest and most complex economic development projects, coordinating plan review, inspections, code compliance, field issues, and communication among County staff and the project team. His experience managing the demands of a fast-paced, multi-building industrial development makes him especially well qualified to support Project Camellia's phased construction, technical complexity, and extensive coordination requirements.

CERTIFICATIONS

- Certified Building Official
- Accessibility Inspector/Plans Examiner
- Building Inspector
- Building Plans Examiner
- Certified Building Code Official
- Certified Housing Code Official
- Certified Mechanical Code Official
- Certified Plumbing Code Official
- Coastal and Floodplain Construction Inspector
- Combination Inspector
- Commercial Combination Inspector
- Commercial Electrical Inspector
- Disaster Response Inspector
- Electrical Inspector
- Residential Energy Inspector/Plans Examiner
- Mechanical Inspector
- Electrical Plans Examiner
- Master Code Professional
- Electrical Code Official
- Building Code Specialist
- Plumbing Code Specialist
- Electrical Code Specialist
- Mechanical Code Specialist
- Housing and Zoning Code Specialist
- Combination Plans Examiner
- Residential Plans Examiner
- Fuel Gas Inspector
- Mechanical Plans Examiner

- Plumbing Inspector
- Plumbing Plans Examiner
- Residential Combination Inspector
- Residential Electrical Inspector
- Residential Energy Inspector/Plans Examiner
- ICC/AACE Code Enforcement Officer
- ICC/AACE Code Enforcement Administrator
- ICC/AACE Master Code Enforcement Professional
- ICC/AACE Property Maintenance and Housing Inspector
- ICC/AACE Zoning Inspector
- FDEP Storm Water Management Inspector
- Certified Floodplain Manager

PROFESSIONAL MEMBERSHIPS

- International Code Council
- Association of State Floodplain Managers
- American Association of Code Enforcement

Charles Abbott Associates, Inc.

ROGER RAINES, PE

CIVIL ENGINEER

Years of Experience: **48+**



EDUCATION

- B.S. in Engineering, West Virginia University

Mr. Raines brings over four decades of experience in environmental and civil engineering, with a strong focus on stormwater management and sediment control. His professional career spanned both the public and private sectors, including a senior role at the City of Savannah, GA (2000–2020), where he held increasing responsibilities including Senior Civil Engineer and Stormwater Department Administrator. He managed a wide range of heavy civil construction projects, with direct oversight of stormwater programs, capital improvement initiatives, and departmental budgeting and staffing. He played a central role in leading the city's NPDES compliance program, ensuring adherence to federal and state regulations designed to minimize pollution from stormwater runoff and sediment displacement. He also designed and implemented erosion and sediment control plans for numerous municipalities in Georgia. His expertise includes the preparation and execution of erosion control strategies for public works and infrastructure projects, integrating environmental protection with urban development.

CERTIFICATIONS

- Level 2 GSWCC

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PATRICK RANEW, CBO, MCP

BUILDING INSPECTOR/PLAN REVIEWER

Years of Experience: **10+**



Mr. Ranew is a Building Official, Building Inspector, and Plans Examiner for CAA who currently provides building and fire plan review services for the cities of South Fulton and Chamblee. He reviews residential and commercial construction documents for compliance with applicable building, fire, and life-safety requirements, including fire protection systems and emergency access provisions. Drawing on his practical inspection experience, Mr. Ranew also evaluates buildings during construction, alteration, and repair to verify that approved plans, workmanship, and materials conform to applicable code requirements. His combined plan review and field experience enables him to provide clear, code-referenced comments while promoting safe, compliant, and constructible projects.

CERTIFICATIONS

- Certified Building Official
- Residential Building Inspector
- Residential Mechanical Inspector
- Residential Plumbing Inspector
- Residential Electrical Inspector
- Residential Combination Inspector
- Residential Plans Examiner
- Commercial Building Inspector
- Building Inspector
- Building Plans Examiner
- Building Code Specialist
- Commercial Mechanical Inspector
- Mechanical Inspector
- Mechanical Plans Examiner
- Mechanical Code Specialist
- Commercial Plumbing Inspector
- Plumbing Inspector
- Accessibility Inspector/Plans Examiner
- Residential Energy Inspector/Plans Examiner
- Commercial Electrical Inspector
- Electrical Inspector
- Combination Inspector
- Commercial Combination Inspector
- Property Maintenance and Housing Inspector
- Fire Plans Examiner
- Master Code Professional
- Fire Inspector I
- Fire Inspector II
- Fire Code Specialist

PROFESSIONAL MEMBERSHIPS

- International Code Council

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MICHAEL BUENGER, CBO

FIRE PLANS EXAMINER

Years of Experience: **35+**



EDUCATION

- A.A.S. in Fire Science Technology

Mr. Buenger is an experienced Fire Code Official, Building Official, and Plans Examiner with more than 35 years of fire prevention, code administration, plan review, and inspection experience. He holds ICC certifications as a Fire Plans Examiner, Fire Inspector I and II, Fire Code Official, Building Plans Examiner, and Certified Building Official. Throughout his municipal career, Mr. Buenger has reviewed fire and building plans for new construction, tenant improvements, renovations, and changes of occupancy, including sprinkler and water-based suppression systems, clean-agent and commercial cooking suppression systems, fire alarms, elevator recall, voice evacuation, mass notification, and deflagration prevention systems. His extensive technical and field experience enables him to provide thorough, code-referenced backup fire plan reviews and practical guidance to applicants, design professionals, and County staff.

CERTIFICATIONS

- Fire Inspector I & II, Certified Fire Plans Examiner, Fire Code Official
- Certified Building Plans Examiner
- Certified Building Official
- Commercial Building Inspector
- Residential Building, Mechanical and Plumbing Inspector
- Property Maintenance and Housing Inspector
- United States Department of Labor Building Inspector
- State of Illinois Certified Fire Prevention Officer I
- State of Illinois Fire Officer I
- State of Illinois Fire Service Instructor II
- State of Illinois Certified Fire Apparatus Engineer
- State Fire Marshal Hazardous Material Technician
- State of Illinois Certified Fire Fighter III
- FAA Certified Flight Instructor

PROFESSIONAL MEMBERSHIPS

- International Code Council

Charles Abbott Associates, Inc.

MONTY HILL

FIRE INSPECTOR

Years of Experience: **37+**



EDUCATION

- High School Diploma

Mr. Hill is an experienced Building and Fire Inspector with more than 37 years of experience in construction, code compliance, fire prevention, and public safety. He holds Fire Inspector I and II and Building Inspector certifications, as well as a State of Georgia General Contractor License. Mr. Hill previously served as Fire Marshal for the City of Conyers and as a Captain and Fire Prevention Inspector with the Rockdale County Fire Department, where he conducted inspections of new and existing buildings, reviewed plans, investigated fire-related incidents, and maintained inspection and enforcement records. His extensive fire service, inspection, and construction background enables him to identify deficiencies, clearly communicate corrective actions, and provide the County with thorough, practical, and consistent fire inspection services.

CERTIFICATIONS

- One-and-Two Family Dwelling Inspector, S.B.C.C.I.
- Building Inspector, S.B.C.C.I.
- Basic Arson Investigation, P.O.S.T.
- Advanced Arson Investigation P.O.S.T.
- Emergency Medical Technician, GA Dept. of Human Resources
- Basic Law Enforcement Mandate P.O.S.T.
- Peer Counseling P.O.S.T.
- Fire Inspector I, Southern Building Code Congress
- Bombs & Explosives Investigation A.T.F.
- Fire Inspector II, Southern Building Code Congress
- State of Georgia Licensed General Contractor Residential/Light Commercial

PROFESSIONAL MEMBERSHIPS

- International Code Council

Charles Abbott Associates, Inc.

BRITTANY WITT

EROSION AND SEDIMENT CONTROL INSPECTOR

Years of Experience: **8+**



EDUCATION

- Paralegal Studies, Chattanooga State Community College

Ms. Witt brings extensive field experience in construction site compliance and environmental protection, specializing in erosion and sediment control inspections in accordance with Georgia Soil and Water Conservation Commission (GSWCC) standards. She performs detailed site inspections for both pre-construction and active development projects, including post-rainfall assessments and random compliance checks. She ensures all land disturbance activities meet Local Issuing Authority (LIA) requirements and State regulations. Her approach emphasizes proactive communication with contractors, developers, and City staff, and she is skilled at identifying and resolving issues on-site before they escalate to formal enforcement actions. Brittany is adept at maintaining thorough digital records and regularly supports municipal reporting and audits required by the Georgia Department of Natural Resources (DNR). Her field knowledge, professionalism, and commitment to environmental stewardship make her a valuable asset in upholding the County's high standards for erosion control and sustainable development.

CERTIFICATIONS

- Level 1A GSWCC
- Level 1B GSWCC
- Level 2 GSWCC
- OSHA 10hr
- OSHA 30hr
- Excavation Competent Person

Charles Abbott Associates, Inc.

BENNETT WHITE, PE, CFM

CIVIL ENGINEER

Years of Experience: **32+**



EDUCATION

- B.S. in Civil Engineering, Georgia Tech

Mr. White has over 10 years of experience as a City Engineer and Floodplain Administrator for multiple municipalities, including the cities of Brookhaven and Sandy Springs, managing land development permitting, inspections, floodplain management, and subdivision platting processes. He is the main reviewer for the Hyundai project in Bryan County, and works in very similar roles in LaGrange, Riverdale, Emerson, Chamblee, and Palmetto. He also possesses over 13 years of civil/site design and project management experience on commercial, institutional, warehouse, and subdivision developments. His plan review expertise includes Grading, Drainage, Stormwater Management, Erosion Control, Floodplain Management, Zoning Compliance, Subdivision Plat, Stream Buffer Encroachment, R/W permitting. His civil design experience includes Stormwater Management, Erosion Sedimentation and Pollution Control, Grading, Drainage, Water Distribution, Sanitary Sewer, and Site Planning. He is also an experienced manager of MS4 stormwater and r/w maintenance and improvement programs.

CERTIFICATIONS

- Certified Flood Plain Manager
- Georgia Soil and Water Conservation Commission Level II Certified Design Professional

PROFESSIONAL MEMBERSHIPS

- Georgia Soil and Water Conservation Commission

Charles Abbott Associates, Inc.

STEVE AHUNA, PE

STRUCTURAL PLAN REVIEWER

Years of Experience: **34+**



EDUCATION

- M.S., Applied Economics, Santa Clara University, Santa Clara, CA
- B.S., Architectural Engineering, California State University, San Luis Obispo

Mr. Ahuna is a Civil Engineer with over 30 years of experience in the architectural and structural review of residential and non-residential plans. He has plan review experience working for both private and municipal entities. Prior to working as a plan checker, he worked for a private consulting structural engineering firm as a design engineer for residential and non-residential buildings.

CERTIFICATIONS

- Building Official
- Civil Engineer
- Plans Examiner
- Plans Examiner UBC
- OES/CALEMA Disaster Service Worker
- Post Disaster Assessment SAP

PROFESSIONAL MEMBERSHIPS

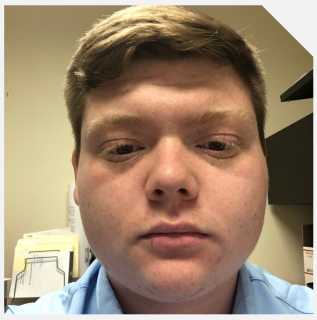
- California Building Officials
- Structural Engineers Association of California
- American Society of Civil Engineers
- International Code Council

Charles Abbott Associates, Inc.

KYLE GOLBERG

PLANS EXAMINER

Years of Experience: **5+**



Mr. Golberg performs residential combination inspections and residential plan reviews for Butts County and holds a pivotal role in ensuring the safety, compliance, and quality of construction projects within the community. His responsibilities include conducting detailed inspections of residential, commercial, and public buildings at various stages of construction and renovation to ensure adherence to local building codes, zoning regulations, and safety standards. He meticulously reviews construction plans and blueprints for code compliance, issues permits and provides guidance to contractors and property owners on necessary corrections and improvements. Additionally, he investigates complaints and conducts follow-up inspections to ensure that any identified issues are resolved.

CERTIFICATIONS

- Residential Building Inspector
- Residential Electrical Inspector
- Residential Plumbing Inspector
- Residential Mechanical Inspector
- Residential Combination Inspector
- Residential Plans Examiner
- Commercial Building Inspector
- Building Inspector
- Building Plans Examiner
- Commercial Plumbing Inspector
- Plumbing Inspector
- Plumbing Plans Examiner
- Commercial Mechanical Inspector
- Mechanical Inspector
- Mechanical Plans Examiner
- Commercial Electrical Inspector
- Electrical Inspector
- Combination Inspector
- Commercial Combination Inspector
- Electrical Plans Examiner
- Combination Plans Examiner

PROFESSIONAL MEMBERSHIPS

- American Society of Civil Engineers
- International Code Council

Charles Abbott Associates, Inc.

Data Center Experience



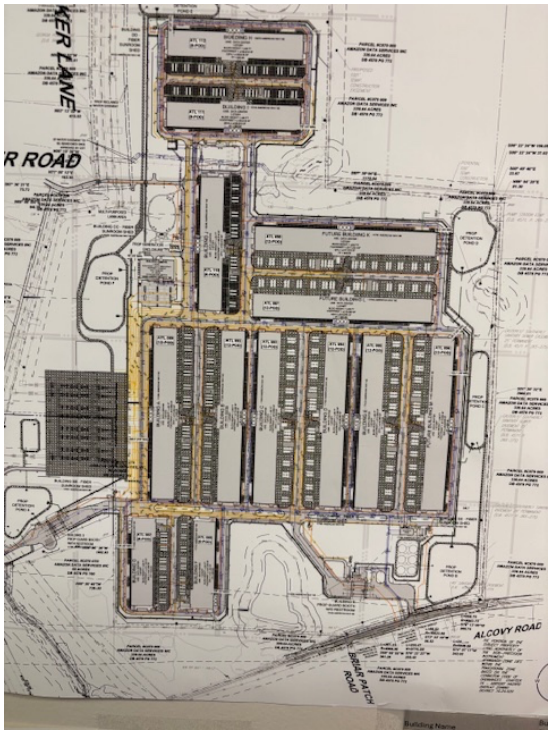
CAA has direct experience supporting some of Georgia's largest and most technically demanding hyperscale data center developments, including campuses for Amazon Web Services, Google, and Microsoft. These assignments encompass multibillion-dollar capital investments, millions of square feet of mission-critical construction, phased and concurrent building delivery, high-capacity electrical and emergency-power systems, complex fire and life-safety considerations, diesel-fuel storage, extensive civil infrastructure, and substantial volumes of permits and inspections. This experience enables CAA to anticipate the staffing, coordination, technical-review, and schedule-management demands that Effingham County can expect with Project Camellia.

Amazon Web Services - Project Lighthouse

Covington/Newton County, Georgia

Purpose: Hyperscale cloud-computing and artificial-intelligence infrastructure for Amazon Web Services.

Project Lighthouse is a large-scale AWS data center campus under development at 11145 Alcovy Road in Covington. The 420-acre development represents an estimated $11 billion investment in land, buildings, and supporting infrastructure. The campus includes 13 data hall buildings averaging approximately 217,000 square feet and 48 feet in height, together with 10 ancillary structures supporting administration, security, utilities, and campus operations.



The combined permitted building valuation is approximately $2.405 billion, including an estimated $165 million per data hall and approximately $265 million in ancillary improvements. The project has generated approximately $4.3 million in permit fees and also involves extensive temporary construction infrastructure, including more than 50 construction trailers, four 2,000-amp temporary-power installations, and 32 diesel-powered temporary generators.

In addition to its substantial construction and tax-base impact, Amazon is funding a reported $100 million reclaimed-water treatment and cooling facility. Once operational, the system is expected to supply all cooling water from treated wastewater and preserve approximately 45 million gallons of freshwater annually. Amazon has stated that the campus will produce high-skilled employment and significant new tax revenue supporting schools, public safety, infrastructure, and other local priorities.

The size and complexity of Project Lighthouse demonstrate CAA's ability to support a multibillion-dollar hyperscale campus involving phased construction, high-value data halls, specialized ancillary facilities, temporary power and generation systems, and an exceptionally high volume of interrelated permits and inspections.

Google - Project Pegasus

LaGrange, Georgia

Purpose: Hyperscale infrastructure supporting Google's digital services, cloud computing, and expanding artificial-intelligence workloads.

Project Pegasus is Google's approximately $8 billion data center campus at 411 Pegasus Parkway in LaGrange. The project occupies a roughly 420-acre industrial property near Interstate 85 and includes the adaptive reuse of a former manufacturing complex containing more than 600,000 square feet. The site has the potential to expand to approximately 400 megawatts of electrical capacity, making it one of Georgia's largest data center developments and Google's largest announced investment in the state.



A particularly complex component of the development includes 28 generator rooms, each equipped with a 200-gallon diesel day tank, for a total indoor fuel volume of 5,600 gallons. The design applies a control-area strategy to address Class II combustible-liquid quantities exceeding the typical 3,000-gallon aggregate maximum allowable quantity. Review requires coordinated application of the 2018 International Building and Fire Codes and NFPA 13, NFPA 30, and NFPA 110 requirements governing fire protection, combustible-liquid storage, and emergency and standby power systems.

CAA's involvement with Project Pegasus demonstrates expertise extending well beyond conventional building review. The project requires the coordinated evaluation of hyperscale data center construction, adaptive reuse, high-capacity electrical infrastructure, emergency power generation, indoor diesel-fuel storage, fire suppression, hazardous-material limitations, and alternative code-compliance strategies.

Microsoft - Palmetto Data Center Campus



Palmetto/South Fulton, Georgia

Purpose: Cloud-computing and artificial-intelligence infrastructure supporting Microsoft's digital services and the online systems used by businesses, governments, schools, healthcare providers, and consumers.

Microsoft's Palmetto data center is a multiphase hyperscale campus located on approximately 135 acres at 8600 Tatum Road. The master-planned development includes five data center buildings totaling approximately 1.2 million square feet. Three buildings are currently under construction, with a fourth anticipated to begin by January 2027, illustrating the sustained, overlapping review and inspection demands associated with a rapidly delivered campus.

CAA provides comprehensive regulatory support for the development, including building plan review, building inspections, site-plan review, and site inspections. This integrated role enables coordination between vertical construction, civil/site improvements, utilities, access, life-safety systems, and the phased delivery of multiple mission-critical buildings.

CAA's work at Palmetto demonstrates its ability to function as an extension of a local jurisdiction during the concurrent development of multiple hyperscale buildings, providing coordinated building and site review, maintaining inspection coverage across overlapping construction schedules, and helping projects progress without compromising code compliance or public safety.

CAA's team is prepared to address the complex, interconnected systems and phased construction typical of large data center developments. Our experience includes coordinating concurrent permit packages, early site work, shell construction, tenant improvements, and deferred submittals, as well as reviewing high-capacity electrical and standby-power systems, energy storage, generators, fuel systems, grounding, and equipment clearances. We also understand the coordination required among mechanical cooling systems, structural supports, equipment yards, fire-resistance assemblies, suppression and detection systems, hazardous materials, and emergency-response requirements. Throughout construction and closeout, CAA will track special inspections, testing, commissioning, record documents, and outstanding approvals to support informed County decisions regarding phased, temporary, and final occupancy.

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Other Large Projects



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CAA represents Bryan County on all things related to site development and building safety for the 2,200-acre site of the new Hyundai plant along I-16 in Bryan County. The project amounts to a $7.5 billion investment, the largest economic development deal by number of jobs ever recruited by the State of Georgia.



CAA also supports the SK electric battery plant in Bartow County. SK is partnering on the new plant with Hyundai Motor Group, whose own $5.54 billion metaplant in Bryan County has already begun attracting a number of suppliers from Korea. The SK factory occupies 3.3 million square feet on a 1,119 acre plot located on Highway 411, and is estimated to generate $40 million in tax revenue per year.



Children's Healthcare of Atlanta (CHOA) is the premier children's hospital in Georgia and the Southeast. CAA provided all permitting, plan review, and inspection services for the 19-story tall and 1.6-million-square-foot building under construction in Brookhaven, Georgia.



Wellmade Flooring, a 328,000-square-foot manufacturing plant in Bartow County, Georgia. CAA provided all permitting, plan review, and inspection services for this multiphase development.



Drive DeVilbiss Healthcare, a more than 1 million–square-foot project at the Palmetto Logistics Park in the Interstate 85 South industrial corridor. This is one of four buildings of this size that CAA was involved with at the Logistics Park.



The new City Hall building in Chamblee, Georgia is a 28,000 square foot building that serves as the centerpiece for the City's developing downtown master plan and houses a majority of the City departments, council chambers, community space, outdoor balconies and multipurpose.



Procter & Gamble Distributing, LLC, is an American multinational consumer goods corporation that invested $205 million in a new distribution facility in Jackson, Georgia. The state-of-the-art, automated facility occupies over 1.7 million square feet.



Rinnai Corporation manufactures tankless gas water heaters in this over 300,000 square feet facility in Griffin, Georgia.

Charles Abbott Associates, Inc.

Local References



The following contains a list of our local clients, with an outline of services provided to each client, as well as the period of time that we have been performing the referenced service. We are extremely proud of our track record and the length of time we have continuously provided services to our clients and invite you to contact any of them to obtain their opinion of the services we provide for them.

REFERENCES GA	SERVICES	SINCE
Pickens County Charles Reese, Director Planning & Development (706) 253-8745 1266 East Church Street, Jasper, GA 30143	Building & Safety	**2026**
City of Camilla Dennis Stroud, City Manager (229) 330-2300 30 E. Broad Street, Camilla, GA 31730	Building & Safety	**2024**
City of Canton Bethany Watson, City Engineer (770) 704-1521 110 Academy Street, Canton, GA 30114	Engineering Plan Review	**2024**
City of West Point Ed Moon, City Manager (706) 645-2226 730 1st Avenue, West Point, GA 31833	Building & Safety	**2024**
Bryan County Ben Taylor, County Administrator (912) 653-3819 51 North Courthouse Street, Pembroke, GA 31321	Building & Safety Development Site Inspections Engineering Plan Review	**2022**
Lamar County (770) 358-5146 ext 109 Sean Townsend, County Administrator 408 Thomaston Street, Suite E, Barnesville, GA 30204	Building & Safety	**2022**
Lumpkin County Vanessa McGrath, Director, Planning Department (706) 482-2666 99 Courthouse Hill, Dahlonega, GA 30533	Building & Safety Engineering Plan Review	**2022**
City of Johns Creek Ben Song, Community Development Director (678) 512-3277 11360 Lakefield Drive, Johns Creek, GA 30097	Building & Safety	**2022**
City of Zebulon	Building & Safety	**2022**

REFERENCES GA	SERVICES	SINCE
Larry Mitcham, City Administrator (770) 567-8748 7818 Highway 19 S., Zebulon, GA 30295		
City of Fairburn Tony Phillips, City Administrator (770) 964-2244 56 Malone Street SW, Fairburn, GA 30213	Building & Safety	**2022**
City of Chamblee Kristen Gorham, City Manager (470) 395-2344 5576 Peachtree Road, #102, Chamblee, GA 30341	Building & Safety City Engineering	**2021**
City of LaGrange Bill Bulloch, Assistant City Manager (706) 883-2062 200 Ridley Ave, LaGrange GA 30240	Building & Safety Engineering Plan Review	**2021**
City of Forsyth/Monroe County Jim Hedges, County Manager (478) 994-7000 38 W. Main Street Forsyth, GA 31029	Building & Safety	**2020**
City of Adairsville Pam Madison, City Manager (770) 773-3451 116 Public Square, Adairsville, GA 30103	Building & Safety Engineering Plan Review	**2020**
City of Thomaston Russell Thompson, City Manager (706) 647-4242 106 East Lee Street, Thomaston, GA 30286	Building & Safety	**2020**
Bartow County Brandon Johnson, Community Development Director (770) 607-6311 135 West Cherokee Avenue, Cartersville, GA 30120	Building & Safety	**2020**
Butts County Brad Johnson, County Manager (770) 775-8200 625 West 3rd Street, Jackson, GA 30233	Building & Safety Engineering Plan Review	**2020**
City of Emerson Todd Heath, Assistant City Manager	Building & Safety Engineering Plan Review	**2019**

REFERENCES GA	SERVICES	SINCE
(770) 382-9819 700 Highway 293, Emerson, GA 30137		
City of Covington Tres Thomas, Planning & Development Director (770) 385-2180 2116 Stallings Street, Covington, GA 30014	Building & Safety	**2018**
City of Albany/Dougherty County Paul Forgey, Director Planning, Development Services & Code Enforcement (229) 438-3901 240 Pine Avenue, Suite 300, Albany, GA 31702	Building & Safety	**2017**
City of Jackson Carlos Duffey, Mayor (770) 775-7535 134 South Oak Street, Jackson, GA 30233	Building & Safety	**2017**
City of Peachtree City Shayla Reed, Planning & Development Director (770) 631-2538 153 Willowbend Rd., Peachtree City, GA 30269	City Engineering Plan Review	**2017**
City of South Fulton Sharon Subadan, City Manager (470) 809-7700 5440 Fulton Industrial Blvd. Atlanta, GA 30336	Building & Safety	**2017**
City of Dahlonega Allison Martin, City Manager (706) 482-2706 465 Riley Road, Dahlonega, GA 30533	Building & Safety	**2016**
City of Hogansville Lisa Kelly, City Manager (706) 637-8629 400 East Main Street, Hogansville, GA 30230	Building & Safety Engineering Plan Review	**2016**
City of Brookhaven Linda Abaray, Director of Community Development (404) 637-0532 4362 Peachtree Road, Brookhaven, GA 30319	Building & Safety Code Enforcement	**2015**
City of Manchester Mark Pullium, City Manager	Building & Safety Code Enforcement	**2014**

REFERENCES GA	SERVICES	SINCE
(706) 846-3141 P.O. Box 366, Manchester, GA 31816	Engineering Plan Review	
City of Griffin Jessica Whatley-O'Connor, City Manager (770) 229-6406 100 South Hill Street, Griffin, GA 30223	Building & Safety	**2014**
City of Riverdale Leeroy Jones, Public Works (770) 909-5480 971 Wilson Road, Riverdale, GA 30296	Building & Safety City Engineering Public Works	**2012-2023** **2012** **2012**
City of Palmetto Clark Boddie, Mayor (770) 463-3377 509 Toombs Street, Palmetto, GA 30268	Building & Safety City Engineering	**2012**

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Cost Proposal



Phase 1 Cost Proposal

CAA proposes a developer-funded compensation model for Phase 1 of Project Camellia. Under this approach, the cost of the specialized plan review, permitting and inspection services required for the project will be supported by fees paid by the developer rather than the County's General Fund or local taxpayers.

Building Plan Review and Inspection Services

CAA proposes the following percentage-based fees for building-related services:

Service Provided	CAA Compensation
Building Plan Review	30% of all building permit and plan-review fees collected
Building Construction Inspections	50% of all building permit and plan-review fees collected
Total CAA Compensation	**80% of all building permit and plan-review fees collected**

Effingham County will retain the remaining 20% of collected building permit and plan-review fees to support the County's administrative cost.

Engineering and Land Development Services

Engineering and land-development services will be provided on an hourly basis:

Service Provided	Rate (billed in whole hours)
Electronic Engineering and Land Development Plan Review	$ 149 / hr
Site / E&S Inspections	$169 / hr

Example Based on the Existing Fee Cap

The following example illustrates how the proposed percentage structure would apply to a building for which the County collects the current maximum building permit fee:

Calculation (per building)	Amount
Building Permit Fee	$500,000
Plan Review Fee at 5% of Permit Fee	$25,000
Total Fees Collected by the County	**$525,000**
CAA Building Plan Review Fee at 30%	$157,500
CAA Building and Fire Inspections at 50%	$262,500
Total Compensation to CAA	**$420,000**
Amount Retained by Effingham County	**$105,000**

This structure gives the County access to the specialized personnel and scalable resources required for Project Camellia without creating a fixed staffing obligation or placing the cost of the development-review process on local taxpayers.

Application to Subsequent Phases

The proposed compensation structure applies only to **Phase 1**, with future-phase compensation to be negotiated based on actual scope, staffing, construction activity, and lessons learned.

Before future phases begin, CAA recommends that Effingham County **revise its permit and plan-review fee structure, particularly the existing fee caps**, to ensure revenues adequately reflect the size, complexity, and regulatory demands of the project.

Updating or removing the caps would help ensure that **project-related costs are appropriately funded by the developer rather than the County or taxpayers**, while providing sufficient resources for qualified staff and County oversight. A revised fee structure would also allow revenues to scale with future development and create a **financially sustainable model for the life of the project.**

Considerations

CAA's proposed fees assume that the County will provide a suitable construction trailer at the project site for use by CAA personnel assigned to Project Camellia.

Staff Report

Subject: GOHS TEN Grant Award
Author: Mark W. Barnes, Finance Director
Department: Finance & Accounting Services
Meeting Date: 10/20/26
Item Description: Consideration to accept a $35,430.40 grant award from the Georgia Governor's Office of Highway Safety (GOHS) State and Community Highway Safety Grant Program for TEN - South East Area, grant number TEN-2027-EffinghaSO-036.

Summary Recommendation:
Staff is requesting approval to accept the $35,430.40 GOHS grant award for TEN - South East Area, grant number TEN-2027-EffinghaSO-036, with no local cost share requirement.

Executive Summary:
The Governor's Office of Highway Safety (GOHS) has approved federal funding of $35,430.40 for the Effingham County Sheriff's Office project TEN - South East Area. The award letter is dated October 1, 2026. The grant period is October 1, 2026 through September 30, 2027.

The award is funded through the State and Community Highway Safety program, Assistance Listing Number 20.600. Allowable costs incurred during the grant period are reimbursable at 100% of the approved federal funding, up to the award amount.

The Sheriff's Office will carry out the approved highway safety project in accordance with the grant terms and law enforcement special conditions. Grant funds must be identified separately in the County's accounting system. Written GOHS and NHTSA approval is required before purchasing any equipment item costing $10,000 or more, including taxes and shipping. Local procurement policies and Buy America requirements apply.

Background:
1. This is a reimbursement grant for allowable costs incurred October 1, 2026 through September 30, 2027.
2. The awarded funding amount is $35,430.40.
3. There is no cost share requirement. The award is contingent upon the availability of federal funds. GOHS assigned the agency a LOW risk assessment for FFY 2027.

Alternatives for Commission to Consider:

1. Approve acceptance of the $35,430.40 GOHS TEN - South East Area grant award.
2. Do not approve acceptance of the GOHS TEN - South East Area grant award.
3. Provide Staff with Direction

Recommended Alternative:

Staff recommends Alternative number 1 – Approve acceptance of the $35,430.40 GOHS TEN - South East Area grant award, grant number TEN-2027-EffinghaSO-036.

Other Alternatives:

N/A

Department Review:

Effingham County Sheriff's Office

Funding Source:

Federal funds administered by GOHS under Assistance Listing Number 20.600. Approved costs are reimbursed at 100%, up to $35,430.40. No local cost share is required.

Attachments:

GOHS TEN-2027-EffinghaSO-036 award letter dated October 1, 2026

Governor's Office of Highway Safety
James H "Sloppy" Floyd Veterans Memorial Bldg.
2 Martin Luther King Jr. Drive SE. • Suite 370, East Tower • Atlanta, GA 30334
Telephone: 404.656.6996 or 888.420.0767 • Facsimile: 404.651.9107
www.gahighwaysafety.org

Brian P. Kemp
GOVERNOR

Allen Poole
DIRECTOR

October 1, 2026

Jimmy McDuffie
Effingham County Sheriff's Office
500 W 1st Street
Springfield, Georgia 31329

Re: Application #: TEN-2027-EffinghaSO-036-APP
Grant #: TEN-2027-EffinghaSO-036
Project Title: TEN - South East Area

Dear Jimmy McDuffie,

Congratulations! It is my pleasure to inform you that your application in the amount of **$35,430.40** federal funds has been approved. The effective date of the grant is October 1, 2026, through September 30, 2027. Allowed costs incurred within this period are reimbursable at a rate of 100% of the approved federal funds allocated above.

*The Grant Terms and Conditions** have been updated and can be found within your grant application in the GOHS Grant Management System (GMS) or on the GOHS website. *Special Conditions**, **LAW ENFORCEMENT**, associated with your grant can also be found on the GOHS website and both contain important information from GOHS. These documents clearly identify the guidelines and requirements governing your grant. Please note under Grant Terms and Conditions **all grant awards are contingent upon the availability of federal funds** and must be identified separately in your agency's account system.

GOHS and the National Highway Traffic Safety Administration (NHTSA) must provide written approval prior to the purchase of any equipment item costing $10,000.00 or more. If applicable and approval is granted, you will receive notification of the equipment approval from GOHS. Please ensure your agency follows its local procurement policy as well as the Buy America Act requirements. If local policies are not available, your agency must use the State of Georgia procurement procedures. By policy, GOHS is required to maintain inventory of any item that costs $10,000 or more. For purposes of this policy, "equipment items $10,000 or more" include any item that has the capability of storing data, such as desktop computers, laptops, and I-pads. The $10,000 threshold also includes items that may physically cost less than $10,000 but with taxes and shipping costs added will equal over $10,000.

If your project allows for **Safety Items for Public Distribution**, such as bike helmets, reflector belts, or similar items whose sole purpose is to improve highway safety, you will be required to read, sign, and submit the document titled *Acknowledgement form for Non-Motorized Projects** to your grant manager at GOHS prior to distributing those items. This document should be signed by the project director and will be included in the grant file. If the Acknowledgement for Safety Items for Public Distribution document is not received prior to distribution, GOHS reserves the right to deny reimbursement.

GOHS is required to complete *Risk Assessments** on each grantee prior to the award and notify the grantee of the outcome. The Risk Assessment is based upon prior grants, audit reports, and/or interaction during the application process. Your agency's Risk Assessment score for the FFY 2027 grant year is **LOW**.

If your jurisdiction/agency (combined) receives federal funds of $1,000,000.00 or more in a year, an audit is required in accordance with 2 CFR Part 200, Subpart F. A copy of the audit report must be submitted to the Governor's Office of Highway Safety (GOHS) prior to September 30, 2027.

Agencies awarded federal funds through GOHS are required to receive their reimbursement payments electronically. If your Agency received funds in FFY 2026, please review the information previously submitted to GOHS with your supplier information. If no changes are needed, GOHS will continue to use this information to reimburse electronically. If you are a new Grantee, you will need to become approved supplier with the State of Georgia. New Suppliers must register in DOAS GA@Work Marketplace. This is the link needed to register; this link is also listed on our website along with a Job Aid with step-by-step instructions.

https://app01.jaggaer.com/apps/Router/SupplierLogin?CustOrg=Georgia

Once the Grantee registers and receives an email with a supplier number, the next step is to log into GA@Work and follow the instructions, answer the questions and upload the required documents. The State of Georgia will review the documents for accuracy so be sure to upload the documents that are required or it could delay your approval.

Award packet documents discussed above and identified in *red and an asterisk (*),* **are all located on the GOHS website at http://www.gahighwaysafety.org/current-grantees/.**

Organization Legal Name (as listed in SAM.gov): Effingham County Sheriff's Office
SAM Unique Entity Identifier: WCFEKENTR7A8
Assistance Listing Number: 20.600
Assistance Listing Title: State & Community Highway Safety
FAIN: 69A37526300004020GA0
Subaward Period of Performance State and End Date: October 1, 2026 – September 30, 2027
Subaward Budget Period State and End Date: October 1, 2026 – September 30, 2027

Should you have questions regarding the content of this letter, please contact your assigned grant manager, **Powell Harrelson** at (404) 656-6996. GOHS looks forward to your partnership in helping to make Georgia's roadways safer.

Sincerely,

Allen Poole
Director

AP

cc: James Thompson, Project Director
Damon Rahn, Financial Officer
Powell Harrelson, Planner/Grant Manager

Staff Report

Subject: GOHS H.E.A.T. Grant Award
Author: Mark W. Barnes, Finance Director
Department: Finance & Accounting Services
Meeting Date: 10/20/26
Item Description: Consideration to accept a $289,692.00 grant award from the Georgia Governor's Office of Highway Safety (GOHS) for the Effingham County Sheriff's Office H.E.A.T. Project, grant number GA-2027-EffinghaSO-076.

Summary Recommendation:
Staff is requesting approval to accept the $289,692.00 GOHS H.E.A.T. grant award, grant number GA-2027-EffinghaSO-076, with no local cost share requirement.

Executive Summary:
GOHS has approved $289,692.00 in federal funding for the Effingham County Sheriff's Office H.E.A.T. Project. The October 1, 2026 award letter establishes a grant period of October 1, 2026 through September 30, 2027.

The project supports traffic enforcement and public education, including impaired driving enforcement, seat belt use, and participation in highway safety campaigns. The Sheriff's Office must comply with the grant terms and H.E.A.T. special conditions.

All equipment must be purchased within the first 90 days after the grant effective date. Equipment costing $10,000 or more, including taxes and shipping, requires prior written GOHS and NHTSA approval. County procurement policies and Buy America requirements apply.

Personnel reimbursement is based on documented H.E.A.T. activity hours rather than an individual's salary alone. Officers must document total hours, project hours, and enforcement activity on GOHS Form 203. Monthly programmatic and claim reports are due by the 20th of the following month; claims will not be processed without supporting programmatic reports.

Background:
1. Allowable costs incurred during the grant period are reimbursable at 100%, up to the $289,692.00 award.
2. Grant funds must be accounted for separately. The award is contingent upon the availability of federal funds.
3. There is no local cost share requirement. GOHS assigned the agency a LOW risk assessment for FFY 2027.
4. Any vehicle or personnel FTE additions that may come from this grant must have Board approval, which is the normal process for those items.

Alternatives for Commission to Consider:

1. Approve acceptance of the $289,692.00 GOHS H.E.A.T. grant award.
2. Do not approve acceptance of the GOHS H.E.A.T. grant award.
3. Provide Staff with Direction

Recommended Alternative:

Staff recommends Alternative number 1 – Approve acceptance of the $289,692.00 GOHS H.E.A.T. grant award, grant number GA-2027-EffinghaSO-076.

Other Alternatives:

N/A

Department Review:

Effingham County Sheriff's Office

Funding Source:

Federal funds administered by GOHS under the State and Community Highway Safety program, Assistance Listing Number 20.600. Approved costs are reimbursed at 100%, up to $289,692.00. No local cost share is required.

Attachments:

GOHS GA-2027-EffinghaSO-076 award letter dated October 1, 2026, and H.E.A.T. Law Enforcement Special Conditions

Governor's Office of Highway Safety
James H "Sloppy" Floyd Veterans Memorial Bldg.
2 Martin Luther King Jr. Drive SE. • Suite 370, East Tower • Atlanta, GA 30334
Telephone: 404.656.6996 or 888.420.0767 • Facsimile: 404.651.9107
www.gahighwaysafety.org

Brian P. Kemp
GOVERNOR

Allen Poole
DIRECTOR

October 1, 2026

Jimmy McDuffie
Effingham County Sheriff's Office
'500 W 1st Street
Springfield, Georgia 31329

Re: Application #: GA-2027-EffinghaSO-076-APP
Grant #: GA-2027-EffinghaSO-076
Project Title: Effingham County Sheriff's Office H.E.A.T. Project

Dear Jimmy McDuffie,

Congratulations! It is my pleasure to inform you that your application in the amount of **$289,692.00** federal funds has been approved. The effective date of the grant is October 1, 2026, through September 30, 2027. Allowed costs incurred within this period are reimbursable at a rate of 100% of the approved federal funds allocated above.

*The Grant Terms and Conditions** have been updated and can be found within your grant application in the GOHS Grant Management System (GMS) or on the GOHS website. *Special Conditions**, **HEAT**, associated with your grant can also be found on the GOHS website and both contain important information from GOHS. These documents clearly identify the guidelines and requirements governing your grant. Please note under Grant Terms and Conditions **all grant awards are contingent upon the availability of federal funds** and must be identified separately in your agency's account system.

GOHS and the National Highway Traffic Safety Administration (NHTSA) must provide written approval prior to the purchase of any equipment item costing $10,000.00 or more. If applicable and approval is granted, you will receive notification of the equipment approval from GOHS. Please ensure your agency follows its local procurement policy as well as the Buy America Act requirements. If local policies are not available, your agency must use the State of Georgia procurement procedures. By policy, GOHS is required to maintain inventory of any item that costs $10,000 or more. For purposes of this policy, "equipment items $10,000 or more" include any item that has the capability of storing data, such as desktop computers, laptops, and I-pads. The $10,000 threshold also includes items that may physically cost less than $10,000 but with taxes and shipping costs added will equal over $10,000.

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GOHS is required to complete *Risk Assessments** on each grantee prior to the award and notify the grantee of the outcome. The Risk Assessment is based upon prior grants, audit reports, and/or interaction during the application process. Your agency's Risk Assessment score for the FFY 2027 grant year is **LOW**.

If your jurisdiction/agency (combined) receives federal funds of $1,000,000.00 or more in a year, an audit is required in accordance with 2 CFR Part 200, Subpart F. A copy of the audit report must be submitted to the Governor's Office of Highway Safety (GOHS) prior to September 30, 2027.

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https://app01.jaggaer.com/apps/Router/SupplierLogin?CustOrg=Georgia

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Organization Legal Name (as listed in SAM.gov): Effingham County Sheriff's Office
SAM Unique Entity Identifier: WCFEKENTR7A8
Assistance Listing Number: 20.600
Assistance Listing Title: State & Community Highway Safety
FAIN: 69A37526300004020GA0
Subaward Period of Performance State and End Date: October 1, 2026 – September 30, 2027
Subaward Budget Period State and End Date: October 1, 2026 – September 30, 2027

Should you have questions regarding the content of this letter, please contact your assigned grant manager, **Powell Harrelson** at (404) 656-6996. GOHS looks forward to your partnership in helping to make Georgia's roadways safer.

Sincerely,

Allen Poole
Director

AP

cc: James Thompson, Project Director
Damon Rahn, Financial Officer
Powell Harrelson, Planner/Grant Manager

Staff Report

Subject: Approval of Change Order 17 for the Central High School Renovation
Author: Alex Perkins, Engineering Project Coordinator
Department: Engineering
Meeting Date: 10/20/2026
Item Description: Consideration to approve Change Order 17 for Central High School, providing for the work associated with revisions to sewer and civil drawings, and for concrete building aprons in the Facilities and Maintenance yard.

Summary Recommendation: Staff recommends approval of Change Order 17 in the amount of $70,470.91.

Executive Summary / Background: Civil and sewer scope revisions were received from the Design Professional on 9/16/2026. These revisions called for changes to be made to sewer lines, grate inlets, and grading to provide for proper flow and drainage to the main sewer line. The change order also included small revisions to the concrete aprons in the Facilities and Maintenance yard, allowing for easier movement and storage of items when the site becomes operational.

Alternatives for Commission to Consider:

1. Approve Change Order 17
2. Do not approve Change Order 17
3. Provide staff with alternate direction.

Recommended Alternative: 1
Other Alternatives: 2, 3
Department Review: Engineering, Procurement
Funding Source: Capital Improvements
Attachments: 2. Akins – Central School Reno – Civil_Sewer_Concrete – CO 17 Signed 10-05-26.pdf

Effingham County Georgia
Board of Commissioners

804 S. La
Springfield, GA 31329
Phone: (912) 754-8080
www.effinghamcounty.org

Contract Change Order

Change Order No. Change Order #18

Project: 25-ITB-072 - Central High School Renovation - Construction

Contract Date: Tuesday, August 12, 2025

Change Order Effective Date: 10/20/2026

Change Order Issued to: Paul S. Akins Company, Inc., 520 Park Avenue Statesboro, GA 30458

Contact: Jarrod Akins

Line Item Changes

You are directed to make the following changes to this Contract.

ITEM NO.	DESCRIPTION	UNITS	UNIT PRICE	TOTAL
1	Civil Scope Revisions	1	$50,401.63	$50,401.63
2	Sewer Revisions	1	$12,362.50	$12,362.50
3	Concrete Building Entrance Aprons	1	$6,325.00	$6,325.00
	TOTAL			**$70,470.91**

History

The original Contract Sum was.....$ 8,828,000.00

Net change by previously authorized Change Orders.....$ 1,620,729.73

The Contract Sum prior to this Change Order was.....$ 10,448,729.73

The Contract Sum will be increased by this Change Order.....$ 70,470.91

The new Contract Sum including this Change Order will be.....**$** 10,519,200.64

CONTRACTOR

SIGNATURE

FULL NAME

DATE SIGNED

TITLE

EFFINGHAM COUNTY BOARD OF COMMISSIONERS

SIGNATURE

Timothy Callanan

FULL NAME

10-05-2026

DATE SIGNED

County Manager

TITLE

Exhibits List

A - Central Renovation CO17 - Revised Civil Dwgs. Received 9.16.26

Exhibit A

Central Renovation CO17 - Revised Civil Dwgs. Received 9.16.26

Change Order Proposal

Project: Central School Renovation
Proposal Number: 17
Description: Revised Civil Dwgs. Received 9.16.26
Date: 9/29/26

AKINS
GENERAL CONTRACTORS
CONSTRUCTION MANAGERS • DESIGN BUILD SERVICES

A	B	C	D	E
Item No.	Description	Subcontractor or Direct Cost	Akins OH&P	Item Total (C+D)
1	**Add -** Civil Scope Revisions per Revised Civil Drawings Received on 9.16.26	$ 43,827.50	$ 6,574.13	**$ 50,401.63**
2	**Add -** Sewer Revisions to a section of the 6" main sewer line South of Bldg. 6. Re-work 145 LF of the line and re-connect laterals in order to catch the last (furthest east) lateral on Bldg. 6	$ 10,750.00	$ 1,612.50	**$ 12,362.50**
3	**Add -** 4 Concrete Building Entrance Aprons at door locations: 703A, 900C, 902A, and 908C	$ 5,500.00	$ 825.00	**$ 6,325.00**

Subtotal	$	69,089.13
P&P Bond	$	1,381.78
Grand Total	**$**	**70,470.91**

Notes

1. See attached backup for this proposal

2. Need approval on this by 10/9/26 or we may need to add time/general conditions to this proposal

Proposal Submitted By:

Jarrod Akins
Vice President
Paul S. Akins Company, Inc.

From: Sims Paving and Construction LLC
298 Newtown Road
Pembroke Ga 31321 USA
Contact: Shane Grizzard
Phone: (912) 581-7139
Email: Estimator@simspavingga.com

Project: Central School Renovations
Description: Change Order per Plans Dated 9-15-26
Bid Date: Monday, September 21, 2026
Sims Job #: 2025-21
Additional Info: Revised Drawing by Hussey, Gay, & Bell
Emailed on 9/16/26

To: Paul S Akins Company
Contact: Jacob Schofill
Email: jacobs@akinsco.com

ITEM / DESCRIPTION		BID QTY	U/M		AMOUNT
Section III - Storm Drainage Section		**1**	**Ls**	**$**	**43,827.50**
1.01	Remove Existing 10" PVC Pipe	160	Lf		
1.02	10" HPP Pipe	119	Lf		
1.03	10" HDPE Pipe	252	Lf		
1.04	10" PVC Pipe	80	Lf		
1.05	12" x 18" Elliptical RCP Pipe	171	Lf		
1.06	Credit Back for 12" Class V RCP Pipe	145	Lf		
1.07	15" Class III RCP Pipe	30	Lf		
1.08	12" Mitered End Section	2	Ea		
1.09	15" Flared End Section	2	Ea		
1.10	Credit Back for Adjusting Existing Grate Inlet	1	Ea		
1.11	Rip-Rap	14	Sy		
1.12	Downspout Connections	3	Ea		

TOTAL BID: $ 43,827.50

Project Comments

PLEASE NOTE

** ALL notes and exclusions from Original Proposal still apply to this change order.

*All material is guaranteed to be as specified and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner. Any increase in scope of the work performed will result in a proportional increase in the price for this contract. This quote is valid for **30** days, at which time may then be subject to review or change.*

Acceptance of Proposal – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Paul S Akins Company

Print Name: _____ **Date:** _____

Signature: _____

Sim's Paving

Print Name: _____ **Date:** _____

Signature: _____

From: Sims Paving and Construction LLC
298 Newtown Road
Pembroke Ga 31321 USA
Contact: Shane Grizzard
Phone: (912) 581-7139
Email: Estimator@simspavingga.com

Project: Central School Renovations
Description: Change Order to Adjust 6" Sewer Line
Bid Date: Monday, September 28, 2026
Sims Job #: 2025-21
Additional Info: Revised Drawing by Hussey, Gay, & Bell
Emailed on 9/16/26

To: Paul S Akins Company
Contact: Jacob Schofill
Email: jacobs@akinsco.com

ITEM / DESCRIPTION		BID QTY	U/M		AMOUNT
Section		**1**	**Ls**	**$**	**10,750.00**
1.01	Remove Existing 6" PVC Pipe	145	Lf		
1.02	Disconnect Sewer Laterals	4	Ea		
1.03	6" PVC Sewer Pipe	145	Lf		
1.04	Reconnect Sewer Laterals	4	Ea		

TOTAL BID: $ 10,750.00

Project Comments

PLEASE NOTE

** ALL notes and exclusions from Original Proposal still apply to this change order.

All material is guaranteed to be as specified and the above work to be performed in accordance with the drawings and specifications submitted for above work and completed in a substantial workmanlike manner. Any increase in scope of the work performed will result in a proportional increase in the price for this contract. This quote is valid for 30 days, at which time may then be subject to review or change.

Acceptance of Proposal – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Paul S Akins Company

Print Name: _____ **Date:** _____

Signature: _____

Sim's Paving

Print Name: _____ **Date:** _____

Signature: _____

ESTIMATE

CHR Construction, LLC.
17840 Old River Road North
Garfield, GA 30425

caderushing92@gmail.com
+1 (912) 690-3238

Bill to
Akins Construction
520 Park Ave
Statesboro, Ga 30458

Ship to
Akins Construction
520 Park Ave
Statesboro, Ga 30458

Estimate details
Estimate no.: 1036
Estimate date: 09/29/2026
Expiration date: 10/28/2026

#	Date	Product or service	Description	Qty	Rate	Amount
1.			Change Order			
2.		**Services**	Concrete building entrance aprons			$5,500.00

Total **$5,500.00**

Expiry date 10/28/2026

Accepted date

Accepted by

Staff Report

Subject: Approval of the submission of the WaterFirst Community application

Author: Alex Perkins, Engineering Project Coordinator

Department: Procurement, Engineering

Meeting Date: *10/20/2026*

Item Description: Consideration to approve the submission of the application to certify Effingham County as a WaterFirst Community

Summary Recommendation: Staff recommends approval of this submission.

Executive Summary / Background:

The WaterFirst Program is a voluntary partnership between local governments, state agencies, and other organizations working together to increase the quality of life in communities through the wise management and protection of valuable water resources. Achieving the certification requires local governments to pursue environmental excellence beyond what is required by law, and focuses on exemplary water safety and management practices across nine categories.

Effingham County has a current and documented record of enacting these higher standards and would be able to submit an extremely strong application. If approved, the county would be designated as a WaterFirst Community with two road signs and a certificate recognizing the accomplishment. Effingham County would also become eligible for other benefits, including reduced GEFA interest rates for water-related projects, priority status for the 319(h) grant, and annual eligibility for the CDBG program. Staff recommends Alternative 1.

Alternatives for Commission to Consider:

1. Approve Change Order No. 1.
2. Do not approve.
3. Provide staff with direction.

Recommended Alternative: 1

Other Alternatives: 2, 3

Department Review: Engineering

Funding Source: None

Attachments: WaterFirst application

WaterFirst
CARING FOR OUR WATER RESOURCES

Georgia Environmental Finance Authority
WaterFirst Program Application

The WaterFirst Program is a voluntary partnership between local governments, state agencies, and other organizations working together to increase the quality of life in communities through the wise management and protection of our valuable water resources. This proactive approach to water resources requires local governments to pursue environmental excellence beyond what is required by law. WaterFirst communities take a proactive approach to water resources planning by connecting land use, water quality, water quantity, and future needs. The nine main categories of WaterFirst include:

- Watershed assessment,
- Stormwater master planning,
- Wastewater treatment and management,
- Water supply planning,
- Water supply protection,
- Water conservation,
- Water reclamation and reuse,
- Educational outreach; and
- Regional water planning.

Communities meeting the WaterFirst goals are recognized statewide as a WaterFirst Community. Having demonstrated responsible stewardship of water resources for environmental and economic benefits today and in the future, WaterFirst Communities become eligible for financial and other benefits.

Technical assistance and workshops for WaterFirst participants are provided by the Georgia Environmental Finance Authority (GEFA) and recognized water experts around the state. Due to the hands-on nature of the program, only communities that go above and beyond are accepted into each WaterFirst class. However, communities that are not official program participants are encouraged to work independently towards their WaterFirst designation.

If you have questions about the WaterFirst Program, please contact waterresources@gefa.ga.gov and vthom@gefa.ga.gov.

WaterFirst Program Process

Becoming a WaterFirst community is a three-part process. The first step is to decide to pursue environmental excellence as a WaterFirst Community. Since environmental and economic conditions differ from one region to the next, the actions necessary to achieve WaterFirst designation will likewise differ.

The second step is to achieve and maintain environmental excellence beyond the minimum requirements of the law through the goals established in step one. Formal recognition as a WaterFirst Community will be made after the community's goals are reached. A presentation by the community seeking designation will be given to a committee of WaterFirst reviewers to determine if the community's goals have been met.

The third step is to move beyond environmental compliance and set additional goals to maintain environmental excellence with programs and program updates. WaterFirst staff will be available to work with the members of the WaterFirst class as needed. Site visits to participating communities will be scheduled periodically. Support can be requested at any time while the community works towards designation.

Eligibility Requirements

To participate in the WaterFirst Program, all communities are required to:

- Submit an application to GEFA;
- Be certified by the Georgia Department of Community Affairs as a Qualified Local Government;
- Have an active stormwater management program such as a MS4 phase I or II program or equivalent program based on community size, i.e., system mapping/inventory, educational materials, and storm drain stenciling; and
- Have an established inspection and maintenance ordinance for on-site disposal systems (septic systems).

Coastal communities in the 24-county coastal district must have management measures that are consistent with the 52 required management measures of the Coastal Nonpoint Source Management Program.

To receive the WaterFirst Community designation, a city or county must have achieved excellence as recommended by the WaterFirst Review Committee and approved by the GEFA executive director.

Application Deadline

Applications are accepted on a rolling basis throughout the year.

Please submit a **digital copy** of the application to:

waterresources@gefa.ga.gov
vthom@gefa.ga.gov

Selection Process for WaterFirst Designated

A review committee of members from GEFA and the WaterFirst Steering Committee will forward recommendations to GEFA's director of water resources with GEFA's executive director providing final approval. A limited number of participants will be selected each year. Recognizing that water resources do not follow political boundaries, cities and counties are encouraged to submit joint applications and to work

together to achieve the WaterFirst designation. Selection criteria will be based on numerous factors, including but not limited to, geographic diversity, city/county population range, and institutional capacity.

Program Services

Initial visit for WaterFirst Designated

Once selected to participate in the WaterFirst program, WaterFirst staff will arrange a time to meet with community officials to outline program goals and set a timeline by which achievements will be met. A review of needed financial resources, current water services provided, and proposals for community education and outreach initiatives will also be reviewed. Communities are expected to be proactive and to know what they would like to achieve through the WaterFirst Program. A date for a presentation to the community will also be set at this time to explain the WaterFirst Program and to build support for the community's efforts.

Technical assistance

The WaterFirst Program brings with it the knowledge and assistance of leading water experts from across the state. Helping communities improve the management and protection of water resources is the program's highest priority. Innovative design assistance, water conservation workshops, and educational resources are a few examples of what the WaterFirst Program can provide.

Peer-to-peer exchange

GEFA will maintain a database of participants so communities addressing similar water challenges can learn from one another. WaterFirst does not intend to reinvent the wheel, but rather bring together available resources to ease the burden on individual communities. Exchanging ideas and information across the state to benefit our water resources and our communities is another top priority of the program.

Case studies

As communities achieve WaterFirst designation, their experiences, both successes and failures, will be part of a case study database maintained by GEFA to help inform future participants. The case studies will form an invaluable collection of "lessons learned" from across the state.

WaterFirst benefits

After achieving the WaterFirst Community designation, two road signs and a certificate recognizing the accomplishment will be presented to the designee. The community will also become eligible for other benefits, including reduced GEFA interest rates for water-related projects, priority status for the 319(h) grant, and annual eligibility for the CDBG program.

Responsibilities of the participants

The first and most important responsibility of communities participating in the WaterFirst Program is a solid commitment to improving the management and protection of our shared water resources. Communities will be expected to work towards their set goals in a timely manner and be proactive in solving problems and

addressing the needs of the community. However, both the goals and the timeline for achievement should be realistic.

WaterFirst participants are expected to educate their constituents about the program and how it will benefit their community. Each program component provides for education and outreach initiatives, and communities are expected to share with residents the importance of sound water management and resource protection. In addition, citizen input should be encouraged as communities seek ways to address various water issues.

Once a community has been designated WaterFirst, it is expected that the high achievements will be maintained. If it is determined that the community no longer meets the requirements, then the WaterFirst designation and its benefits will be forfeited.

WaterFirst Communities are required to renew their designation every five years.

To apply, please complete and return the application on the following pages and the checklist that has been included. Partial or incomplete applications will be rejected.

I. Applicant Information

Please check one: ☒ Individual City or County or ☐ Multi-Jurisdictional Partnership

City/County of: Effingham County

Address: 804 South Laurel Street

City: Springfield Zip Code: 31326

Phone: 912-754-8067 Fax: N/A

Email: twilkins@effinghamcounty.org

Name of Person Completing Application: Alex Perkins

Title: Engineering Project Coordinator

Address: 804 South Laurel Street

City: Springfield Zip Code: 31329

Phone: 912-376-3712 Fax: N/A

Email: kperkins@effinghamcounty.org

II. Community Profile

(If applying as a partnership, please answer the following questions for each partner, separate pages may be added.)

Are you currently a Qualified Local Government? Yes.

What water services are provided by your local government? Does your service area extend beyond your jurisdiction? Effingham County provides potable water distribution, wastewater collection and treatment, and reclaimed-water service. The County operates a non-discharging tertiary wastewater reclamation facility and distributes treated effluent for irrigation and industrial reuse. Potable water is supplied through treated surface water purchased from the City of Savannah and through County-operated groundwater wells. County water and sewer utility service is currently concentrated in portions of southern unincorporated Effingham County and several outlying developments. Water and sewer service is provided in certain areas of the unincorporated County.

How many residents does each service support? The total population of Effingham County is currently estimated to be ~75,443. Water is provided to 4,770 locations, and sewer is provided to 4,001 locations.

What percent of residents currently use private wells? Septic systems?
See Attachment, Household_Service_Calculations_2026.pdf. Figures shown reflect number of households and approximate population using each system in the unincorporated areas of Effingham County. Household numbers are also shown for the incorporated municipalities of Rincon, Springfield, or Guyton, although the county does not provide or monitor utilities for those areas.

Is surface or groundwater the primary water source for your community? Surface water is the primary water source for the majority of Effingham County's utility customers. The County purchases treated surface water from the City of Savannah Industrial and Domestic Water Treatment Plant. Several small outlying County systems are supplied by groundwater wells, which draw water from the Upper Floridian Aquifer.

Please list your community's current water-related EPD permits.

Name/Location	Permit
Effingham GW Withdrawal Permit	051-0011
EC Surface Water	GA1030131

Please list any EPD water permit violations that have occurred in the past 12 months. None.

Have you received any awards for outstanding water services? No.

Is your community on EPA's Significant Non-Compliance list? No.

II. Community Profile (Continued)

Is your community properly managing the finances of its water system by ensuring customers pay a fair amount for water usage (at least 1.25 percent of the median household income)? Yes. Based on a typical residential household using 113 gallons per month, the annual water and sewer bill is approximately $1,356, representing 2.022***% of Effingham County's median household income of $67,050.00***.

Are all users of the system metered? Yes.

What Regional Water Council do you belong? The Coastal Georgia Water Planning Region

Are you involved in, or considering, any regional water projects? Yes.

Does the financial capacity analysis of the community indicate a coverage ratio of at least 125 percent?
At this time, no.

Does the community's financial reporting meet the highest standards of the Government Finance Officers Association? Effingham County prepares annual audited financial statements in accordance with generally accepted accounting principles and Government Auditing Standards. The FY2025 audit received an unmodified opinion.

III. Program Proposal

Why does your community want to participate in the WaterFirst Program?
Effingham County seeks to participate in the WaterFirst Program to strengthen its comprehensive approach to drinking water, wastewater, reclaimed water, stormwater, and watershed management. Rapid growth and continuing infrastructure needs require the County to plan proactively, protect its surface-water and groundwater sources, maintain regulatory compliance, and ensure that utility services remain reliable and financially sustainable. WaterFirst participation will provide an organized framework for evaluating existing programs, coordinating departments and regional partners, identifying opportunities for improvement, and demonstrating the County's commitment to

responsible water-resource stewardship. The designation would also support the County's strategic goals of balanced growth, infrastructure investment, accountable service delivery, and long-term community resilience. The practical benefits of grant eligibility and more favorable GEFA loan terms would be utilized to achieve these ends.

What major goals would you like to achieve regarding water resource stewardship?
Effingham County's major goals are to protect the quality and long-term availability of surface water and groundwater; reduce water loss and promote conservation; expand and maintain reliable drinking-water and wastewater infrastructure; increase beneficial use of reclaimed water; strengthen watershed, stormwater, and source-water protection; incorporate green infrastructure and low-impact development practices; maintain regulatory compliance; improve public education and participation; coordinate water planning with municipalities and regional partners; and ensure that utility rates and capital planning support the long-term financial sustainability of the system.

Who will be designated within the local government(s) to oversee the WaterFirst Program? (Please include contact information.) Tre Wilkins, Project Manager – 912-667-0621 – twilkins@effinghamcounty.org

Which of the components of the WaterFirst Program do you feel your community has already addressed? **(Please use attached checklist and mark appropriately. Note that "Not Applicable" refers only to services not offered and determined not necessary in your community, not to issues that have not been addressed.)**
See checklist (attached).

Please attach a map indicating the geographic area to be included in this WaterFirst application.
See map (attached). Map-of-the-Effingham-County-Water-Sewer-and-Re-Use-System-PDF

I understand that the WaterFirst Community Program is a voluntary effort to improve the management and protection of our water resources beyond the requirements of the law. I also understand that the WaterFirst designation can be lost if the community fails to maintain the achievements for which the award was given and that all benefits the designation brings with it will be forfeited.

I certify to the best of my knowledge that the information in this application is true and correct.

Print name of Chief Elected Official _____

Signature of Chief Elected Official _____

Date _____/_____/_____

Effingham County Georgia
Planning and Zoning Services

Staff Report

Subject:	Rezoning
Author:	Kimberly Barlett, Senior Planner
Department:	Development Services
Application:	RZN-26-28
Meeting Date:	October 20, 2026
Existing Zoning:	**AR-1 (Agricultural–Residential, 5 acres or more)**
Proposed Zoning:	**LI (Light Industrial)**
Map & Parcel(s):	304-10
Total Acreage Affected	± 99 acres out of ±280.50 acres
Location:	1180 Old River Road
Commissioner District:	First District
Proposed Use:	Warehouse
Applicant	Boltin Teeter 9040 Roswell Road Ste 420 Atlanta, GA 30350
Owner:	Mark Cooper P.O. Box 72 Furman, SC 29921

Rezoning Summary:

Item	Description
Request	Rezone ± 99 acres from **AR-1 to LI**
Proposed Use	Warehouse
Existing Use	Agricultural/ Residential
Future Land Use	**Transitional & Conservation**
Utilities	Public Water & septic system
Access	Old River Road

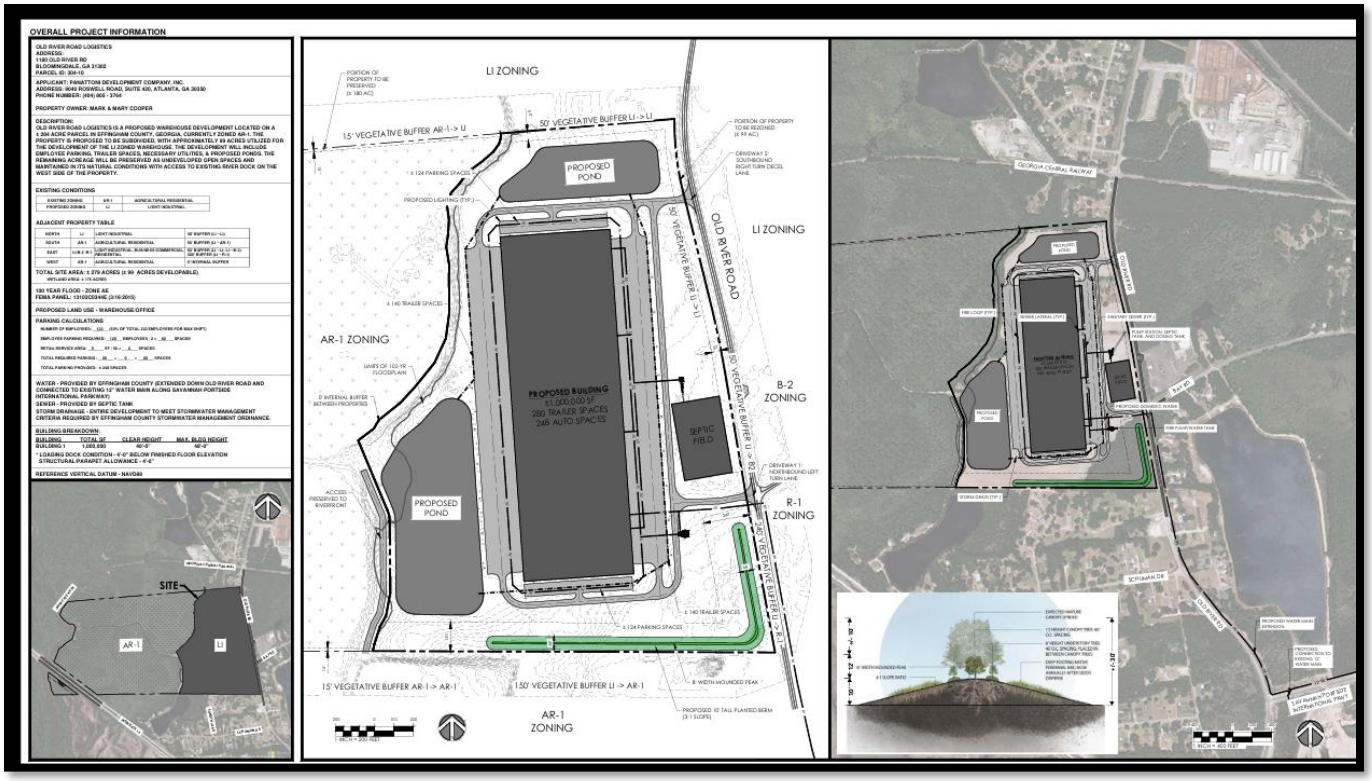
Project Summary:

The applicant is requesting to **rezone ±99 acres** of a ±280.50-acre parent tract from AR-1 (Agricultural Residential) to **LI (Light Industrial)** to allow for the construction of an approximately 1,000,000-square-foot industrial warehouse for distribution and storage. The remaining acreage is proposed to remain zoned AR-1 and, according to the applicant, will be donated to Effingham County.

Subsequent to the **Planning Board meeting** and the Board's request for additional buffering and berms to provide greater protection and screening for adjacent property owners, the applicant submitted a revised plan incorporating additional mitigation measures.
The proposed revisions include the following:

- **Berm Addition:** A new berm, shown in green on the revised plan, has been added along the applicable property boundaries. A cross-section of the proposed berm is provided in the lower right-hand corner of the plan. The berm is approximately **68 feet wide and 10 feet in height**.
- **Landscaping:** Proposed plantings will be installed along the top of the berm and are anticipated to provide approximately **12 feet of additional height at installation**, with an estimated **10 feet of additional growth at maturity**. Once the landscaping canopy matures, the combined berm and vegetation are anticipated to provide approximately **30 feet of total screening height above finished grade**.
- **Southern Property Boundary:** The existing **150-foot buffer will remain unchanged**. The proposed berm along the southern property line will be provided **in addition to the 150-foot buffer**, providing supplemental screening for adjacent properties.
- **Eastern Property Boundary:** The proposed eastern buffer has been revised from **300 feet to 240 feet**. A **10-foot-high berm**, designed in accordance with applicable ordinance standards, has been added to provide additional visual screening and separation from adjoining properties.

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.



*DRI Report

A DRI report was completed for this project on July 20, 2026.

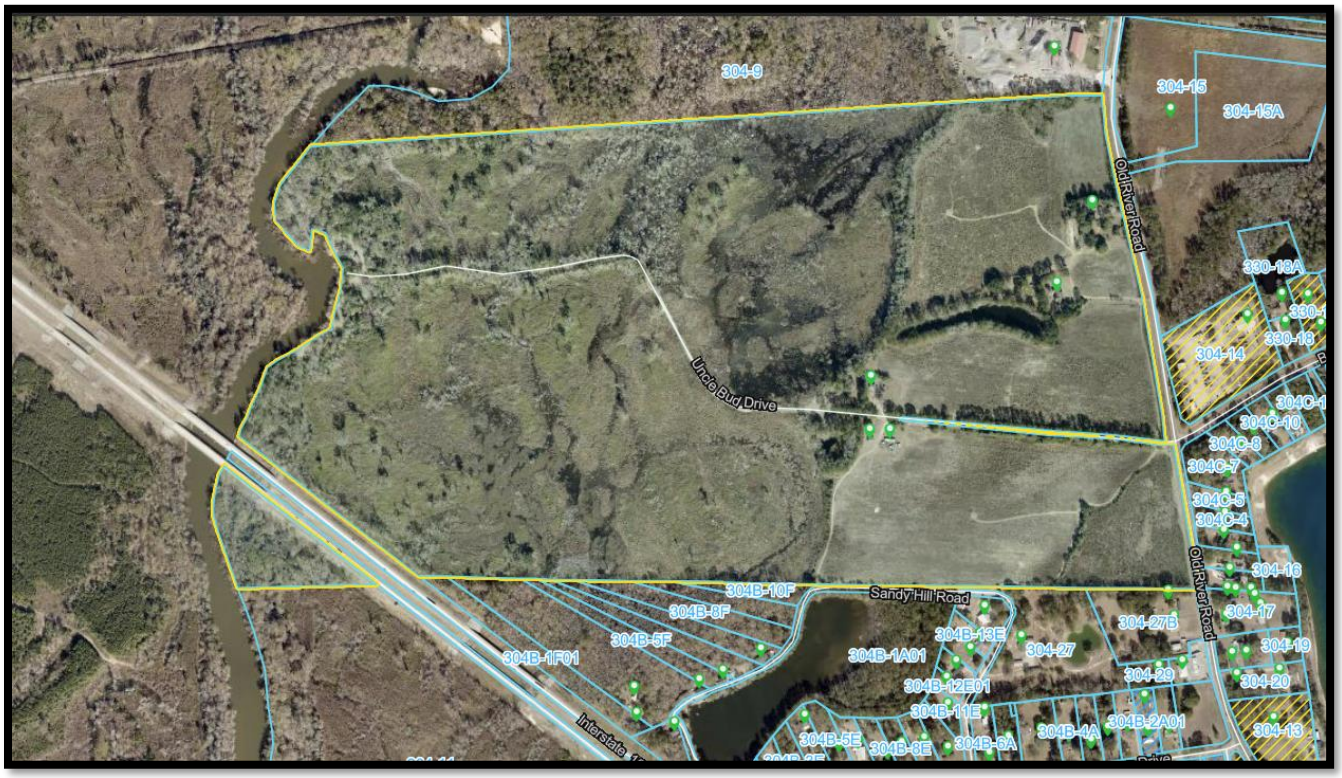
The CRC strongly encourages the use of native or drought-tolerant landscaping and recommends the applicant to review the Coastal Georgia Regional Water Plan to ensure that the best practices for water efficiency, and stormwater management are incorporated into site design. The CRC strongly advises the applicant to evaluate the potential impacts on the overall drainage system and flood risks associated with the proposed development, taking into account FEMA flood zone designation. The property is designated as an Area of Significant Natural Resources with the exception of the area to the east.

Public comments were to be received on or by July 15, 2026. The CRC has received commentary from the City of Savannah, Ogeechee Riverkeeper, and one general public comment that is in opposition to this potential development.

Zoning History

The subject property is currently zoned A**R-1 (Agricultural Residential).** Prior zoning cases are on record for this property.

- April 9, 2024 – Rezoning of 280.5 acres from AR-1 to I-1 was postponed at the Planning Board and then withdrawn prior to consideration by the Board of Commissioners.

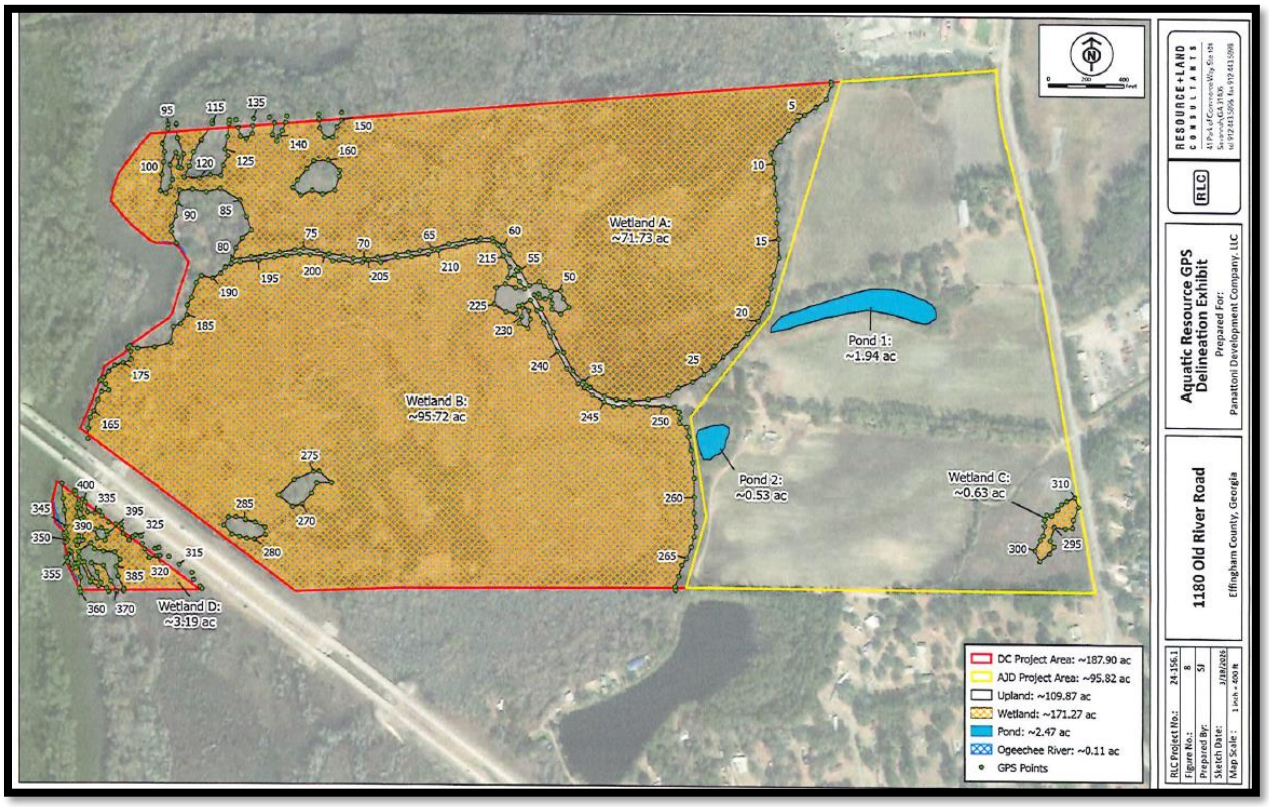


Existing Site Condition

The subject property consists of approximately **280.50 acres** with frontage along **Old River Road**. The property is currently developed with four stick-built single-family residences, one mobile home, and several associated accessory structures.

The parcel does contain identified **wetlands and floodplains AE** based on **County GIS mapping. A Level III soil study and a wetlands delineation submittal have been provided. A traffic study has**

been completed at this site.



Surrounding Use and Zoning Pattern

Surrounding Neighborhood
• North: I-1 (Industrial Districts)
• South: AR-1 (Agricultural–Residential, 5 acres or more)

• East: R-1 (Single-Family Residential) & I-1 (Industrial Districts) & B-2 (General Commercial Districts) & AR-2 (Agricultural residential, 1 acre or more)
• West: Bryan County

The surrounding area is characterized by a mix of rural residential, commercial, and industrial uses. Lot sizes range from approximately one-half acre within nearby residential subdivisions to large agricultural tracts. The development pattern reflects an area in transition, with established residential and agricultural uses located near existing and proposed commercial and industrial development.

North/ Northeast

- Agricultural Residential homesteads (AR-1)
- Pecan Grove Subdivision (AR-1)
- Transloading Facility (I-1)
- Lumber Manufacturing (I-1)

East

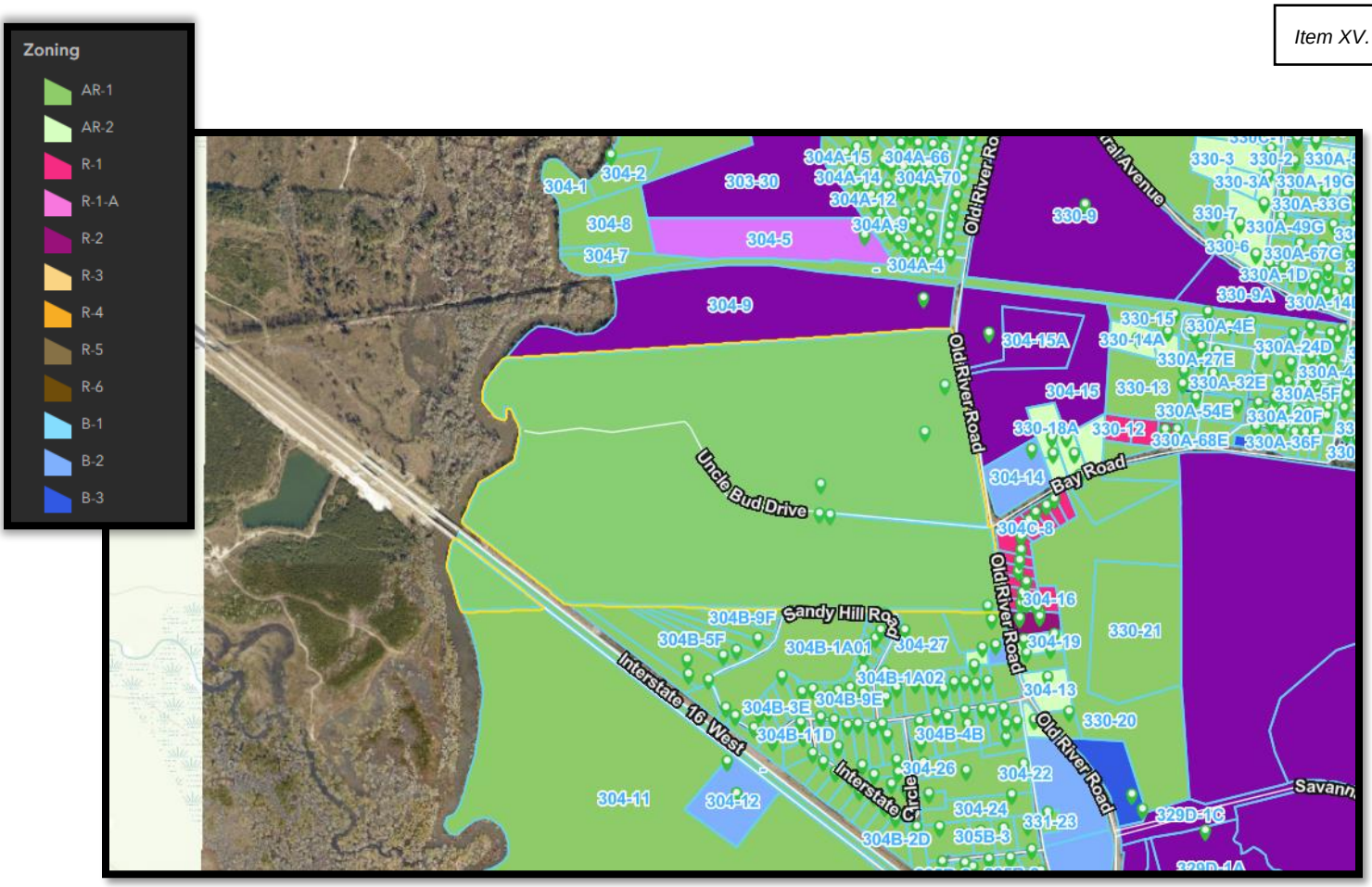
- Agricultural Residential homesteads (AR-1 & R-1& AR-2)
- Proposed Asphalt Plant (I-1)
- Dump Truck Company (B-2)
- Megans Bay Subdivision (R-1)

South

- Meldrim Lakes Subdivision (AR-1)

West

- Bryan County



Applicable Ordinance Sections

Section 3.4.2(c) – Adjacent Public Street Buffers:

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

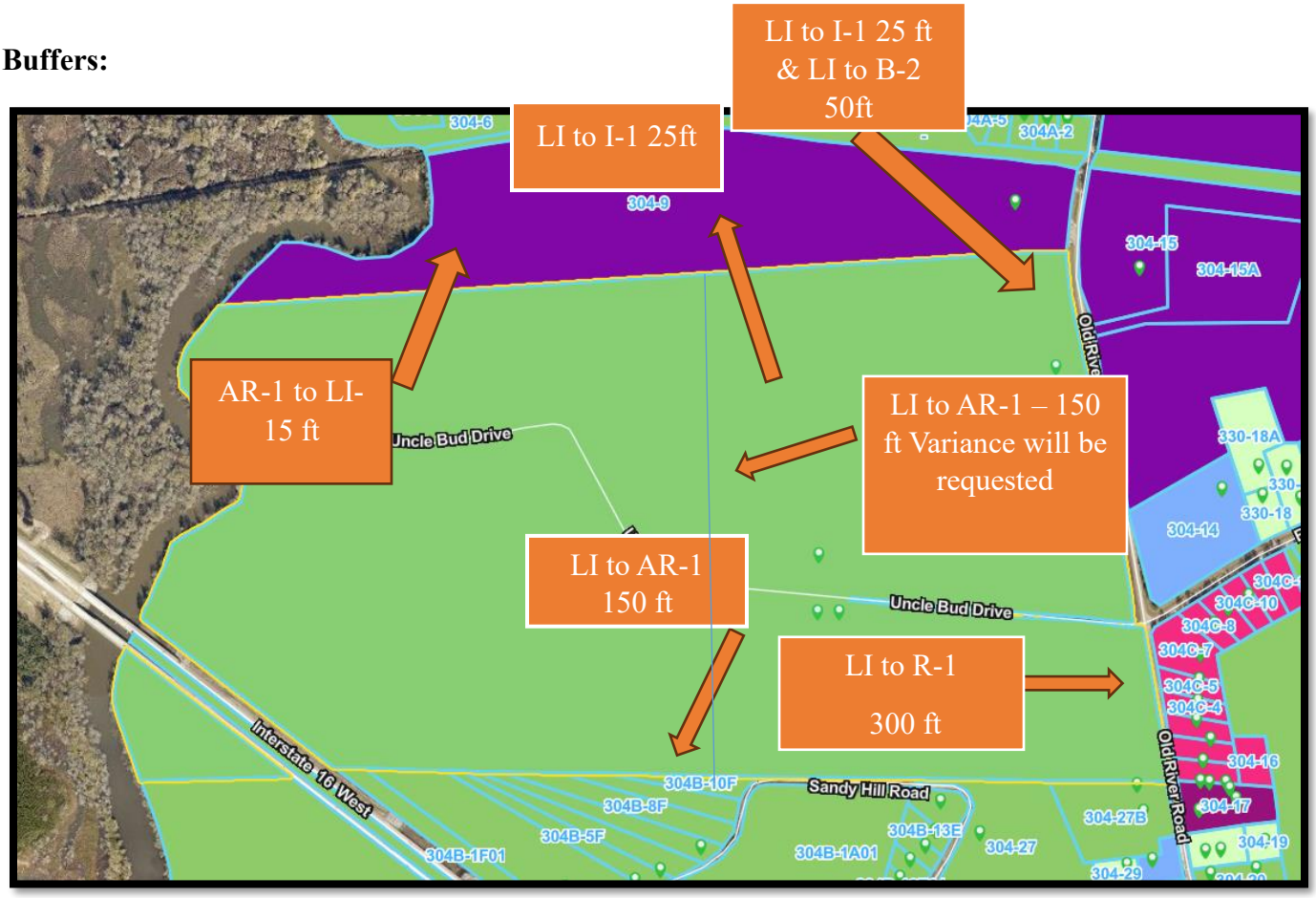
Zoning Development Standards for LI

Requirement	Standard
Greenspace	Minimum 15% of site area
Buffers	Based on adjacent zoning
Parking (Sec. 30.30)	1 for every 2 employees, plus 1 for every 50 square feet of retail sales or service
Lighting	Must be designed to reflect light away from adjacent residentially zoned properties

Zoning Classification

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.

Buffers:



Intensity of Use

The proposed rezoning from AR-1 (Agricultural–Residential) to **LI (Light Industrial)** for the development of an approximately 1-million-square-foot warehouse would substantially increase the intensity of use. The development would change a low-density agricultural residential property to a large-scale industrial and distribution use, resulting in significantly greater building coverage, impervious surface, lighting, stormwater runoff, utility demand, and traffic—particularly from trucks and employee vehicles.

These impacts would be most significant where the property adjoins residential or agricultural uses. Adequate roadway capacity, safe truck access, turn lanes, stormwater management, utility availability, and required buffers and screening will be necessary to mitigate potential impacts. Overall, the proposed development constitutes a high-intensity change from the existing AR-1 zoning and should be evaluated based on the site's location, surrounding land uses, infrastructure capacity, and compliance with applicable development standards.

Infrastructure

The property is served by **public water and a septic system, consistent with the** surrounding development.

Roadway Classification: The proposed development will access Old River Road, which is classified as a Major Collector within Effingham County.

Public Health, Safety, and Welfare

The proposed rezoning from AR-1 (Agricultural–Residential) to **LI (Light Industrial)** may have significant implications for the public health, safety, and welfare due to the scale of the development. Potential impacts include increased large truck and employee traffic, roadway congestion, noise, lighting, air emissions from vehicle activity, stormwater runoff, and increased demand on utilities.

Appropriate buffers and screening may also be necessary to protect nearby agricultural and residential properties. Provided these impacts are adequately evaluated and mitigated through the development-review process, the proposed use may operate without creating an unreasonable adverse effect on the public health, safety, or welfare.

Consistency with Comprehensive Plan

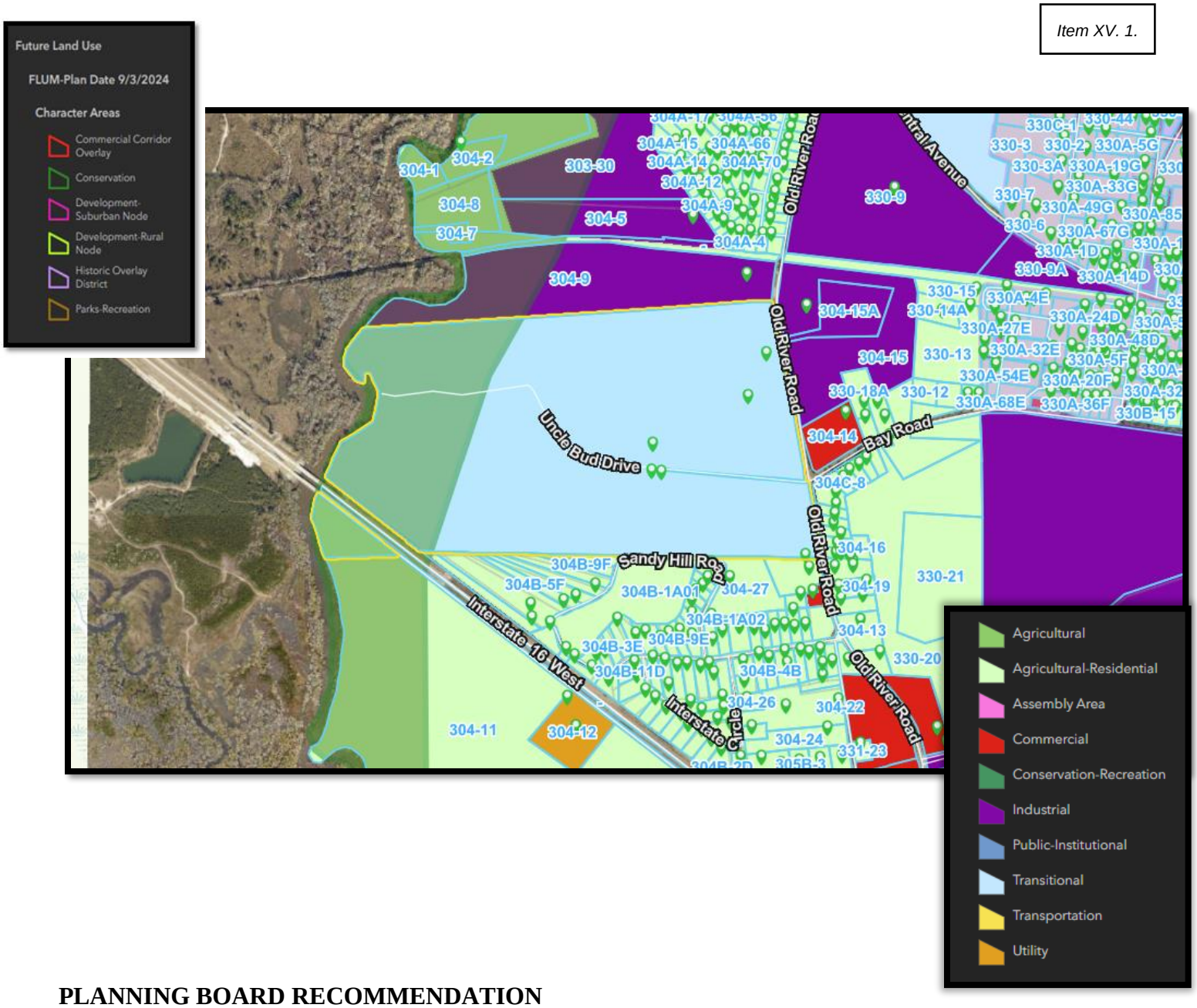
The subject property is designated **Transitional** on the **Future Land Use Map**, while the portion proposed to remain zoned AR-1 (Agricultural–Residential) is designated **Conservation.** The proposed

rezoning of the Transitional portion to LI (Light Industrial) may be generally consistent with the Comprehensive Plan, as the Transitional designation is intended to accommodate areas changing land-use character that may support appropriately located employment or industrial development where adequate infrastructure is available.

Retaining the Conservation-designated portion under the existing AR-1 zoning would help preserve environmentally sensitive land and separate the proposed warehouse development from surrounding properties.

*This parcel is designated **Transitional** on the **Future Land Use Map**, which is an area that buffers between commercial, Industrial, and less intense residential areas and allows for development opportunities. Future development will allow for mixed use and adaptive use opportunities. This area is designed to allow for transition from residential uses to compatible nonresidential developments. Transitional areas are often exhibit characteristics of neighboring zones and may undergo changes in land use, density, or character over time. A blend of residential, commercial, or industrial uses that bridge the gap between adjacent zones.(Effingham County 2020–2040 Joint Comprehensive Plan, p. 37).*

*This parcel is designated **Conservation** in the **Character Area** on the **Future Land Use Map**, which is Environmentally Sensitive Areas refers to the management and protection of natural areas and resources to preserve habitats and species, protect ecosystems, and maintain environmental quality. Areas of open space that follow natural and manmade linear features for recreation and conservation purposes that link ecological, cultural, and recreational amenities. Conservation land use may involve activities such as wildlife conservation, sustainable agriculture, and protection of water resources. These lands are characterized by low-impact development and recreation. Some of these areas represent 100-year floodplains along river and stream corridor and identified wetlands. (Effingham County 2020–2040 Joint Comprehensive Plan, p. 41).*



PLANNING BOARD RECOMMENDATION

At the **September 8, 2026,** Planning Board meeting, the Planning Board conducted a public hearing regarding the requested rezoning application to rezone approximately ± 99 acres from AR-1 to LI to allow for permitted uses in LI.

During its deliberations, the Planning Board discussed the proposed zoning classification and the donation of land to the county, transitional designation, growth in the area, and residential areas surrounded by industrial uses, buffers and berms.

Citizen concerns included:

- Traffic
- No protection to the residential
- Concerned about buffers
-

Following the public hearing and discussion, the Planning Board voted to recommend approval of the rezoning request, subject to the stipulations

1. For additional buffer and berms to protect the adjacent landowners.

Staff Summary

Staff finds that the requested rezoning is consistent with the Transitional and Conservation designations of the Future Land Use Map and with the intent of the LI (Light Industrial) zoning district. The portion designated Conservation will remain zoned AR-1 (Agricultural–Residential), thereby supporting the preservation of environmentally sensitive areas.

County of Effingham, GA

July 21, 2026

Record No: RZN-26-28

Rezoning Application

Status: Active

Submitted On: 5/21/2026

Primary Location

32.138135, -81.393472

Owner

No owner information

Applicant

Boltin Teeter
[redacted]
9040 Roswell Road Suite 420
Atlanta, GA 30350

Staff Review

Planning Board Meeting Date*

09/08/2026

Board of Commissioner Meeting Date*

10/06/2026

Notification Letter Description *

To allow for permitted uses in LI

Staff Description

Stipulations

Map #*

304

Parcel #*

10

Georgia Militia District

–

Commissioner District*

1st

Public Notification Letters Mailed

08/17/2026

Board of Commissioner Ads

09/16/2026

Planning Board Ads

08/19/2026

Request Approved or Denied

–

Plat Filing required*

No

Re-Application Date

–

Applicant Information

Who is applying for the rezoning request?*

Agent

Applicant / Agent Name*

Boltin Teeter

Applicant Email Address*

[redacted]

Applicant Phone Number*

[redacted]

Applicant Mailing Address*

9040 Roswell Road STE 420

Applicant City*

Atlanta

Applicant State & Zip Code*

30350

Property Owner Information

Owner's Name*

Mark Cooper

Owner's Email Address*

[redacted]

Owner's Phone Number*

[redacted]

Owner's Mailing Address*

P.O. Box 72

Owner's City*

Furman

Owner's State & Zip Code*

South Carolina 29921

Rezoning Information

How many parcels are you rezoning?*

1

Present Zoning of Property*

AR-1 (Agricultural Residential 5 or More Acres)

Proposed Zoning of Property*

LI (Light Industrial)

Map & Parcel *

03040010

Road Name*

Old River Road

Proposed Road Access*

Old River Road

Total Acres *

283

Acres to be Rezoned*

95

Lot Characteristics *

The parcel is 283ac with around 95ac of upland and the rest being wetlands that back up to the Ogeechee River. The applicant would apply for rezoning of the upland portion. There are multiple abandoned structures and debris discarded onsite. The parcel is believed to have prior agricultural use since at least 1938. Environmental studies discovered a clandestine drug laboratory registered in the US Department of Justice's database in 2004 at one of the structures.

Water Connection *

Public Water System

Name of Supplier*

Effingham

Sewer Connection*

Private Septic System

Justification for Rezoning Amendment *

The property is in the vicinity of other industrial zoned property and marked as transitional for future land use. Rezoning to Light industrial would follow the County's future land use planning. The parcel is around 1.3 miles North of I-16 with no turns making this corridor ideal for industrial use. Major drivers of a need for industrial space with interstate connectivity are the Hyundai Plant and the Port of Savannah. This property is believed to have a higher and better use with industrial zoning due to its location.

List the zoning of the other property in the vicinity of the property you wish to rezone:

North*

I-1

South*

AR-1

East*

I-1, B-2, R-1

West*

NA

Describe the current use of the property you wish to rezone.*

As far as we understand, the property has no use currently with abandoned structures and discarded debris scattered throughout. We do not know of any agricultural use today.

Does the property you wish to rezone have a reasonable economic use as it is currently zoned?*

No. Studies show historical agricultural activities including cotton and soybean production. Currently, the applicant does not know of any recent operational agricultural activities occurring onsite.

Describe the use that you propose to make of the land after rezoning.*

The highest and best use is thought to be industrial distribution or storage. The current concept considers one industrial building on the upland portion of the property parallel to Old River Road. It is assumed that the concept development would be used for distribution and storage. On this I-16 exit, proximity to the Hyundai Plant and the Port of Savannah are the likely drivers of demand for the proposed use. The applicant has had success in the past developing and leasing Savannah Portside International Park less than a mile away on this same exit.

Describe the uses of the other property in the vicinity of the property you wish to rezone?*

North: I-1 zoned; It's believed to be a logistics service business (google maps reads as "Savannah Marine Terminal") that appears to have access to rail. On the other side of the tracks looks to be a concrete ready-mix company. East: To the North is a raw land property zoned I-1. Just South is a B-2 zoned parcel with one industrial metal building with offices for commercial use. A group of about six residential homes sit to the South of the industrial metal building. South: multiple parcels zoned AR-1 improved with residential structures border the southern boundary.

Describe how your rezoning proposal will allow a use that is suitable in view of the uses and development of adjacent and nearby property?*

The property currently sits vacant next to industrial use property. To the North, it appears there is a ready-mix concrete plant, a logistics services company with rail access, a lumber plant, and a raw land site zoned I-1. Across the street looks to be a trucking company that has an industrial metal building with autos and dump trucks parked outside. To the South, the first right turn off the interstate is Savannah Portside International Parkway where the applicant developed two industrial buildings and leased them to distribution and storage related users. The rest of the park is earmarked for manufacturing. A rezoning for this property would allow for the upland portion to be used in line with the surrounding properties instead of sitting vacant. Light industrial use has the potential to attract strong companies to do business in the County having a positive economic impact to the community.

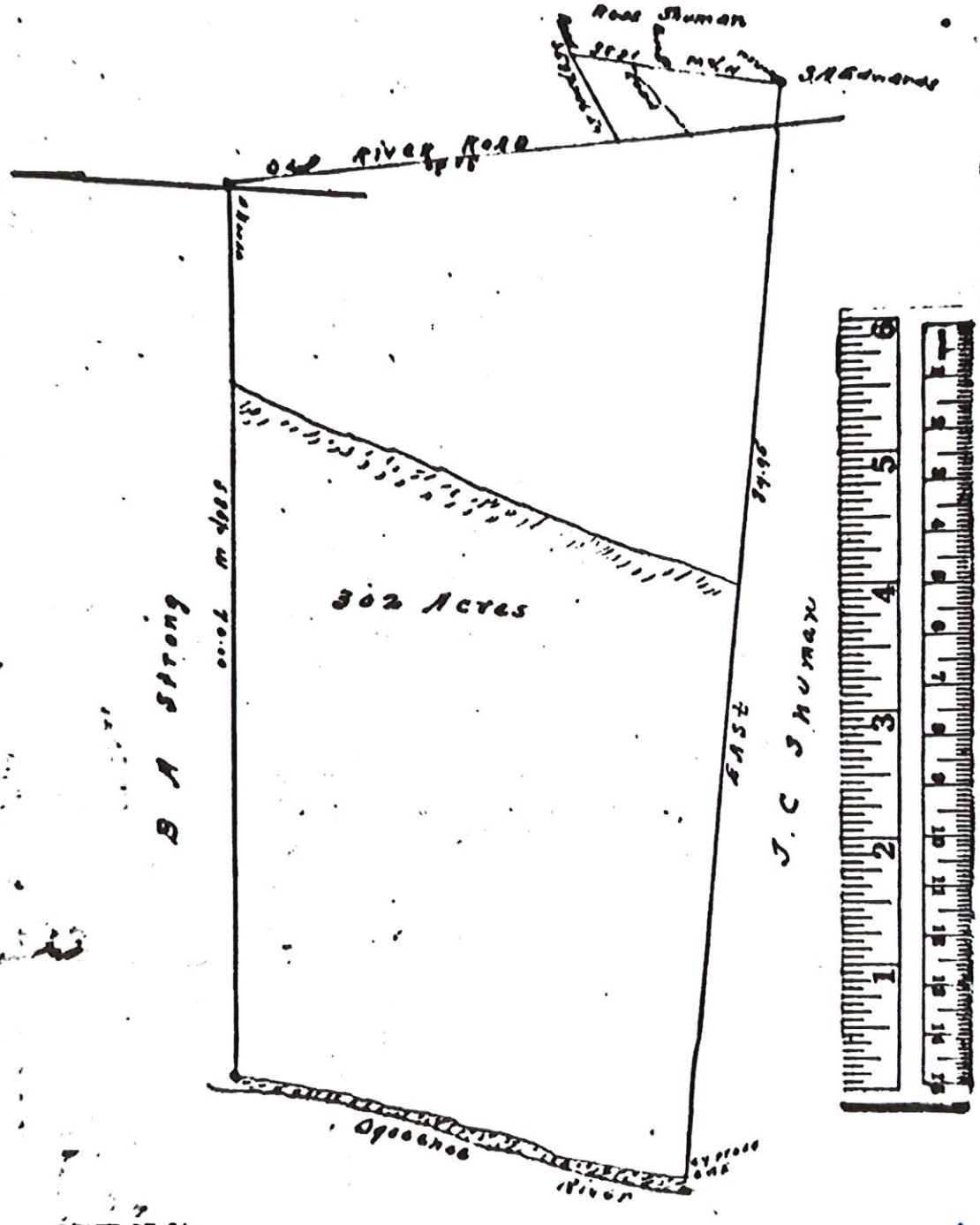
Will the proposed zoning change result in a use of the property, which could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools?*

The proposed rezoning and concept plan is not expected to cause excessive or burdensome use of the exiting streets, transportation facilities, or schools. The concept considers light industrial use geared towards distribution and storage. These facilities with this use typically have very little sewer or water use. The majority of the flow of traffic generated from the site is expected to be headed Eastbound on I-16 resulting in little to no change North of the property towards Hwy 80. Eastbound peak hour traffic in the morning was projected at 32 trips which was noted as not expected to result in a significant change in traffic operating conditions.

Digital Signature*

Boltin Teeter
May 18, 2026

61



STATE OF GA.
LIVINGSTON CO.

MAP OF

Three Hundred and Two acres of land near Meldrim, Ga.
Resurveyed for B. A. Edwards, June 23rd and 24thth 1915.

D. M. Weitman, Co. Sur.

Recorded Book F page 191. Sur. Records of Eff. Co. Ga.
Scale of 10 ch pr inch.

PB1/41

This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries, and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

OVERALL PROJECT INFORMATION

OLD RIVER ROAD LOGISTICS
ADDRESS:
1180 OLD RIVER RD
BLOOMINGDALE, GA 31302
PARCEL ID: 304-10

APPLICANT: PANATTONI DEVELOPMENT COMPANY, INC.
ADDRESS: 9040 ROSWELL ROAD, SUITE 420, ATLANTA, GA 30350
PHONE NUMBER: (404) 805 - 3784

PROPERTY OWNER: MARK & MARY COOPER

DESCRIPTION:
OLD RIVER ROAD LOGISTICS IS A PROPOSED WAREHOUSE DEVELOPMENT LOCATED ON A ± 284 ACRE PARCEL IN EFFINGHAM COUNTY, GEORGIA, CURRENTLY ZONED AR-1. THE PROPERTY IS PROPOSED TO BE SUBDIVIDED, WITH APPROXIMATELY 99 ACRES UTILIZED FOR THE DEVELOPMENT OF THE LI ZONED WAREHOUSE. THE DEVELOPMENT WILL INCLUDE EMPLOYEE PARKING, TRAILER SPACES, NECESSARY UTILITIES, & PROPOSED PONDS. THE REMAINING ACREAGE WILL BE PRESERVED AS UNDEVELOPED OPEN SPACES AND MAINTAINED IN ITS NATURAL CONDITIONS WITH ACCESS TO EXISTING RIVER DOCK ON THE WEST SIDE OF THE PROPERTY.

EXISTING CONDITIONS

EXISTING ZONING	AR-1	AGRICULTURAL RESIDENTIAL
PROPOSED ZONING	LI	LIGHT INDUSTRIAL

ADJACENT PROPERTY TABLE

NORTH	LI	LIGHT INDUSTRIAL	50' BUFFER (LI - LI)
SOUTH	AR-1	AGRICULTURAL RESIDENTIAL	50' BUFFER (LI - AR-1)
EAST	LI/B-2 /R-1	LIGHT INDUSTRIAL, BUSINESS/COMMERCIAL, RESIDENTIAL	50' BUFFER (LI - LI, LI - B-2), 200' BUFFER (LI - R-1)
WEST	AR-1	AGRICULTURAL RESIDENTIAL	5' INTERNAL BUFFER

TOTAL SITE AREA: ± 279 ACRES (± 99 ACRES DEVELOPABLE)
WETLAND AREA: ± 178 ACRES

100 YEAR FLOOD - ZONE AE
FEMA PANEL: 13103C0344E (3/16/2015)

PROPOSED LAND USE - WAREHOUSE/OFFICE

PARKING CALCULATIONS
NUMBER OF EMPLOYEES: 170 (60% OF TOTAL 290 EMPLOYEES FOR MAX SHIFT)
EMPLOYEE PARKING REQUIRED: 170 EMPLOYEES / 2 = 90 SPACES
RETAIL/SERVICE AREA: 0 SF / 10 = 0 SPACES
TOTAL REQUIRED PARKING: 90 + 0 = 90 SPACES
TOTAL PARKING PROVIDED: ± 248 SPACES

WATER - PROVIDED BY EFFINGHAM COUNTY (EXTENDED DOWN OLD RIVER ROAD AND CONNECTED TO EXISTING 12" WATER MAIN ALONG SAVANNAH PORTSIDE INTERNATIONAL PARKWAY)
SEWER - PROVIDED BY SEPTIC TANK
STORM DRAINAGE - ENTIRE DEVELOPMENT TO MEET STORMWATER MANAGEMENT CRITERIA REQUIRED BY EFFINGHAM COUNTY STORMWATER MANAGEMENT ORDINANCE.

BUILDING BREAKDOWN:

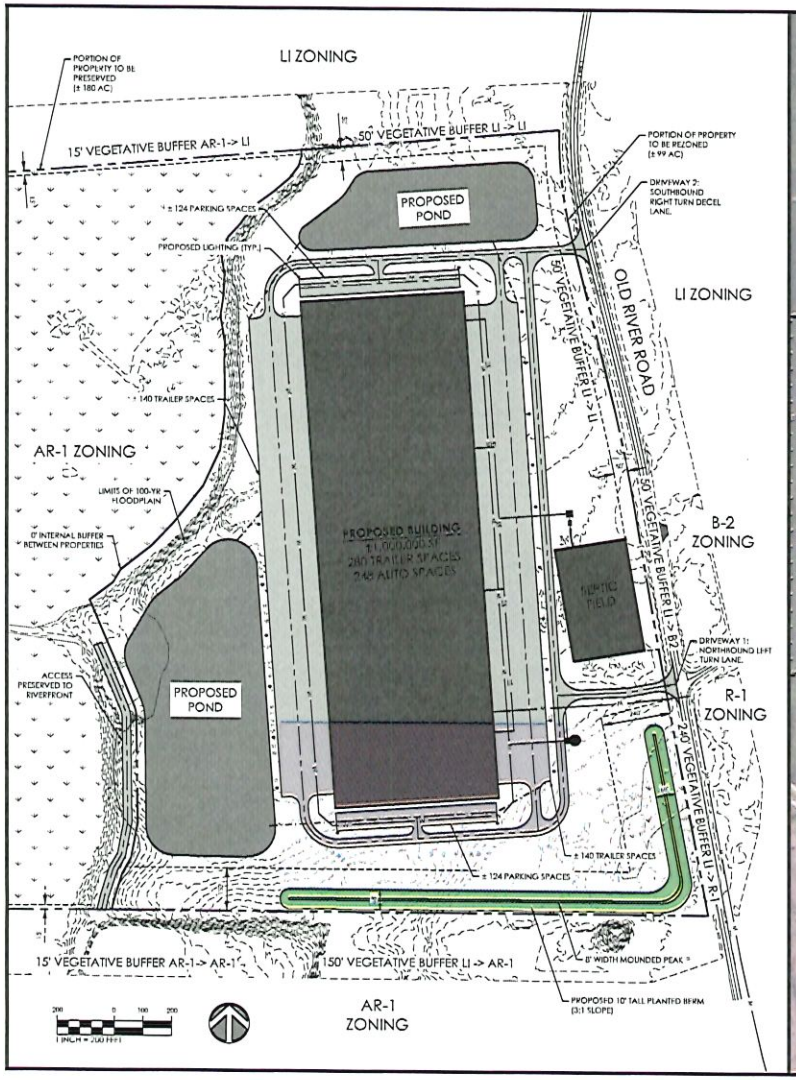
BUILDING	TOTAL SF	CLEAR HEIGHT	MAX. BLDG HEIGHT
BUILDING 1	1,000,000	40'-0"	68'-0"

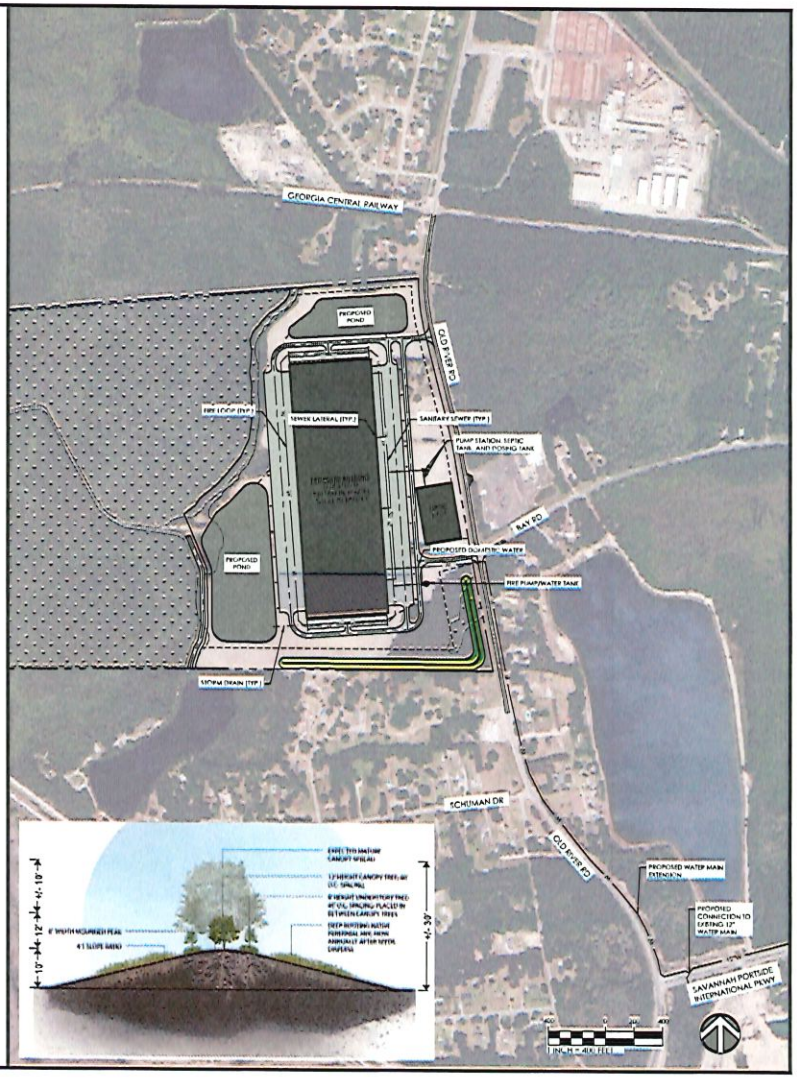
* LOADING DOCK CONDITION - 4'-0" BELOW FINISHED FLOOR ELEVATION
STRUCTURAL/PARAPET ALLOWANCE - 6'-0"

REFERENCE VERTICAL DATUM - NAVD88



VICINITY MAP 1" = 1000'





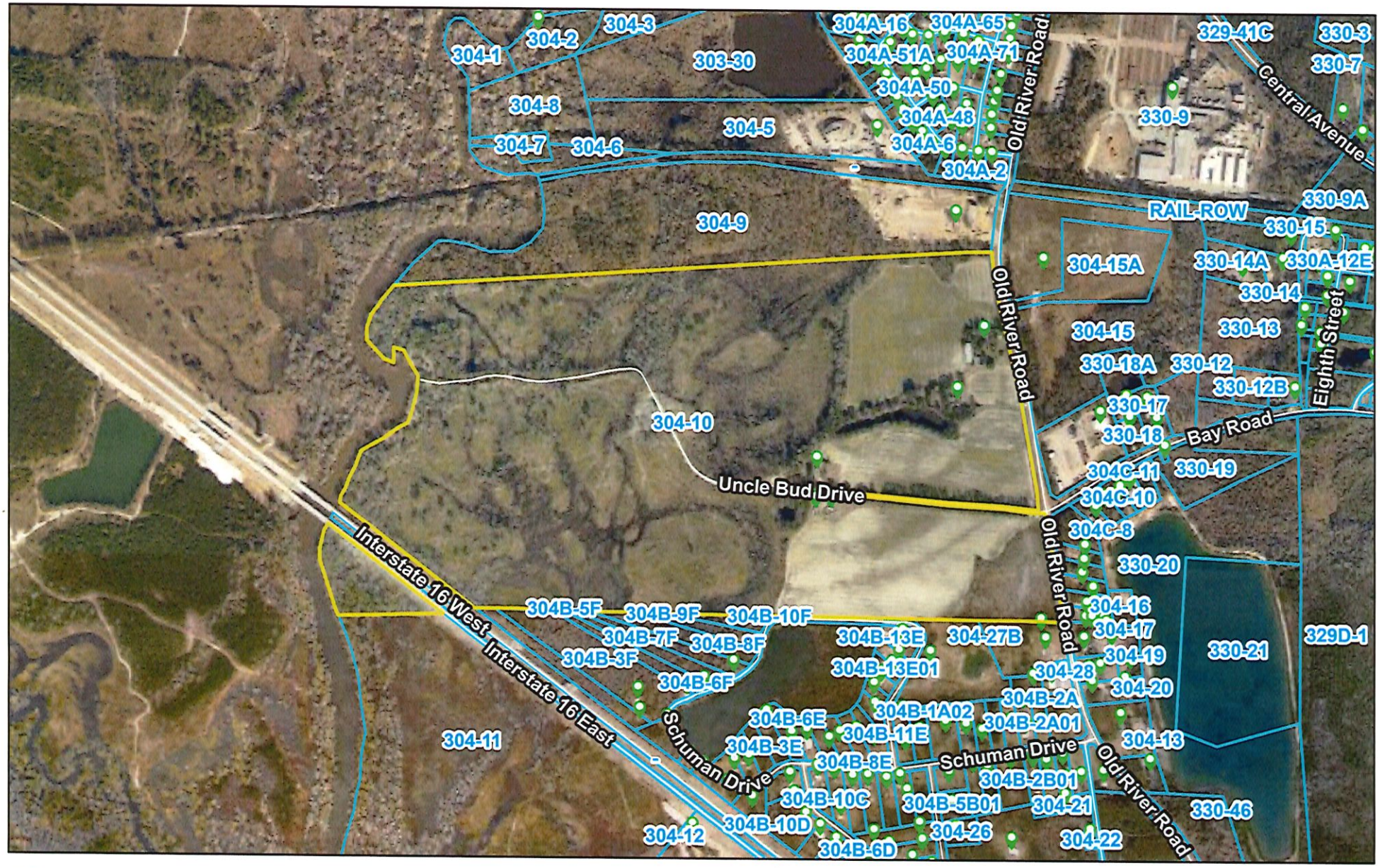
PREPARED FOR:
PANATTONI

OLD RIVER ROAD LOGISTICS
CONCEPTUAL SITE PLAN & UTILITY PLAN
EFFINGHAM COUNTY, GA
AUGUST 2026

THOMAS & HUTTON
50 Park of Commerce Way
Savannah, GA 31405 • 912.234.5300
www.thomasandhutton.com

This map illustrates a general plan of the development which is for the purposes only, does not limit or bind the owner/developer, and is subject to change and revision without prior written notice to the holder. Dimensions, boundary and position locations are for illustrative purposes only, and are subject to an accurate survey and property description.
COPYRIGHT © 2026 THOMAS & HUTTON

304-10



7/21/2026

1:14,370

0 0.1 0.2 0.4 mi

0 0.15 0.3 0.6 km

ECBOC, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA USDA

304-10



7/21/2026

Addresses
Roads
Parcels

Zoning
AR-1
AR-2
R-1
R-2
B-2
B-3
I-1
HI

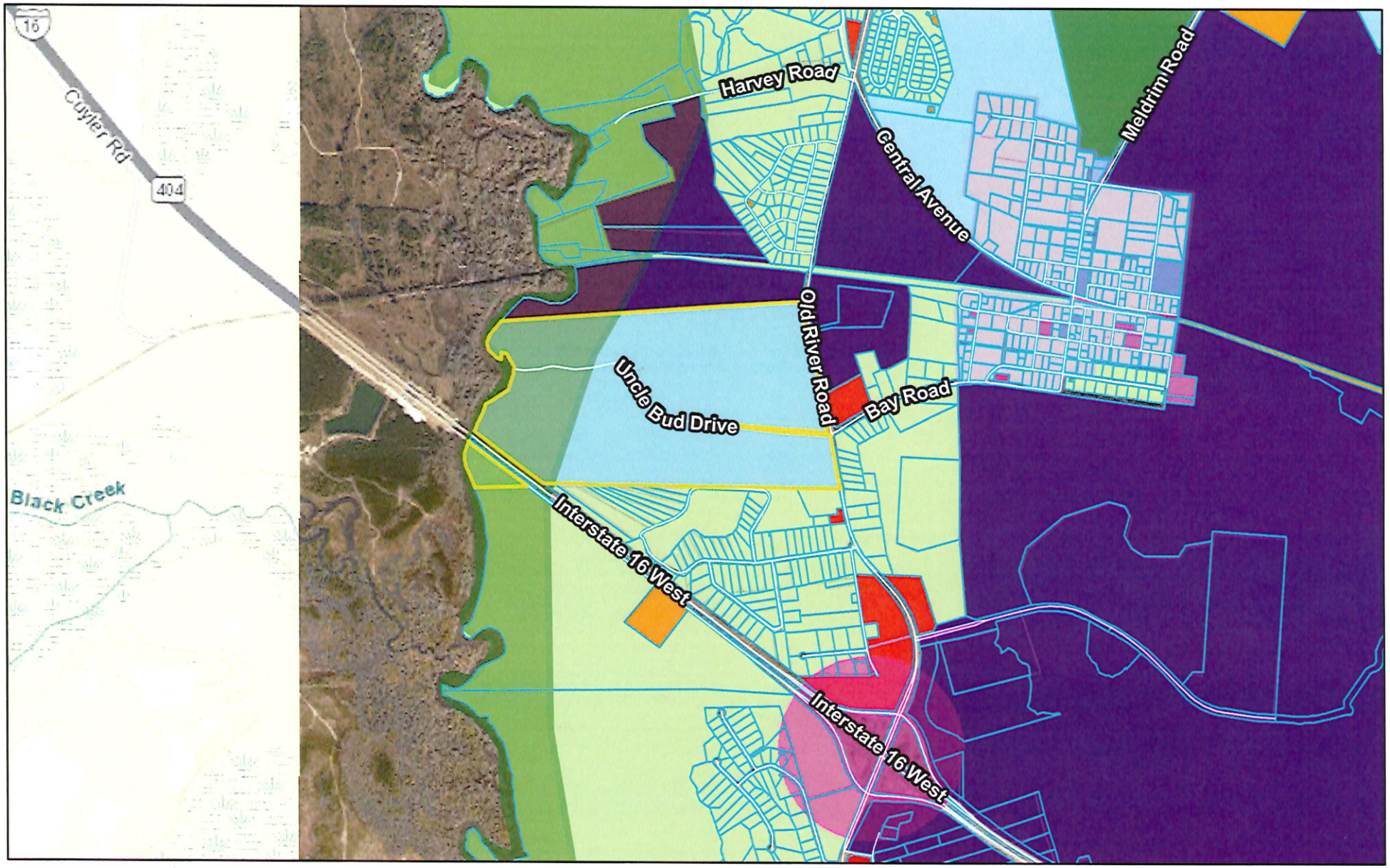
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ECBOC, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EP, USDA



7/21/2026

Roads
Parcels
acter Areas
Conservation

Development-Suburban Node
Historic Overlay District
FLUM Areas
Agricultural-Residential

Assembly Area
Commercial
Conservation-Recreation
Industrial

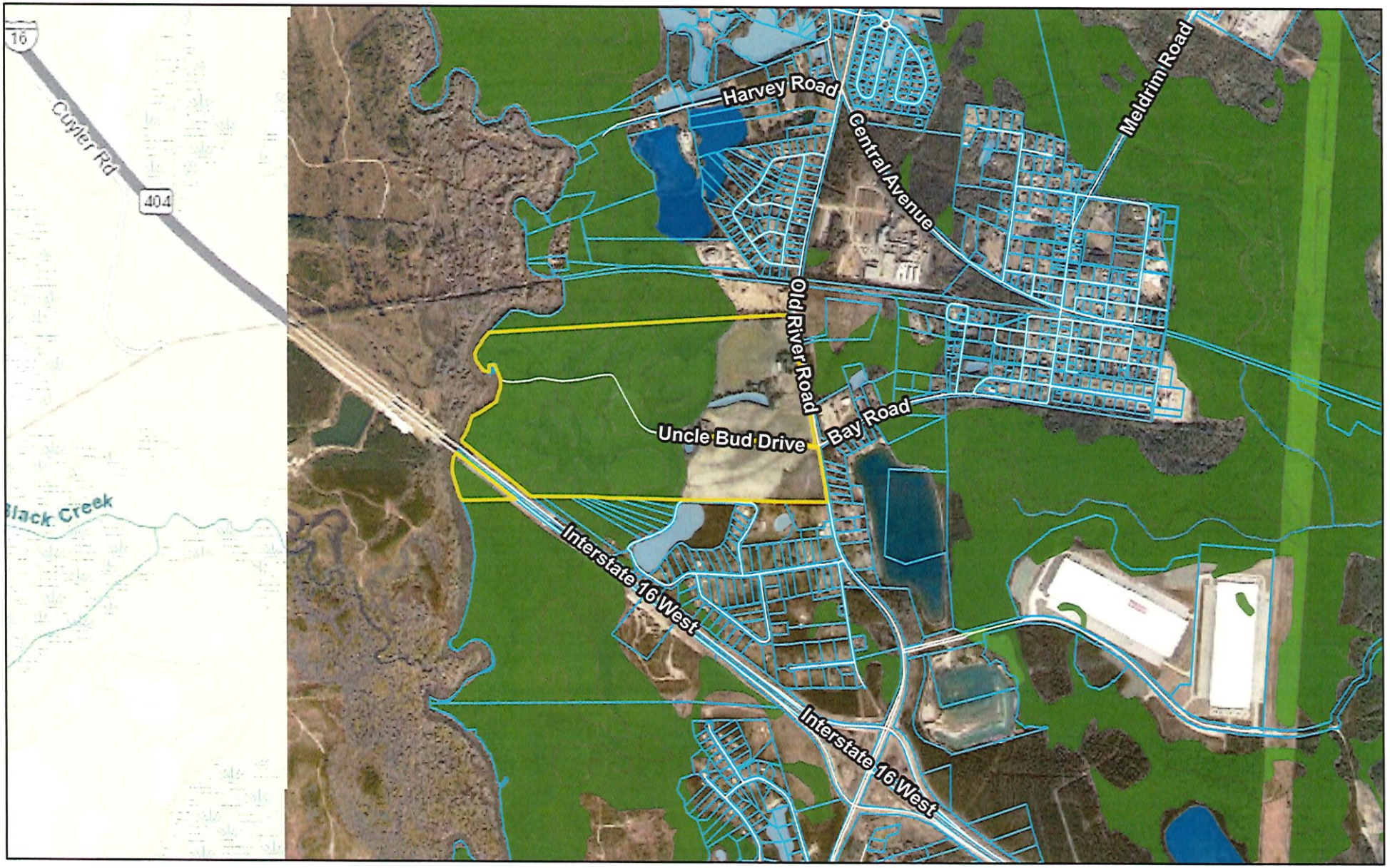
Public-Institutional
Transitional
Utility
Citations

1:28,739

0 0.2 0.4 0.8 mi

0 0.33 0.65 1.3 km

ECBOC, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EP USDA



7/21/2026

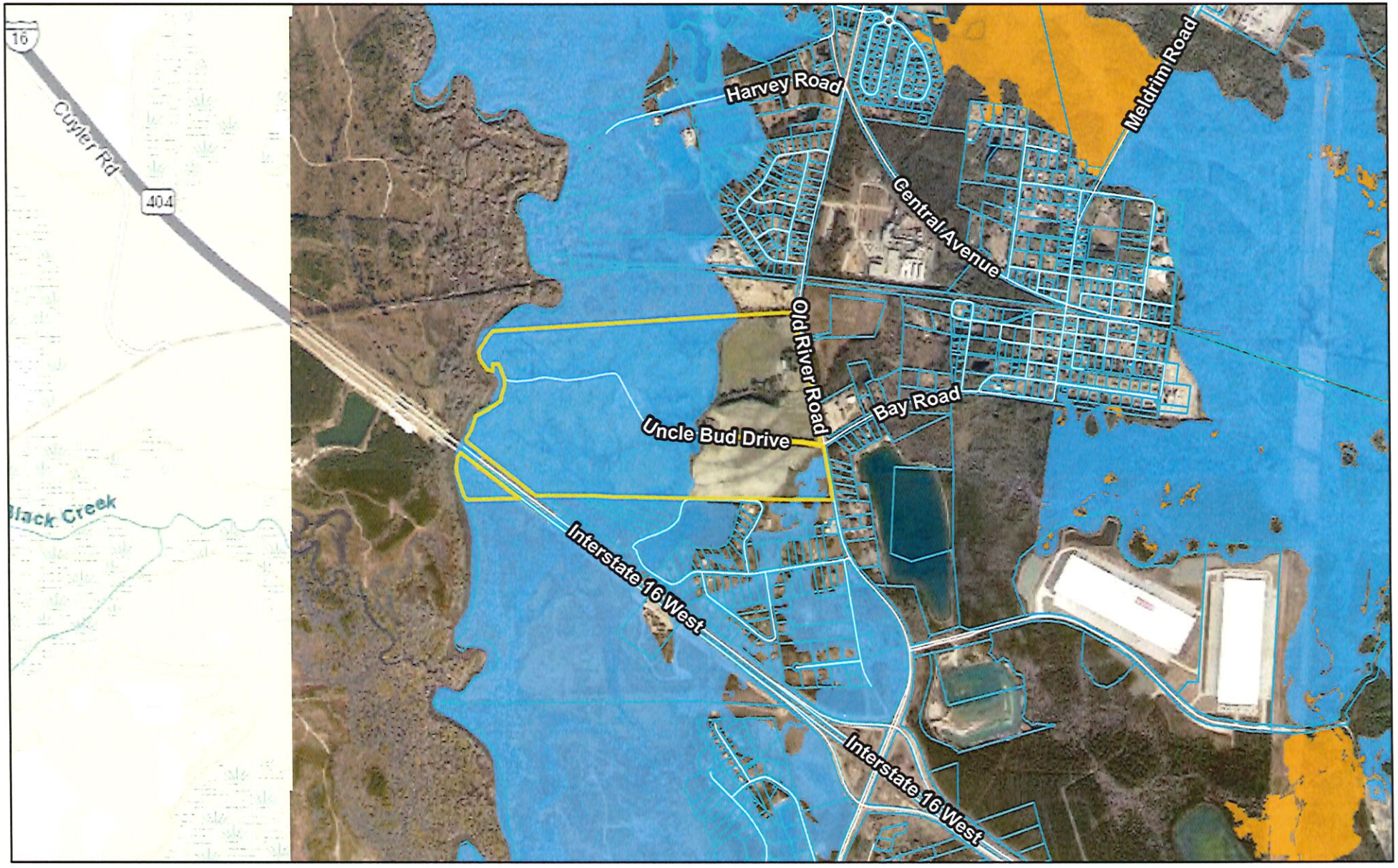
Roads
Parcels
Freshwater Emergent Wetland
Freshwater Forested/Shrub Wetland
Freshwater Pond
Lake
Riverine
Citations

1:28,739

0 0.2 0.4 0.8 mi
0 0.33 0.65 1.3 km

ECBOC, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA

304-10



7/21/2026

Roads
Parcels
A Flood Zone
AE
X, 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
X, AREA OF MINIMAL FLOOD HAZARD
Citations

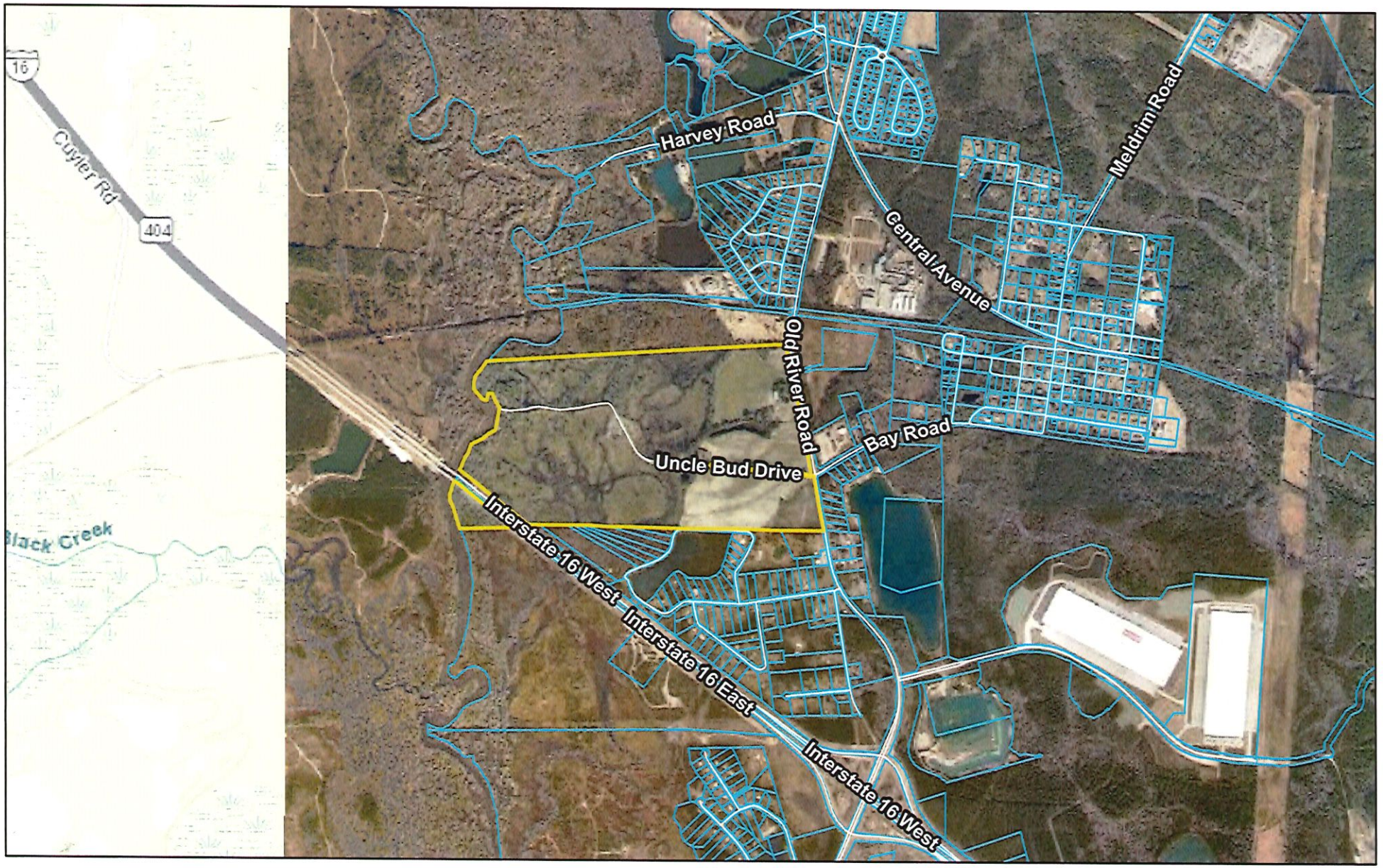
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ECBOC, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA USDA

304-10



7/21/2026

Roads

Parcels

Citations

1:28,739

0 0.2 0.4 0.8 mi

0 0.33 0.65 1.3 km

ECBOC, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA USDA

ANDERSON MERVIN
1295 Old River Rd
Bloomingdale, GA 31302

BL AND L PROPERTIES LLC
1171 OLD RIVER RD
AKA 115 BAY RD
MELDRIM, GA 31318

BROWN REX M
1024 ANGELA DR
JACKSON, SC 29831

CLARK PAUL L AND LORI J
120 BAY RD
MELDRIM, GA 31318

CONYERS TERESA D AND BILLY E
1279 OLD RIVER RD
BLOOMINGDALE, GA 31302

COOPER MARK G AND MARY D AND LA
P O BOX 72
FURMAN, SC 29921

HAMILTON RUFUS C
2152 SANDHILL RD
GUYTON, GA 31312

HAMILTON RUFUS CRAIG
2152 SANDHILL RD
GUYTON, GA 31312

HAYMANS WILLIAM H ESTATE
P O BOX 315
MELDRIM, GA 31318

HAYMANS WILLIAM H JR, (BILLY)
PO BOX 315
MELDRIM, GA 31318

HAYMANS WILLIAM
P O BOX 315
MELDRIM, GA 31318

HOLCOMBE SHANE T AND AMY M
1287 OLD RIVER RD
BLOOMINGDALE, GA 31302

JONES HARTSOCK STACY AND HARTS(
1372 OLD RIVER RD
BLOOMINGDALE, GA 31302

LOYD WILLIAM ANTHONY AND RYAN NI
1283 OLD RIVER RD
BLOOMINGDALE, GA 31302

MAGAZINE AVENUE REALTY LLC
1054 OLD RIVER RD
BLOOMINGDALE, GA 31302

MCDOWELL JOHN R, C/O JOHN H MCD(
P O BOX 302
CLEVELAND, GA 30528

MORRIS STEPHEN A
1291 OLD RIVER ROAD
BLOOMINGDALE, GA 31302

PHILLIPS JOLETTA EDWARDS
177 SANDY HILL ROAD
BLOOMINGDALE, GA 31302

PHILLIPS JOLETTA
177 SANDY HILL RD
BLOOMINGDALE, GA 31302

RIVER ROAD PARTNERS I LLC
260 S OCEOLA 1406
ORLANDO, FL 32801

SAPP HUBERT C AND LETITIA M
1443 OLD RIVER RD
BLOOMINGDALE, GA 31302

STARLING CAROLINE, SCHUMAN
210 SANDY HILL RD
BLOOMINGDALE, GA 31302

TRIJILLO AVILA FRANSISCO M
451 SCHUMAN RD
BLOOMINGDALE, GA 31302

23

Terracon

2201 Rowland Ave
Savannah, Georgia 31404
P (912) 629 4000
F (912) 629-4001
Terracon.com

January 28, 2026

PDC Atlanta, LLC
(a Delaware Limited Liability Company)
9040 Roswell Road, Suite 420
Atlanta, Georgia 30350

Attn: Mr. Joe Guion / Local Partner
E: jguion@panattoni.com

Re: **Level III Soil Survey**
Old River Road
1180 Old River Road
Bloomingdale, Effingham County, Georgia
Terracon Project No. ES257310

Dear Mr. Guion:

Terracon Consultants, Inc. (Terracon) has completed a Level III Soil Survey for the above-referenced site located off at 1180 Old River Road, in Effingham County, Georgia. The work was performed in general accordance with the rules of the Georgia Department of Public Health for On-Site Sewage Management Systems (June 2025). This investigation was performed to evaluate the on-site material and determine if the study areas are suitable for the intended use of the installation of a septic drain field. The following report presents a brief description of the site conditions, our exploration procedures, findings, and recommendations.

We appreciate the opportunity to be of service to you on this project. If there are any questions regarding this report or if we may be of further assistance, please do not hesitate to contact us.

Sincerely,
Terracon Consultants, Inc.

Jordan H. Caldwell
Senior Staff Geologist

Christopher Barr, PE
Senior Principal / Office Manager

Stewart A. Dixon, PG
Principal / Senior Geologist

Attachments:
Exhibits

Executive Summary

County:	Effingham
Dates Survey Performed:	1/21/2026 and 1/22/2026
Owner:	PDC Atlanta, LLC
Site Location / Address:	Old River Road (32.138688°N, -81.390458°W) 1180 Old River Road Bloomingdale, Effingham County, Georgia
Phone Number:	(404) 921-2011
Subdivision:	N/A
Map Scale:	Exhibit 1 – Topographic Map: 1" = 2,000' Exhibit 2 – Site Diagram: 1" = 100' Exhibit 3 – Study Area 1 Soil Survey Map: 1" = 50'
Intensity of Investigation:	Level III
Certified Soil Classifier:	Christopher W. Barr, P.E., Georgia P.E. #033592

Soil Properties

Soil Series	Slope (%)	Depth to Bedrock (inches BGS)	Depth to Seasonal High Water (inches BGS)	Estimated Absorption Rate at Recommended Depth (minutes/inch)	Recommended Trench Depth (inches BGS)	Suitability Code
Foxworth	0-25	>72	38-42	<5	14	A
Meldrim	0-6	>72	38	<5	14	A

BGS = Below Ground Surface
N/A = Not Applicable

Suitability Code Descriptions and General Notes

A: These soils are suitable for installation of on-site systems with proper system design, installation, and maintenance. Position of the site or other soil and landscape considerations may require the drainfield area to be greater than the minimum and/or the drainfield design to require equal distribution or level field installation.

1.0 Project Description

As part of the septic drain field design for a proposed warehouse facility development, the client has requested a Level III Soil Survey be completed within an approximate 2.4-acre area located at 1180 Old River Road, Bloomingdale, Georgia (Effingham County Parcel Number 03040010), as shown in the attached Exhibit 1. The study area is located with an approximate center coordinated of 32.138688°N, 81.390458°W.

This survey is being conducted as a Level III Soil Survey, for the use of the land for on-site sewage management. The soil borings and infiltration tests were advanced across the client-requested study area, which is depicted on Exhibit 3.

2.0 Exploration and Testing Procedures

Prior to exploration and testing procedure completion, Terracon performed a review of the previously mapped United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Classifications for the area. Previously mapped soil series within the study area indicated that Foxworth sand and Meldrim sand are the primary soil series within the study area.

Ten hand auger borings (B-1 through B-10) were advanced within the study area to approximately 72 inches below ground surface (bgs). Groundwater was not encountered in any of the soil borings within the study area. Indicators of seasonal high groundwater table were encountered at depths ranging from 38 inches bgs to 45 inches bgs.

Soil lithology observations from borings B-4, B-5, B-9, and B-10 exhibit characteristics of the Foxworth soil series, consisting predominantly of loose, poorly graded, fine- to medium-grained sand with fine root material extending from the surface to approximately 72 inches below ground surface (bgs). Borings B-2, B-3, B-6, B-7, and B-8 similarly display characteristics consistent with Foxworth soils; however, these borings transition to a clayey sand at depths of approximately 40 inches bgs. Soils encountered in boring B-1 also included mostly poorly graded, fine to medium grained sand however color characteristics and trace lenses of loamy fines were more representative of the Meldrim soil series.

Ten hydraulic conductivity tests were performed within the study area. These tests were performed immediately adjacent to soil borings B-1 through B-10 (Exhibit 3). All the tests were performed at 24 inches bgs. As described above, hydraulic conductivity testing was performed within the Meldrim soil series at B-1, and within the Foxworth soil series at B-2 through B-10.

All of Terracon's work was performed under the direct supervision of a State of Georgia certified soil classifier and Georgia Professional Engineer. The on-site soils were evaluated in

general accordance with the *Georgia Manual for On-Site Sewage Management Systems* (June 2015).

3.0 Site Subsurface Conditions

The proposed absorption field is located in the Atlantic Coastal Plain Physiographic Province. The soils encountered in the hand auger borings were classified as Foxworth and Meldrim soils. The following paragraphs (with some language taken from the Natural Resources Conservation Service [NRCS] Soil Survey) present a brief description of the soil series.

Foxworth – The Foxworth soil series consists of very deep, moderately well to somewhat excessively drained, rapid to very rapid permeable soils on broad uplands and side slopes. They formed in sandy marine or eolian sediments in the Southern Coastal Plain, the Eastern Gulf Coast Flatwoods, the Atlantic Coast Flatwoods, and the Tidewater Area. Near the type location, the mean annual temperature is about 68 degrees F., and the mean annual precipitation is about 56 inches. Slopes range from 0 to 25 percent.

The soil profiles as described by the NRCS soil survey generally consists of the following:

- 0 to 4 inches; grayish brown (10YR 5/2) sand; single grained; loose; many fine roots; strongly acid; gradual wavy boundary.
- 4 to 10 inches; brown (10YR 5/3) sand; single grained; loose; common fine roots; strongly acid; clear smooth boundary.
- 10 to 40 inches; light yellowish brown (10YR 6/4) sand; single grained; loose; common fine roots; strongly acid; gradual wavy boundary.
- 40 to 52 inches; very pale brown (10YR 7/4) sand; single grained; loose; common uncoated sand grains; few fine roots; common fine distinct yellowish brown (10YR 5/6) masses of iron accumulations; common fine faint pale brown (10YR 6/3) areas of iron depletions; strongly acid; gradual wavy boundary.
- 52 to 58 inches; light gray (10YR 7/1) sand; single grained; loose; few fine roots; common to many uncoated sand grains; many fine distinct yellowish brown (10YR 5/6), common medium distinct strong brown (7.5YR 5/6), and yellowish red (5YR 4/6), and many fine faint very pale brown (10YR 7/3) masses of iron accumulation, strongly acid; gradual wavy boundary.
- 58 to 64 inches; very pale brown (10YR 7/4) sand; single grained; loose; few fine roots; many uncoated sand grains; many fine faint light yellowish brown (10YR 6/4), many fine distinct strong brown (7.5YR 5/6) and yellowish red (5YR 4/6) masses of iron accumulation; many fine faint light gray (10YR 7/2) areas of iron depletions; strongly acid; gradual wavy boundary.

- 64 to 80 inches; light gray (10YR 7/2) sand; single grained; loose; many uncoated sand grains; few small quartz pebbles; common fine faint light yellowish brown (10YR 6/4) and few fine distinct yellowish brown (10YR 5/6) masses of iron accumulation; strongly acid.

Meldrim – The Meldrim soil series consists of very deep, moderately well drained, very high or high in the upper part and high or moderately high in the lower part saturated hydraulic conductivity. These soils formed in marine and fluviomarine deposits or eolian deposits of the middle and lower Coastal Plain. These soils are on upland flats and marine terraces. Slopes range from 0 to 6 percent.

The soil profiles as described by the NRCS soil survey generally consists of the following:

- 0 to 5 inches; very dark grayish brown (10YR 3/2) sand; single grain; loose; many fine and medium roots throughout; moderately acid, pH 5.8, Hellige-Truog; clear smooth boundary.
- 2 to 22 inches; brownish yellow (10YR 6/6) sand; single grain; loose; many fine roots and few medium roots throughout; moderately acid, pH 5.8, Hellige-Truog; clear smooth boundary.
- 22 to 37 inches; brownish yellow (10YR 6/6) sand; single grain; loose; few fine prominent strong brown (7.5YR 5/6) masses of oxidized iron and common medium distinct yellowish brown (10YR 5/8) masses of oxidized iron; common coarse prominent vertical seams of pale yellow (2.5Y 7/3) uncoated sand grains; moderately acid, pH 5.8, Hellige-Truog; gradual wavy boundary.
- 37 to 50 inches; yellow (10YR 7/6 sand; single grain; loose; common medium prominent yellowish red (5YR 5/8) masses of oxidized iron and medium distinct strong brown (7.5 YR 5/6) masses of oxidized iron and medium distinct yellowish brown (10YR 5/8) masses of oxidized iron and common medium prominent light gray (10YR 7/2) iron depletions; strongly acid, pH 5.3, Hellige-Truog; common very pale brown (10YR 8/2) pockets of uncoated sand grains; gradual wavy boundary.
- 50 to 56 inches; light yellowish brown (10YR 6/4) loamy fine sand; weak fine granular structure; very friable; common medium prominent yellowish red (5YR 5/8) masses of oxidized iron and common medium distinct strong brown (7/5YR 5/6) masses of oxidized iron and common medium distinct yellowish brown (10YR 5/6) masses of oxidized iron and many medium prominent light gray (10YR 7/2) iron depletions; strongly acid, pH 5.3, Hellige-Truog; common very pale brown (10YR 8/2) pockets of uncoated sand grains; gradual wavy boundary.
- 56 to 63 inches; light yellowish brown (10YR 6/4) sandy loam; weak medium subangular blocky structure; friable; many continuous clay bridges between sand grains; common medium prominent yellowish red (5YR 5/8) masses of oxidized iron and common medium prominent strong brown (7/5YR 5/6) masses of oxidized iron and

many medium prominent light gray (10YR 7/2) iron depletions; strongly acid, pH 5.3, Hellige-Truog; gradual wavy boundary.

- 63 to 80 inches; light brownish gray (10YR 6/2) sandy clay loam; weak medium subangular blocky structure; friable; few percent discontinuous clay films on all faces of peds; 3 percent plinthite nodules; common medium prominent yellowish red (5YR 5/8) masses of oxidized iron and common medium prominent strong brown (7.5YR 5/6) masses of oxidized iron and many medium prominent light gray (10YR 7/2) iron depletions; strongly acid, pH 5.3, Hellige-Truog.

The seasonal high-water table is typically based on the types of materials encountered, color, chroma, values, and mottling. These levels are approximate and may only be present at certain times of the year. Groundwater levels may fluctuate due to rainfall variations and with changes in the water level. Typically, the highest groundwater levels occur in late winter and spring, with the lowest levels occurring in late summer and fall. This may not always be the case with soils; however, it is generally true.

Table 1: Soil Series Description

Boring Number	Encountered Groundwater Depth (Inches BGS)	Estimated Depth to Seasonal High Groundwater (Inches BGS)	Depth of Refusal (Inches BGS)	Identified Soil Type	Recommended Trench Depth (Inches BGS)
B-1	>72	38	>72	Meldrim	14
B-2	>72	40	>72	Foxworth	16
B-3	>72	38	>72	Foxworth	14
B-4	>72	39	>72	Foxworth	15
B-5	>72	42	>72	Foxworth	18
B-6	>72	42	>72	Foxworth	18
B-7	>72	40	>72	Foxworth	16
B-8	>72	45	>72	Foxworth	21
B-9	>72	40	>72	Foxworth	16
B-10	>72	38	>72	Foxworth	14

BGS = Below Ground Surface

4.0 Saturated Hydraulic Conductivity Testing

10 saturated hydraulic conductivity tests were performed within the study area immediately adjacent to the soil borings (Exhibits 3). The saturated hydraulic conductivity tests were completed to determine field saturated hydraulic conductivity based on the Reynolds and

Elrick method in general accordance with Subsection 6 (Saturated Hydraulic Conductivity Guidance) of Section C – Soil Information of the *Georgia Department of Public Health's Manual for On-Site Sewage Management Systems* (June 2025). The following tables outline the test results within each study area.

Table 2: Saturated Hydraulic Conductivity Testing Summary

Test Location	Soil Map Unit	Depth (Inches)	Saturated Hydraulic Conductivity (Ksat)				
			cm/min	m/sec	in/hr	in/day	in/week
Test 1 (B-1)	Meldrim	24	4.4E-04	4.37E-06	0.62	14.87	104.10
Test 2 (B-2)	Foxworth	24	3.6E-04	3.55E-06	0.50	12.09	84.64
Test 3 (B-3)	Foxworth	24	4.1E-04	4.12E-06	0.58	14.03	98.16
Test 4 (B-4)	Foxworth	24	7.0E-04	7.00E-06	0.99	23.82	166.74
Test 5 (B-5)	Foxworth	24	5.5E-04	5.51E-06	0.78	18.74	131.19
Test 6 (B-6)	Foxworth	24	6.3E-04	6.29E-06	0.89	21.40	149.81
Test 7 (B-7)	Foxworth	24	6.0E-04	6.01E-06	0.85	20.43	143.04
Test 8 (B-8)	Foxworth	24	8.0E-04	7.96E-06	1.13	27.08	189.59
Test 9 (B-9)	Foxworth	24	6.8E-04	6.79E-06	0.96	23.09	161.66
Test 10 (B-10)	Foxworth	24	5.1E-04	5.08E-06	0.72	17.29	121.03
			Geometric Mean		0.78	18.73	131.14
			Arithmetic Mean		0.80	19.29	135.00

Notes:

Ksat testing completed on-site using a Pask Permeameter.
cm/min = centimeters per minute, m/sec = meters per second
in/hr = inches per hour; in/day = inches per day; and in/week = inches per week

Based on the Ksat hydraulic conductivity values, Terracon's Percolation Rate converts to **approximately <5 minutes per inch**. This value places the Foxworth and Meldrim soils into Group I – Sands (Sand and Loamy Sand).

5.0 Findings and Opinions

The following findings and opinions are based upon our understanding of the proposed system construction and the field exploration performed. If the above-described project conditions are incorrect or changed after the issuance of this report, or subsurface conditions encountered during construction are different from those described, Terracon should be notified as our opinions must be re-evaluated so appropriate revisions can be made, if warranted.

5.1 Findings

The study areas surveyed by Terracon were previously mapped by NRCS as Foxworth Sand and Meldrim Sand. During field work activities, Terracon confirmed that material consisting of Meldrim soils was observed at B-1 and material generally consisting of the Foxworth soil series were observed at B-2 through B-10.

At the time of our investigation, saturated soils (groundwater) were not encountered at any of the borings advanced within the study area. The seasonal high groundwater table within the study area was encountered at depths ranging from approximately 38 to 45 inches bgs.

The Foxworth soil series generally consisted of sand to depths of approximately 40 inches bgs, then graded to clayey sand to depths of approximately 72 inches bgs. Meldrim soils generally consisted of sand to a depth of approximately 72 inches bgs.

Percolation rates converted to less than 5 minutes per inch within the study area.

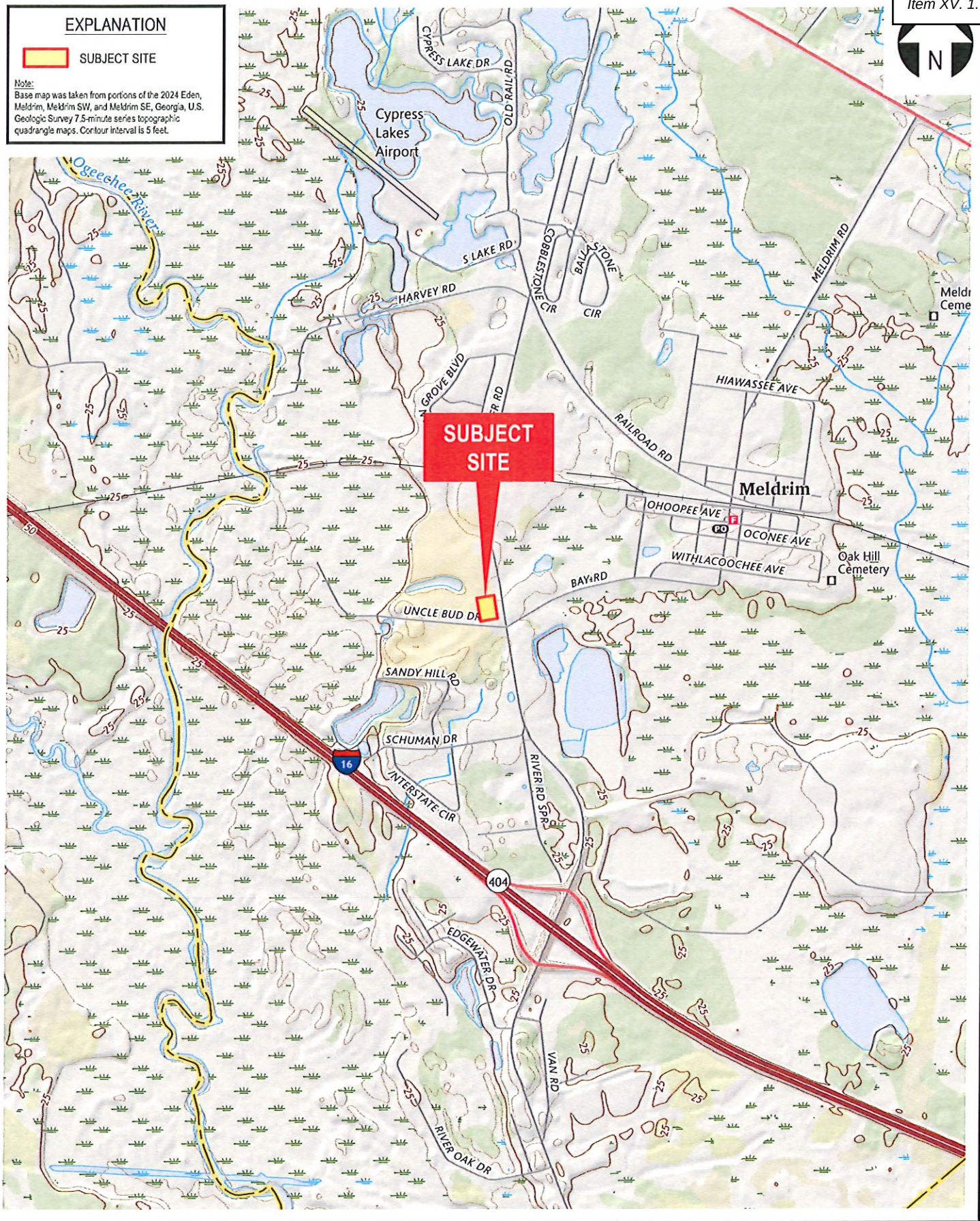
5.1 Opinions

It is Terracon's opinion that the study area is suitable for a traditional septic drain field system. The Georgia Department of Health requires at least 24 inches of separation between the bottom of the drain lines and the estimated seasonal high groundwater table. The depth to seasonal high groundwater table within the study area ranges from approximately 38 to 45 inches bgs, which is more than the required 24 inches of separation.

5.2 Setbacks

All required setbacks must be observed and honored. Absorption fields must be located more than 100 feet from existing or proposed drinking water wells; more than 50 feet from water bodies; more than 10 feet from water supply lines; and more than 5 feet from building structures without basements.

ATTACHMENTS



0 1,000' 2,000'
1" = 2,000'
SCALE IN FEET

Project Mngr:	JHC
Drawn By:	KMB
Checked By:	JHC
Approved By:	SAD

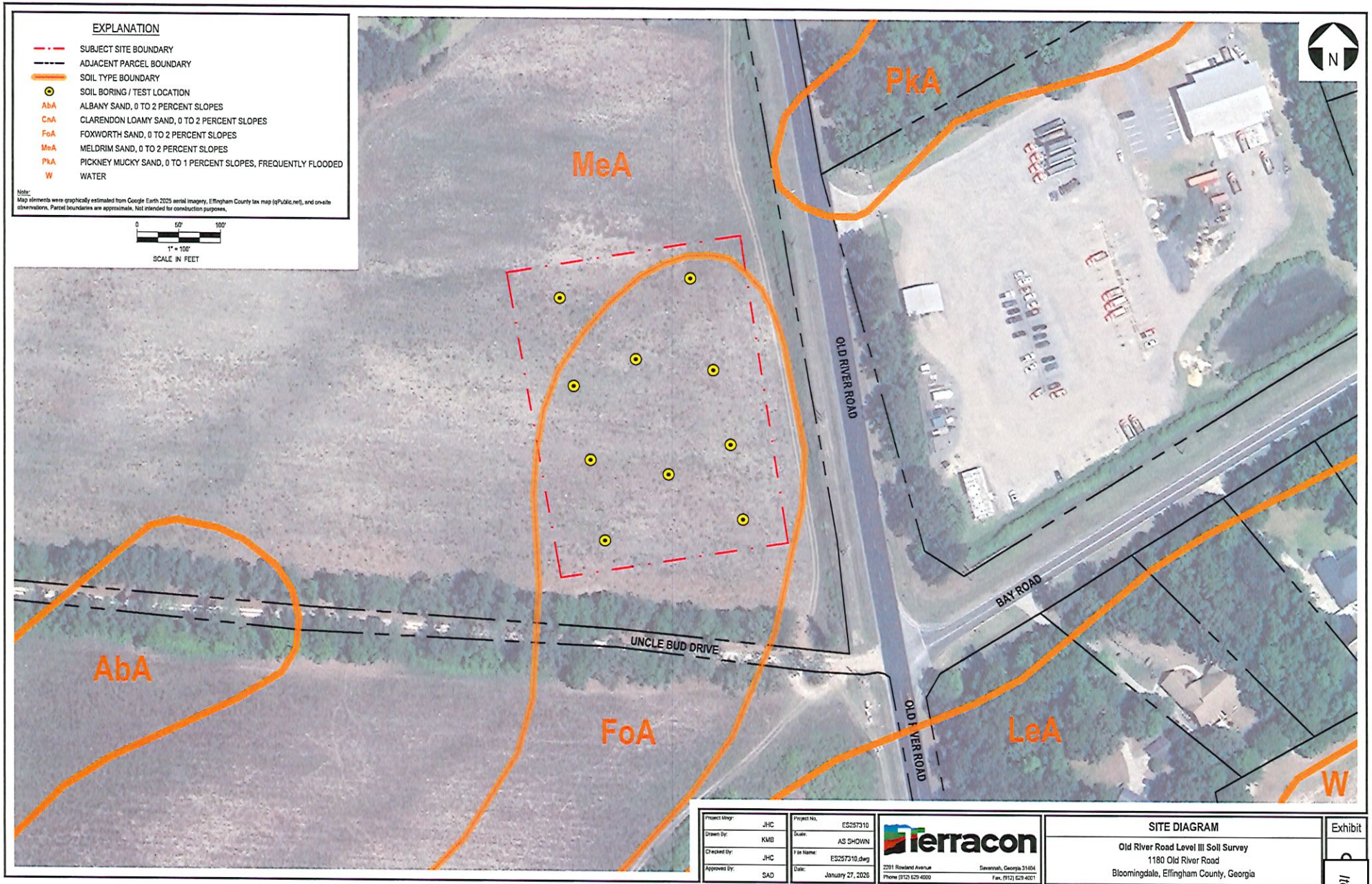
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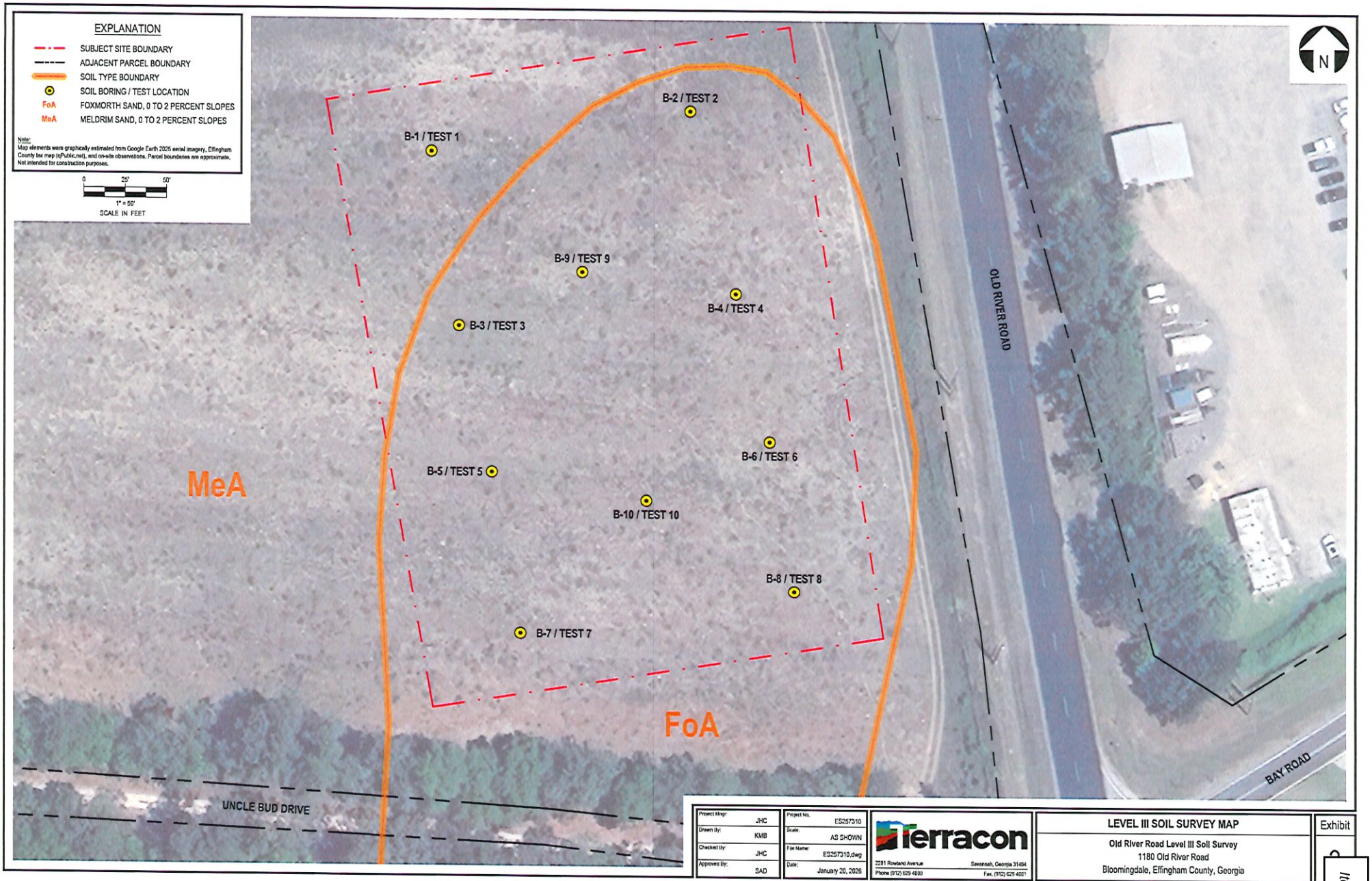
Terracon
2201 Rowland Avenue Savannah, Georgia 31404
Phone (912) 629 4000 Fax (912) 629 4001

TOPOGRAPHIC MAP

Old River Road Level III Soil Survey
1180 Old River Road
Bloomingdale, Effingham County, Georgia

Exhibit


EXPLANATION
SUBJECT SITE BOUNDARY
ADJACENT PARCEL BOUNDARY
SOIL TYPE BOUNDARY
SOIL BORING / TEST LOCATION
AbA ALBANY SAND, 0 TO 2 PERCENT SLOPES
CnA CLARENDON LOAMY SAND, 0 TO 2 PERCENT SLOPES
FoA FOXWORTH SAND, 0 TO 2 PERCENT SLOPES
MeA MELDRIM SAND, 0 TO 2 PERCENT SLOPES
PkA PICKNEY MUCKY SAND, 0 TO 1 PERCENT SLOPES, FREQUENTLY FLOODED
W WATER
Note:
Map elements were graphically estimated from Google Earth 2025 aerial imagery, Effingham County tax map (qPublic.net), and on-site observations. Parcel boundaries are approximate. Not intended for construction purposes.
0 50' 100'
1" = 100'
SCALE IN FEET
N
PkA
MeA
OLD RIVER ROAD
BAY ROAD
UNCLE BUD DRIVE
AbA
FoA
LeA
W
Project Mngr: JHC
Drawn By: KMB
Checked By: JHC
Approved By: SAD
Project No. ES257310
Scale: AS SHOWN
File Name: ES257310.dwg
Date: January 27, 2026
Terracon
2201 Rowland Avenue Savannah, Georgia 31404
Phone (912) 629-4000 Fax (912) 629-4001
SITE DIAGRAM
Old River Road Level III Soil Survey
1180 Old River Road
Bloomingdale, Effingham County, Georgia
Exhibit



Project Mngr: JHC	Project No: ES25310	Terracon	LEVEL III SOIL SURVEY MAP
Drawn By: KMB	Scale: AS SHOWN	2201 Rowland Avenue Savannah, Georgia 31404	Old River Road Level III Soil Survey
Checked By: JHC	File Name: ES25310.dwg	Phone (912) 629 4000 Fax (912) 629 4001	1180 Old River Road
Approved By: SAD	Date: January 20, 2026		Bloomingdale, Effingham County, Georgia

Exhibit C

7 April 2026

US Army Corps of Engineers
Savannah District / Regulatory Division
Attention: CESAS-RD (Sarah Wise, Coastal Branch Chief)
100 West Oglethorpe Avenue
Savannah, Georgia 31401-3640

Subject: Request for Approved Jurisdictional Determination and Delineation Concurrence **RLC# 24-156.1**
1180 Old River Road
Effingham County, Georgia

Dear Ms. Wise:

Resource & Land Consultants (RLC), on behalf of the Panattoni Development Company, LLC, is submitting the attached information requesting an Approved Jurisdictional Determination (AJD) and Delineation Concurrence (DC) for the subject site located on, Effingham County, Georgia (32.139017°, -81.391551°). The delineation was conducted in accordance with the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region Version 2, and 33 CFR Part 328 & 329. Based on our delineation, the ~283.71-acre site contains approximately 109.87 acres of upland, 171.27 acres of wetland, 0.11 acres of Ogeechee River, and 2.47 acres of non-jurisdictional pond.

On May 25, 2023, the U.S. Supreme Court (SCOTUS) ruled in Sackett v. U.S. Environmental Protection Agency (EPA) that the Clean Water Act (CWA) only extends to wetlands that have a "continuous surface connection" with "waters of the United States" (WOTUS).

Additionally, the *MEMORANDUM TO THE FIELD BETWEEN THE U.S. DEPARTMENT OF THE ARMY, U.S. ARMY CORPS OF ENGINEERS AND THE U.S. ENVIRONMENTAL PROTECTION AGENCY CONCERNING THE PROPER IMPLEMENTATION OF "CONTINUOUS SURFACE CONNECTION" UNDER THE DEFINITION OF "WATERS OF THE UNITED STATES" UNDER THE CLEAN WATER ACT* dated 12 March 2025 provided clarity regarding "continuous surface connection" and rescinded any components of guidance or training materials that assumed a discrete feature established a continuous surface connection.

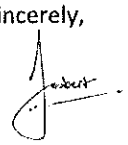
In light of the SCOTUS ruling and the EPA Memorandum to the field, we are requesting an AJD confirming wetland C and ponds 1 & 2 are not Waters of the U.S.

The attached information includes the following:

- USACE Form ENG6247: Request for Jurisdictional Determination
- USACE Form ENG6294: Right of Entry
- USACE Form ENG6295: Agent Authorization
- Figures/Site Maps
- GPS Wetland Delineation Exhibit
- Atlantic and Gulf Coastal Plain Region Wetland Determination Data Forms
- DFIRM Map

We greatly appreciate your assistance with this project. If you have any questions or require a site inspection, please contact us at (912) 443-5896.

Sincerely,



Simon Joubert
Project Manager
Resource & Land Consultants

cc: Mr. Boltin Teeter – Panattoni Development Company, LLC

RESOURCE+LAND CONSULTANTS

APPENDIX A:

JD Request, Right of Entry, Agent Authorization Forms

U.S. Army Corps of Engineers (USACE)

REQUEST FOR JURISDICTIONAL DETERMINATION (JD)

For use of this form, see Sec 404 CWA, Sec 10 RHA, Sec 103 MPRSA; the proponent agency is CECW-COR.

Form Approved -
OMB No. 0710-0024
Expires 2027-09-30

DATA REQUIRED BY THE PRIVACY ACT OF 1974

Authority Rivers and Harbors Act, Section 10, 33 USC 403; Clean Water Act, Section 404, 33 USC 1344; Marine Protection, Research, and Sanctuaries Act, Section 103, 33 USC 1413; Regulatory Programs of the Corps of Engineers; Final Rule 33 CFR 320-332.

Principal Purpose The information that you provide will be used in evaluating your request to determine whether there are any aquatic resources within the review area that are or that may be subject to federal jurisdiction under the regulatory authorities referenced above.

Routine Uses This information may be shared with the Department of Justice and other federal, state, and local government agencies, and the public, and may be made available as part of a public notice or FOIA request as required by federal law. Your name and property location where federal jurisdiction is to be determined will be included in any approved jurisdictional determination (AJD), which will be made available to the public on the District's website and on the Headquarters USACE website.

Disclosure Submission of requested information is voluntary, however, if the information is not provided there may be some delay in processing your request. Failure to provide this information will not result in an adverse action.
System of Record Notice (SORN): The information received is entered into our permit tracking database and a SORN has been completed (SORN #A1145b) and may be accessed at the following website:
http://dpcld.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570115/a1145b-ce.aspx

The Agency Disclosure Notice (ADN)

The Public reporting burden for this collection of information, 0710-0024, is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

1. To (*District Name*): Savannah

2. I am requesting a JD on property located at (*Street Address*): 1180 Old River Road

City/Township/Parish: Bloomingdale County: Effingham State: Georgia

Acreage of Parcel/Review Area for JD: 95.82

Section: Township: Range:

Latitude (*decimal degrees*): 32.139017 ° Longitude (*decimal degrees*): -81.391551 °

(*For linear projects, please include the center point of the proposed alignment.*)

3. Please attach a survey/plat map and vicinity map identifying location and review area for the JD.

4. ☐ I currently own this property. ☐ I plan to purchase this property.

☒ I am an agent/consultant acting on behalf of the requester.

☐ Other (*provide explanation*):

5. Reason for request: (*check as many as applicable*)

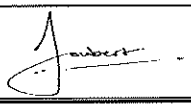
- ☐ I intend to construct/develop a project or perform activities on this parcel which would be designed to avoid all aquatic resources.
- ☐ I intend to construct/develop a project or perform activities on this parcel which would be designed to avoid all jurisdictional aquatic resources under Corps authority.
- ☐ I intend to construct/develop a project or perform activities on this parcel which may require authorization from the Corps, and the JD would be used to avoid and minimize impacts to jurisdictional aquatic resources and as an initial step in a future permitting process.
- ☐ I intend to construct/develop a project or perform activities on this parcel which may require authorization from the Corps; this request is accompanied by my permit application and the JD is to be used in the permitting process.
- ☐ I intend to construct/develop a project or perform activities in a navigable water of the U.S. which is included on the district Section 10 list and/or is subject to the ebb and flow of the tide.
- ☐ A Corps JD is required in order to obtain my local/state authorization.
- ☐ I intend to contest jurisdiction over a particular aquatic resource and request the Corps confirm that jurisdiction does/does not exist over the aquatic resource on the parcel.
- ☐ I believe that the site may be comprised entirely of dry land.
- ☒ Other *(provide details below):*

6. Type of determination being requested:

- ☒ I am requesting an approved JD.
- ☐ I am requesting a preliminary JD.
- ☐ I am requesting a "no permit required" letter as I believe my proposed activity is not regulated.
- ☐ I am requesting a verification of an aquatic resources delineation but I am not requesting a JD.
- ☐ I am unclear as to which JD I would like to request and require additional information to inform my decision.

7. Typed or Printed Name:	Simon Joubert	Daytime Phone No.:	912.443.5896
Company Name:	Resource & Land Consultants	Email Address:	sjoubert@rlandc.com
Address:	41 Park of Commerce Way, Suite 101 Savannah, GA 31405		

By signing below, you are indicating that you have the authority, or are acting as the duly authorized agent of a person or entity with such authority, to and do hereby grant Corps personnel right of entry to legally access the site if needed to perform the JD. Your signature shall be an affirmation that you possess the requisite property rights to request a JD on the subject property.

Signature: 	Date: 2026-03-17

U.S. Army Corps of Engineers (USACE)

RIGHT OF ENTRY

For use of this form, see Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research, and Sanctuaries Act, the proponent agency is CECW-COR.

Form Approved - OMB No. 0710-0003 Expires XX-XX-XXXX

The Agency Disclosure Notice (ADN)

The Public reporting burden for this collection of information, 0710-003, is estimated to average 5 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

Purpose: This form is used by members of the public to authorize the USACE to enter their property for site investigations relating to USACE project reviews. These reviews include onsite investigations needed to support application review, processing, and issuance of a Clean Water Act and/or Rivers and Rivers Act delineations, determinations, and/or permits.

This form is a component in the Corps Regulatory Request System (RRS), which is an online permitting application portal for the Regulatory Program.

ITEMS 1 THRU 3 - FOR USACE USE ONLY

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED

ITEMS 4 THRU 12 - COMPLETD BY THE PROPERTY OWNER

4. PROPERTY OWNER NAME (*first, middle, last*)	5. PROPERTY OWNER ADDRESS:	
Mark G. Cooper		
Company:	City:	State:
E-mail Address:	Zip:	Country:
mgcooper4@hotmail.com		US

6. PROPERTY OWNER PHONE NUMBERS. w/AREA CODE

a. Residence	b. Business	c. Fax

LOCATION AND LEGAL DESCRIPTION OF PROPERTY

7. PROJECT STREET ADDRESS (*if applicable*)				8. LOCATION OF PROPERTY (*in decimal degrees*)	
Address	City:	State:	Zip:	Latitude: °N	Longitude: °W
1180 Old River Road	Bloomingdale	Ga	31302	32.13906	-81.39138

9. TAX PARCEL ID(s)

03040-00000-010-000

10. PROPERTY OWNER CERTIFICATION

By signing below, I authorize representatives of the USACE to enter upon the property described above for the purpose of conducting on-site investigations, if necessary, and issuing a jurisdictional determination pursuant to Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899. I, the undersigned, am a duly authorized owner of record of the property identified herein.

11. SIGNATURE OF PROPERTY OWNER	12. DATE
Cooper	3/18/26

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than $10,000 or imprisoned not more than five years or both.

U.S. Army Corps of Engineers (USACE)

AUTHORIZATION TO ACT AS AN AGENT

For use of this form, see Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research, and Sanctuaries Act, the proponent agency is CECW-COR.

Form Approved - OMB No. 0710-0003 Expires XX-XX-XXXX

The Agency Disclosure Notice (ADN)

The Public reporting burden for this collection of information, 0710-003, is estimated to average 5 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

Purpose: This form is used by members of the public to authorize an agent (for example - a private consultant) to act on their behalf in all matters relating to all dealings with the USACE regarding the project. This includes taking all necessary actions for the application, processing, issuance, and/or acceptance of a Clean Water Act and/or Rivers and Rivers Act delineations, determinations, and/or permits.

This form is a component in the Corps Regulatory Request System (RRS), which is an online permitting application portal for the Regulatory Program.

ITEMS 1 THRU 3 - FOR USACE USE ONLY

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED

ITEMS 4 THRU 14 - COMPLETD BY THE PROPERTY OWNER

4. PROJECT NAME	5. PROJECT LOCATION
1180 Old River Road	1180 Old River Road
6. APPLICANT NAME (*first, middle, last*)	7. AGENT NAME
Joe Guion	Zach Marsh
Company (*if applicable*):	Company:
PDC Atlanta, LLC	Resource & Land Consultants, LLC
E-mail Address:	E-mail Address:
bteeter@panattoni.com	zmarsh@rlandc.com
8. APPLICANT ADDRESS (*if applicable*)	9. AGENT ADDRESS (*if applicable*)
Address	Address
9040 Roswell Road, Suite 420	41 Park of Commerce Way, Suite 101
City: Atlanta / State: GA	City: Savannah / State: GA

10. APPLICANT PHONE NUMBERS. w/AREA CODE			11. AGENT PHONE NUMBERS. w/AREA CODE		
a. Residence	b. Business	c. Fax	a. Residence	b. Business	c. Fax
404-805-3764				912-443-5896	

12. APPLICANT/AGENT CERTIFICATION

By signing below, I hereby authorize the agent listed above, to act on my behalf in all matters relating to all dealings with the USACE regarding the project and properties listed above, including taking all necessary actions for the application, processing, issuance, and/or acceptance of a Clean Water Act and/or Rivers and Rivers Act delineations, determinations, and/or permits. Any and all acts carried out by my agent on my behalf as it relates to this project and property shall have the same effect as acts of my own.

I agree to review all information submitted to the USACE on my behalf by my agent and certify that any information submitted on my behalf is true and correct.

13. SIGNATURE OF APPLICANT	14. DATE
	3/18/26

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than $10,000 or imprisoned not more than five years or both.

ENG FORM 6295, JAN 2024

RESOURCE+LAND CONSULTANTS

APPENDIX B:
Figures/Site Maps

RLC Project No.:	24-156.1
Figure No.:	1
Prepared By:	SJ
Sketch Date:	3/18/2026
Map Scale :	1 inch = 5,280 ft

1180 Old River Road

Effingham County, Georgia

Project Location

Prepared For:
Pantatonl Development Company, LLC

RLC

RESOURCE+LAND CONSULTANTS
41 Park of Commerce Way Ste 101
Savannah, GA 31405
tel 912 443 5896 fax 912 443 5898

RLC Project No.:	24-156.1
Figure No.:	2
Prepared By:	SJ
Sketch Date:	3/18/2026
Map Scale :	1 inch = 2,000 ft

1180 Old River Road

Effingham County, Georgia

USGS Topographic Survey

Prepared for:
Panattoni Development Company, LLC

RLC

RESOURCE+LAND CONSULTANTS

41 Park of Commerce Way Ste 101
Savannah, GA 31405
tel 912 443 5896 fax 912 443 5898

Project Area: ~283.71 ac

RLC Project No.:	24-156.1
Figure No.:	3
Prepared By:	sl
Sketch Date:	3/18/2026
Map Scale :	1 inch = 500 ft

1180 Old River Road

Effingham County, Georgia

NRCS Soil Survey

Prepared for: Panattoni Development Company, LLC

RLC

RESOURCE+LAND CONSULTANTS

41 Park Ef Commerce Way Ste 101
Savannah,GA 31405
tel 912.443.5898 fax 912.443.5899

RLC Project No.: 24-156.1
Figure No.: 4
Prepared By: SJ
Sketch Date: 3/18/2026
Map Scale: 1 inch = 500 ft
1180 Old River Road
Effingham County, Georgia
National Inventory
Prepared for: Panattoni Development Company, LLC
RLC
RESOURCE+LAND CONSULTANTS
41 Park of Commerce Way, Ste 101
Savannah, GA 31405
tel 912.443.5896 fax 912.443.5898
0
250
500 Feet
PFO1C
PFO1/4C
PUBHx
PFO2/1F
R5UBH
R2UBH
PFO1/2C
PFO1/4B
Project Area: ~283.71 ac
NWI Wetlands USFWS NWI of Georgia; ESRI Basemap, World Imagery

RLC Project No.: 24-156.1
Figure No.: 5
Prepared By: sl
Sketch Date: 3/18/2026
Map Scale : 1 inch = 500 ft
1180 Old River Road
Effingham County, Georgia
Ortho Imagery
Prepared for: Panattoni Development Company, LLC
RLC
RESOURCE+LAND CONSULTANTS
41 Park of Commerce Way Ste 101
Savannah, GA 31405
tel 912 443 5896 fax 912 443 5898
0
250
500 Feet
Project Area: ~283.71 ac



RLC Project No.:	24-156.1
Figure No.:	6
Prepared By:	SJ
Sketch Date:	3/18/2026
Map Scale :	1 inch = 500 ft

1180 Old River Road

Effingham County, Georgia

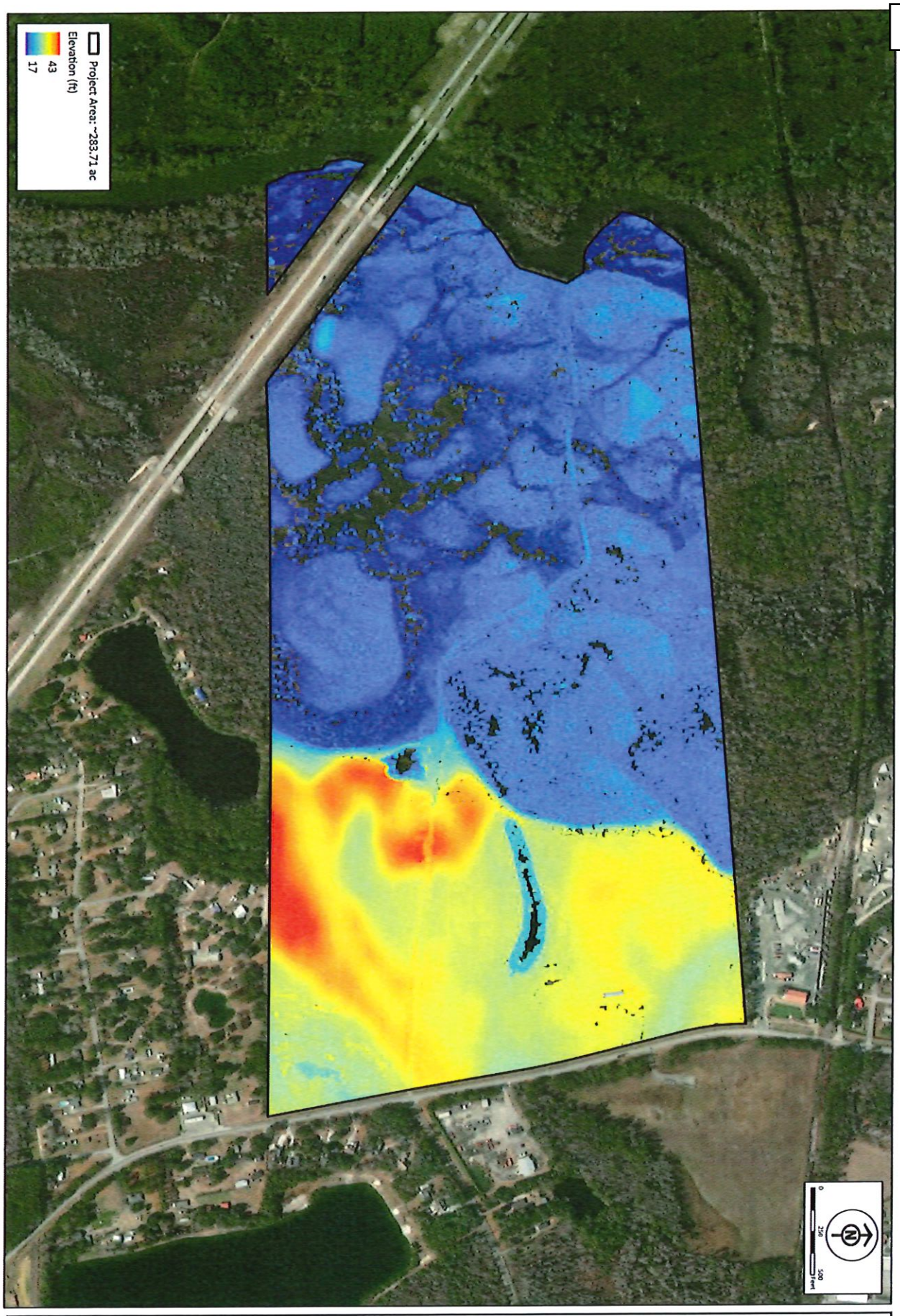
1999 Color-Infrared Imagery

Prepared for: Panattoni Development Company, LLC

RLC
RESOURCE+LAND CONSULTANTS
41 Park of Commerce Way, Ste 101
Savannah, GA 31405
tel 912.443.5896 fax 912.443.5898

V:\2024 Projects\24-156.1 Butler Tocher 1180 Old River Rd\graphics\24-156.1.aprx

Source(s): 1999 Statewide Color-Infrared Imagery of Georgia



RLC Project No.:	24-156.1
Figure No.:	7
Prepared By:	SJ
Sketch Date:	3/18/2026
Map Scale :	1 inch = 500 ft

1180 Old River Road

Effingham County, Georgia

NOAA Topographic LiDAR

Prepared for: Panattoni Development Company, LLC

RLC
RESOURCE+LAND CONSULTANTS
41 Park of Commerce Way, Ste 101
Savannah, GA 31405
tel 912.443.5895 fax 912.443.5898

APPENDIX C:

GPS Wetland Delineation Exhibit

Label	Latitude	Longitude
1	32.142999	-81.393636
2	32.142957	-81.393634
3	32.142745	-81.393723
4	32.142625	-81.393898
5	32.142513	-81.394093
6	32.142432	-81.394220
7	32.142286	-81.394366
8	32.142128	-81.394504
9	32.141959	-81.394666
10	32.141810	-81.394621
11	32.141598	-81.394609
12	32.141362	-81.394593
13	32.141135	-81.394560
14	32.140948	-81.394578
15	32.140712	-81.394551
16	32.140434	-81.394542
17	32.140186	-81.394633
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19	32.139765	-81.394741
20	32.139515	-81.394903
21	32.139333	-81.395081
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23	32.139001	-81.395498
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35	32.138635	-81.397885
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39	32.139688	-81.398593
40	32.139894	-81.398713
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42	32.139850	-81.398618
43	32.139834	-81.398528
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46	32.139682	-81.398411
47	32.139615	-81.398265
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50	32.139957	-81.398266
51	32.139947	-81.398425
52	32.140022	-81.398540
53	32.140089	-81.398628
54	32.140030	-81.398790
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57	32.140262	-81.399011
58	32.140291	-81.398983
59	32.140483	-81.399124
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67	32.140520	-81.400846
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69	32.140444	-81.401373
70	32.140425	-81.401602
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72	32.140467	-81.401960
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82	32.140731	-81.403677
83	32.140843	-81.403522
84	32.141036	-81.403599
85	32.141274	-81.403713
86	32.141444	-81.404046
87	32.141395	-81.404284
88	32.141431	-81.404524
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92	32.140901	-81.404883
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132	32.142165	-81.403592
133	32.142238	-81.403491
134	32.142352	-81.403483
135	32.142461	-81.403467

Label	Latitude	Longitude
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172	32.138708	-81.406056
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178	32.139145	-81.405636
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181	32.139151	-81.405186
182	32.139213	-81.404907
183	32.139441	-81.404860
184	32.139482	-81.404740
185	32.139610	-81.404630
186	32.139751	-81.404625
187	32.139860	-81.404550
188	32.140080	-81.404465
189	32.140182	-81.404376
190	32.140145	-81.404189
191	32.140218	-81.404049
192	32.140303	-81.403963
193	32.140354	-81.403865
194	32.140378	-81.403717
195	32.140396	-81.403405
196	32.140443	-81.403135
197	32.140470	-81.402917
198	32.140495	-81.402699
199	32.140484	-81.402523
200	32.140464	-81.402279
201	32.140391	-81.402142
202	32.140401	-81.402027
203	32.140366	-81.401806
204	32.140366	-81.401632
205	32.140398	-81.401528
206	32.140371	-81.401321
207	32.140437	-81.401022
208	32.140450	-81.400794
209	32.140490	-81.400508
210	32.140545	-81.400340
211	32.140599	-81.400030
212	32.140671	-81.399691
213	32.140676	-81.399405
214	32.140626	-81.399320
215	32.140462	-81.399235
216	32.140299	-81.399123
217	32.140146	-81.399155
218	32.140188	-81.399041
219	32.140092	-81.398958
220	32.139985	-81.398874
221	32.139999	-81.399026
223	32.140057	-81.399200
224	32.139999	-81.399356
225	32.139758	-81.399397
226	32.139649	-81.399190
227	32.139621	-81.399016
228	32.139733	-81.398980
229	32.139715	-81.398912
230	32.139577	-81.398925
231	32.139485	-81.398964
232	32.139409	-81.398822
233	32.139540	-81.398779
234	32.139662	-81.398808
235	32.139746	-81.398910
236	32.139818	-81.398772
237	32.139666	-81.398670
238	32.139484	-81.398558
239	32.139293	-81.398450
240	32.139075	-81.398319
241	32.138827	-81.398169
242	32.138610	-81.397973
243	32.138548	-81.397872
244	32.138445	-81.397734
245	32.138352	-81.397540
246	32.138290	-81.397370
247	32.138285	-81.397220
248	32.138312	-81.397051
249	32.138290	-81.396812
250	32.138286	-81.396538
251	32.138271	-81.396342
252	32.138205	-81.396265
253	32.138121	-81.396249
254	32.138041	-81.396257
255	32.137985	-81.396132
256	32.137844	-81.396107
257	32.137648	-81.396064
258	32.137462	-81.396039
259	32.137235	-81.396017
260	32.136959	-81.396016
261	32.136733	-81.396023
262	32.136530	-81.396001
263	32.136387	-81.396025
264	32.136238	-81.396070
265	32.136069	-81.396154
266	32.135969	-81.396234
267	32.135804	-81.396291
268	32.135658	-81.396351
269	32.135605	-81.396344
270	32.136863	-81.402689

Label	Latitude	Longitude
271	32.137021	-81.402531
272	32.137167	-81.402441
273	32.137171	-81.402190
274	32.137340	-81.402394
275	32.137339	-81.402491
276	32.137214	-81.402823
277	32.136993	-81.403090
278	32.136824	-81.402853
279	32.136366	-81.403639
280	32.136355	-81.403506
281	32.136423	-81.403320
282	32.136531	-81.403331
283	32.136602	-81.403493
284	32.136635	-81.403658
285	32.136654	-81.403667
286	32.136681	-81.403819
287	32.136677	-81.403949
288	32.136560	-81.404031
289	32.136427	-81.403885
290	32.136394	-81.403765
291	32.136824	-81.389484
292	32.136645	-81.389572
293	32.136525	-81.389592
294	32.136515	-81.389710
295	32.136537	-81.389898
296	32.136338	-81.389972
297	32.136250	-81.389903
298	32.136145	-81.389981
299	32.136036	-81.390145
300	32.136192	-81.390231
301	32.136348	-81.390137
302	32.136412	-81.390085
303	32.136551	-81.390058
304	32.136645	-81.390059
305	32.136713	-81.390026
306	32.136700	-81.389943
307	32.136790	-81.389835
308	32.136865	-81.389771
309	32.136908	-81.389682
310	32.136966	-81.389542
311	32.135634	-81.404399
312	32.135667	-81.404431
313	32.135761	-81.404546
314	32.135864	-81.404572
315	32.135987	-81.404789
316	32.136102	-81.404964
317	32.136231	-81.405133
318	32.136216	-81.405201
319	32.136115	-81.405117
320	32.136106	-81.405168
321	32.136085	-81.405299
322	32.136208	-81.405375
323	32.136292	-81.405421
324	32.136402	-81.405439
325	32.136422	-81.405531
326	32.136394	-81.405577
327	32.136344	-81.405642
328	32.136438	-81.405735
329	32.136510	-81.405756
330	32.136581	-81.405772
331	32.136578	-81.405865
332	32.136606	-81.405985
333	32.136696	-81.406098
334	32.136768	-81.406144
335	32.136740	-81.406219
336	32.136748	-81.406345
337	32.136897	-81.406385
338	32.136937	-81.406431
339	32.136871	-81.406506
340	32.137005	-81.406539
341	32.137060	-81.406555
342	32.137168	-81.406778
343	32.136947	-81.406757
344	32.136781	-81.406736
345	32.136543	-81.406709
346	32.136457	-81.406715
347	32.136449	-81.406750
348	32.136420	-81.406744
349	32.136422	-81.406689
350	32.136351	-81.406688
351	32.136316	-81.406704
352	32.136316	-81.406729
353	32.136087	-81.406707
354	32.136197	-81.406666
355	32.136166	-81.406617
356	32.135997	-81.406561
357	32.135937	-81.406543
358	32.136025	-81.406683
359	32.135918	-81.406607
360	32.135583	-81.406463
361	32.135637	-81.406485
362	32.135804	-81.406463
363	32.136009	-81.406507
364	32.136017	-81.406452
365	32.135734	-81.406299
367	32.135678	-81.406161
368	32.135649	-81.406021
369	32.135595	-81.405988
370	32.135598	-81.405852
371	32.135747	-81.405950
372	32.135970	-81.406077
373	32.136009	-81.406281
374	32.135872	-81.406179
375	32.135719	-81.406119
376	32.135783	-81.406261
377	32.136024	-81.406408
378	32.136093	-81.406496
379	32.136180	-81.406502
380	32.136302	-81.406288
381	32.136216	-81.406230
382	32.136182	-81.406074
383	32.136171	-81.405886
384	32.136062	-81.405795
385	32.135955	-81.405852
386	32.135814	-81.405823
387	32.135633	-81.405730
388	32.135601	-81.405731
389	32.136267	-81.406522
390	32.136345	-81.406424
391	32.136407	-81.406501
392	32.136339	-81.406546
393	32.136369	-81.406178
394	32.136343	-81.406047
395	32.136432	-81.406008
396	32.136476	-81.406018
397	32.136521	-81.406107
398	32.136502	-81.406219
399	32.136674	-81.406414
400	32.136796	-81.406449
401	32.136805	-81.406523
402	32.136686	-81.406527
403	32.136658	-81.406451

RESOURCE+LAND CONSULTANTS

APPENDIX D:
Atlantic and Gulf Coastal Plain Region Wetland Determination Data Forms

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Atlantic and Gulf Coastal Plain Region
See ERDC/EL TR-10-20; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 1180 Old River Road City/County: Bloomingdale/Effingham Sampling Date: 3/5/2026

Applicant/Owner: Panattoni Development Company, LLC c/o Boltin Teeter State: GA Sampling Point: Upland

Investigator(s): RLC (Zach Marsh) Section, Township, Range:

Landform (hillside, terrace, etc.): backslope Local relief (concave, convex, none): none Slope (%): 0-2

Subregion (LRR or MLRA): LRR T, MLRA 153A Lat: 32.138314 Long: 81.395352 Datum: NAD 83

Soil Map Unit Name: Foxworth sand NWI classification: Upland

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum Moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes ____	No x	Depth (inches): ____
Water Table Present?	Yes ____	No x	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes ____	No x	Depth (inches): ____

Wetland Hydrology Present? Yes ____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION (Four Strata) – Use scientific names of plants. Sampling Point: Upland

Tree Stratum (Plot size: 30)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Pinus taeda*	40	Yes	FAC
2. *Liquidambar styraciflua*	25	Yes	FAC
3. *Acer rubrum*	10	No	FAC
4.			
5.			
6.			
7.			
8.			
	75	=Total Cover	
50% of total cover: 38		20% of total cover: 15	
Sapling/Shrub Stratum (Plot size: 30)			
1. *Pinus taeda*	10	Yes	FAC
2. *Liquidambar styraciflua*	5	Yes	FAC
3. *Serenoa repens*	8	Yes	FACU
4.			
5.			
6.			
7.			
8.			
	23	=Total Cover	
50% of total cover: 12		20% of total cover: 5	
Herb Stratum (Plot size: 30)			
1. *Pteridium aquilinum*	8	Yes	FACU
2. *Parthenocissus quinquefolia*	5	Yes	FACU
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	13	=Total Cover	
50% of total cover: 7		20% of total cover: 3	
Woody Vine Stratum (Plot size: 30)			
1.			
2.			
3.			
4.			
5.			
		=Total Cover	
50% of total cover:		20% of total cover:	

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 4 (A)

Total Number of Dominant Species Across All Strata: 7 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 57.1% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	90	x 3 =	270
FACU species	21	x 4 =	84
UPL species	0	x 5 =	0
Column Totals:	111 (A)		354 (B)

Prevalence Index = B/A = 3.19

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

X 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Four Vegetation Strata:

Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody Vine – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? Yes ___ No X

Remarks: (If observed, list morphological adaptations below.)

SOIL

Sampling Point: Upland

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-4	10YR 3/2	60					Sandy	40% UCSG
4-16	10YR 4/3	90					Sandy	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Barrier Islands 1 cm Muck (S12) **(MLRA 153B, 153D)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 149A, 153C, 153D)**
- ___ Very Shallow Dark Surface (F22) **(MLRA 138, 152A in FL, 154)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR O)**
- ___ 2 cm Muck (A10) **(LRR S)**
- ___ Coast Prairie Redox (A16) **(outside MLRA 150A)**
- ___ Reduced Vertic (F18) **(outside MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(LRR P, T)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 153B)**
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22) **(outside MLRA 138, 152A in FL, 154)**
- ___ Barrier Islands Low Chroma Matrix (TS7) **(MLRA 153B, 153D)**
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Atlantic and Gulf Coastal Plain Region
See ERDC/EL TR-10-20; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: 1180 Old River Road City/County: Bloomingdale/Effingham Sampling Date: 3/5/2026

Applicant/Owner: Panattoni Development Company, LLC c/o Boltin Teeter State: GA Sampling Point: Wetland

Investigator(s): RLC (Zach Marsh) Section, Township, Range:

Landform (hillside, terrace, etc.): toe of slope Local relief (concave, convex, none): concave Slope (%): 0-2

Subregion (LRR or MLRA): LRR T, MLRA 153A Lat: 32.136380 Long: -81.405685 Datum: NAD 83

Soil Map Unit Name: Chastain and Tawcaw NWI classification: PFO1C

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes X	No ____	
Wetland Hydrology Present?	Yes X	No ____	

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- X Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- X FAC-Neutral Test (D5)
- ___ Sphagnum Moss (D8) **(LRR T, U)**

Field Observations:

Surface Water Present?	Yes ____	No x	Depth (inches): ____
Water Table Present?	Yes ____	No x	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes ____	No x	Depth (inches): ____

Wetland Hydrology Present? Yes X No ____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION (Four Strata) – Use scientific names of plants. Sampling Point: Wetland

Tree Stratum (Plot size: 30)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Taxodium distichum*	25	Yes	OBL
2. *Pinus taeda*	8	No	FAC
3. *Liquidambar styraciflua*	10	Yes	FAC
4.			
5.			
6.			
7.			
8.			
	43	=Total Cover	
50% of total cover: 22		20% of total cover:	9

Sapling/Shrub Stratum (Plot size: 30)			
1. *Taxodium distichum*	12	Yes	OBL
2. *Liquidambar styraciflua*	12	Yes	FAC
3. *Acer rubrum*	5	No	FAC
4. *Lyonia lucida*	8	Yes	FACW
5.			
6.			
7.			
8.			
	37	=Total Cover	
50% of total cover: 19		20% of total cover:	8

Herb Stratum (Plot size: 30)			
1. *Lyonia lucida*	10	Yes	FACW
2. *Chasmanthium laxum*	8	Yes	FACW
3. *Ilex glabra*	5	Yes	FACW
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	23	=Total Cover	
50% of total cover: 12		20% of total cover:	5

Woody Vine Stratum (Plot size: 30)			
1.			
2.			
3.			
4.			
5.			
		=Total Cover	
50% of total cover:		20% of total cover:	

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 8 (A)

Total Number of Dominant Species Across All Strata: 8 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	37	x 1 =	37
FACW species	31	x 2 =	62
FAC species	35	x 3 =	105
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	103 (A)		204 (B)

Prevalence Index = B/A = 1.98

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

X 2 - Dominance Test is >50%

X 3 - Prevalence Index is ≤3.0[1]

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Four Vegetation Strata:

Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody Vine – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? Yes X No ___

Remarks: (If observed, list morphological adaptations below.)

SOIL

Sampling Point: Wetland

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-6	10YR 3/2	100					Sandy	
6-18	10YR 5/2	90	10YR 5/6	10	C	M	Sandy	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- X Organic Bodies (A6) **(LRR P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- X Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Barrier Islands 1 cm Muck (S12) **(MLRA 153B, 153D)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 149A, 153C, 153D)**
- ___ Very Shallow Dark Surface (F22) **(MLRA 138, 152A in FL, 154)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR O)**
- ___ 2 cm Muck (A10) **(LRR S)**
- ___ Coast Prairie Redox (A16) **(outside MLRA 150A)**
- ___ Reduced Vertic (F18) **(outside MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(LRR P, T)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 153B)**
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22) **(outside MLRA 138, 152A in FL, 154)**
- ___ Barrier Islands Low Chroma Matrix (TS7) **(MLRA 153B, 153D)**
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ___

Remarks:

RESOURCE+LAND CONSULTANTS

APPENDIX E:
DFIRM Map

1180 Old River Rd, Bloomingdale, Georgia, 31302

GEORGIA FLOOD MAP PROGRAM



Low Risk

Current Flood Zone:	X	
*Probability of Flooding: (30-Year Period)	Not Available	Not Available
Base Flood Elevation:	Not Available	
Lowest Adj Grade:	Not Available	Not Available
Preliminary Flood Zone:	Not Available	
Flood Zone Change Type:	Not Available	Not Available

Location Information

Panel:	13103C0344E
Watershed:	Lower Ogeechee
County:	EFFINGHAM
Community ID:	13103C
Map Status:	EFFECTIVE

* Flood Depths shown on this report are derived from FEMA RiskMAP products and are rounded to the nearest tenth of a foot. These depths are calculated from HEC-RAS modeling and represent the best available data. Only areas within a RiskMAP studied watershed will have this data available. Please check back if your area is not currently available. For more information, please visit the FEMA Map Service Center at https://msc.fema.gov/portal/resources/faq

Nature Doesn't Read Flood Maps

Many people don't understand just how risky the floodplain can be. There is a greater than 26% chance that a non-elevated home in the SFHA will be flooded during a 30-year mortgage period.

The chance that a major fire will occur during the same period is less than 10%!

FOR MORE INFORMATION VISIT, PLEASE VISIT: FloodSmart.gov

Legend with Flood Zone Designations

- Flood Control Structures
- Base Flood Elevations
- Cross Sections
- Coastal Transects
- FIRM Panel Index
- 1% Flood - Floodway (High Risk)
- 1% Flood - Zone AE (High Risk)
- 1% Flood - Zone A, AH, or AO (HighRisk)
- 0.2% Flood - X-Shaded (Moderate Risk)
- Area of Undetermined Flood Hazard
- 1% Flood - Zone VE (HighRisk)
- Area Not Included
- Letters of Map Revision
- Coastal Barrier Resource Area
- Limit of Moderate Wave Action
- Floodway Decrease
- Floodway Increase
- 100-Year Flood Zone Decrease
- 100-Year Flood Zone Increase
- Zone Change

Disclaimer: This data is not to be used to determine any base flood elevations or flood zone designations for NFIP (National Flood Insurance Program) purposes. For NFIP flood insurance and regulation purposes, please refer to the published effective FIRM (Flood Rate Insurance Map) for your area of concern. Values displayed for Current Flood Zone, Preliminary Flood Zone, Flood Zone Change Type, and Probability of Flooding over a 30-year period based on center of dot location, not extent of structure(s).

Georgia Department of Public Health
Effingham County
Environmental Health

Bonzo Reddick, MD, MPH, District Health Director

804 South Laurel Street
Springfield, GA 31329
Phone: 912-754-6850 | Fax: 912-754-0078

September 3, 2026

Effingham County Zoning Board
Springfield, GA 31329

RE: Rezoning Amendment
Boltin Teeter
Old River Road
Bloomingdale, GA 31302

Zoning Board Members:

The Effingham County Health Department, Environmental Health Office, has reviewed the request to rezone the above-mentioned tract of land. A minimum of a level 3 soil report and 1/2 acre or more of useable land is needed for the parcel to comply with the lot sizing requirements according to the State of Georgia Department of Public Health Chapter 511-3-1.

The Environmental Health Office may require additional documents other than listed above to ensure a complete review of the project. Useable land for an onsite sewage system may be larger than 1/2 acre, depending upon flow rate of the project.

If you have any additional questions, please contact the Effingham County Health Department, Environmental Health Office, at (912) 754-6850.

Sincerely,

Stephen T. Andrews
Environmental Health County Manager
Effingham County Health Department

PUBLIC HEARING 4

9.5 EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

After receiving all information presented as to each zoning proposal at any public hearing provided for in this Article, and prior to making any recommendation thereon, the Planning Board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the Board of Commissioners together with any additional material deemed appropriate:

CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL ✓ DISAPPROVAL_____

Of the rezoning request, **Boltin Teeter as agent for Mark Cooper (Map # 304 Parcel # 10)** from **AR-1 to L-1 zoning.**

Yes (No)? 1. Is this proposal inconsistent with the county's master plan?

(Yes) No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, 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 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?

Environmental Q's - Being so close to the river & river swamp. A lot of residential.

PUBLIC HEARING 4

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APPROVAL ✓ DISAPPROVAL_____

Of the rezoning request, **Boltin Teeter as agent for Mark Cooper (Map # 304 Parcel # 10)** from **AR-1 to L-1 zoning.**

Yes (No ?) 1. Is this proposal inconsistent with the county's master plan?

(Yes) No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, utilities or schools?

ADD Dermanent Berm & Buffer to Nearby Residents

(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 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?

2 in opposition of (Yes) No ? 7. Are nearby residents opposed to the proposed zoning change?

Parcel # 304-27B 304-27

Yes (No)? 8. Do other conditions affect the property so as to support a decision against the proposal?

9.5 EFFINGHAM COUNTY REZONING CHECKLIST

Applicants requesting a Zoning change shall supply to the Planning Board information describing the proposed change plus supporting data relating to the change to assist the Planning Board in making their determination. the supporting documentation shall include a format substantially the same as the checklist/criteria used by the Planning Board in evaluating the requested zoning change.

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CHECK LIST:

The Effingham County Planning Commission recommends:

APPROVAL X DISAPPROVAL_____

Of the rezoning request, **Boltin Teeter as agent for Mark Cooper (Map # 304 Parcel # 10)** from **AR-1 to L-1 zoning.**

Yes (No) ? 1. Is this proposal inconsistent with the county's master plan?

(Yes) No ? 2. Could the proposed zoning allow use that overload either existing or proposed public facilities such as street, 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 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?

DRI REPORT
#4772 – Old River Rd. Logistics

Prepared for Effingham County
July 20, 2026

Coastal Regional Commission
planning@crc.ga.gov

Contents

1 Applicant Information 3
1.1 Jurisdiction and Local Government Information 3
1.2 Project Description 3
1.3 Site Information 3
Consistency and Compatibility Analysis 3
1.4 Consistency with the Comprehensive Plan 4
1.5 Consistency with the Regional Plan of Coastal Georgia 4
1.6 Coastal Stormwater Supplement 6
1.7 Comprehensive Economic Development Strategy 6
1.8 Economic Impact 7
1.9 Transportation Impact 7
2 CRC Resources 7
2.1 Regional Commission Recommendations and Environmental Considerations 7
2.2 Public Comments 8
Attachment A 9
Attachment B 11
Attachment C 13
Attachment D 15
Attachment E 21
Attachment F 30

1 Applicant Information

1.1 Jurisdiction and Local Government Information

Local Government:	Effingham County
Contact Person:	Kimberly Barlett
Contact:	(912)754-2128 | kbarlett@effinghamcounty.org
Developer:	Panattoni Development Co., Inc.

1.2 Project Description

DRI #4772 is an **Industrial Development** that involves a 1,000,000 square foot one story industrial building for distribution purposes. The site encompasses approximately 280.50 acres and is currently zoned **Agricultural Residential**. The developer submitted an application to **rezone** 95 acres of uplands to **Light Industrial**. The wetlands, which comprise the remainder of the parcel and extend to the Ogeechee River, are not included in the rezoning request. According to the Rezoning Application, there are multiple abandoned structures and debris discarded on the site. Major drivers of a need for industrial space with interstate connectivity are the Hyundai Plant and the Port of Savannah. The rezoning application states that this property is believed to have a higher and better use with industrial zoning due to its location.

1.3 Site Information

Site Overview

The project is located at 1180 Old River Road. The parcel number is 03040010. The attached site plan illustrates the proposed layout of the development.

Character Area/Future Land Use

Based upon the Future Land Use Map, the site is within the **Transitional** land use area, but also within the **Conservation** land use category to the west. According to the adopted local comprehensive plan, the **Transitional** land use category includes areas that buffer between commercial, industrial, and less intense residential areas that allow for development opportunities. Future development will allow for mixed use and adaptive use opportunities. This area is designed to allow for transition from residential uses to compatible non-residential developments. Transitional areas often exhibit characteristics of neighboring zones and may undergo changes in land use, density, or character over time. A blend of residential, commercial, or industrial uses bridge the gap between adjacent zones. The **Conservation** land use category is dedicated to lands in open or cultivated state, including woodlands, farmlands, active or passive recreational uses. These areas may be either publicly or privately owned and may include playgrounds, public parks, nature preserves, wildlife management areas, national forests, golf courses, recreational centers, or similar uses. By preserving natural areas and promoting sustainable land management practices, conservation land use contributes to the protection of valuable resources and the long-term sustainability for the county. Some land is undeveloped, natural lands with significant features including flood plains, wetlands, watersheds, and other environmentally sensitive areas not suitable for development.

Zoning Classification

The site is located within an **Agricultural Residential** zoning district with residential zoned parcels to the south and east, and light industrial zoned parcels to the north and northeast. State Highway 16 passes through the southwestern corner of the parcel.

Consistency and Compatibility Analysis

1.4 Consistency with the Comprehensive Plan

The proposed development is compatible with surrounding land uses and is generally consistent with the adopted Comprehensive Plan. Based upon the county's Future Land Use Map, the areas surrounding this development are zoned agricultural-residential to the south and southeast, industrial use to the north and northeast with a small area to the east designated as business thereby making this project compatible with Effingham County's Comprehensive Plan.

1.5 Consistency with the Regional Plan of Coastal Georgia

Since 1964, the Coastal Regional Commission of Georgia (CRC) has been dedicated to serving the ten counties and thirty-five cities of Coastal Georgia. The CRC region encompasses Georgia's eastern shore, stretching almost 100 miles from the northern tip of Savannah to the southern city of St Marys. The region is home to historic towns, industries, military installations, major ports including the fourth busiest and fastest-growing container terminal in the U.S., and a thriving tourism trade, each driving some part of the region's economic engine. Equally important, one finds abundant wildlife, beautiful beaches, and over 2,300 miles of tributaries and salt marshes.

In 2022, the CRC Council adopted the updated to satisfy planning requirements for regional commissions established under the Georgia Planning Act and the Department of Community Affairs' Regional Planning Requirements. The plan aims to secure a successful future for the region's communities and achieve a common vision through comprehensive planning and collaborative implementation.

The CRC recommends that the applicant and local government review the Coastal Georgia Regional Plan to ensure that the proposed development is consistent with the Implementation Program in relation to:

- Water and Wastewater
- Stormwater
- Transportation
- Cultural and Historic Resources
- Natural Resources
- Regional Growth Management
- Economic Development
- Tourism
- Quality of Life
- Coastal Vulnerability
- Governance Regional Land Use Map

Regional Land Use

The Regional Land Use Map analyzes current development patterns in terms of urbanization. Three categories are used to represent these patterns:

- **Rural** areas are not expected to urbanize or require urban services in the next 20 years. These areas are characterized by sparsely developed non-urban areas where the land is primarily used for farming, forestry, and very low density residential or open space uses.
- **Developing** areas are expected to urbanize and require provision of new urban services in the next 20 years. These services will include water and sewer service at a minimum.
- **Developed** areas are currently exhibiting urban type development patterns and currently have access to urban services. These areas typically include higher density residential areas, along with industrial and commercial developments.

The proposed development is located within the **Rural** future development area.

Area Requiring Special Attention (ARSA)

The Areas Requiring Special Attention Map was developed by considering the Regional Land Use Map and incorporating local comprehensive plans and the regionally important resources map to evaluate land use trends within the region and identify areas requiring special attention. These areas include:

- **Threatened Regionally Important Resources**: Areas where crucial natural or cultural resources are likely to be impacted by development
- **Rapid Development**: Areas where rapid development or change of land uses are likely to occur, especially where the rate of development has and/or may outpace the availability of community facilities and services, including transportation.
- **Redevelopment**: Areas in need of redevelopment and/or significant improvements to aesthetics or attractiveness.

The Areas Requiring Special Attention Defining Narrative includes a list of recommended development patterns, types of land uses, and implementation measures.

According to the ARSA Map, the parcel is located within **Areas of Significant Natural Resources** with the exception of the area to the east.

Green Infrastructure

As part of the Conservation area in the Coastal Land Use Map, Green Infrastructure encompasses features such as wetlands, floodplains, streams, prime agricultural lands, and habitats for endangered species or state-listed species. These areas include vital riparian buffers along water bodies and wetlands. Protecting coastal Georgia's green infrastructure network helps

- Maintain biodiversity and ecosystem health
- Safeguard native species
- Minimize landscape disruption and invasive species spread
- Improve water quality
- Support sustainable land use planning and stormwater management

- Promote transportation connectivity
- Encourage ecotourism and outdoor recreation
- Strengthen the local economy
- Enhance residents' quality of life

According to the Green Infrastructure Map, it indicates that a significate portion of the parcel is located in a **Core Class** with a few small areas towards the eastern portion of the parcel in a **Corridor Class**. The Wetlands Map indicates a significant area of the parcel as **Freshwater Forested/Shrub Wetlands**, and the eastern portion of the parcel has a small amount of **Freshwater Ponds** in the area**.** The flood zone map shows that the parcel **is located mostly within Flood Zone AE**, which is considered part of the special flood hazard area (SFHA). Most of the eastern portion of the parcel is not within a flood zone with the exception of the far southeastern corner, which also falls within **Flood Zone AE**.

1.6 Coastal Stormwater Supplement

The applicant indicated that approximately **20%** of the project site is expected to be covered by impervious surface upon completion. Onsite drainage swales and detention ponds are being proposed to address the stormwater runoff for the site. The site will be designed to meet the current requirements as required by Effingham County and Georgia EPD.

1.7 Comprehensive Economic Development Strategy

The CRC serves as the designated Economic Development District (EDD) for six coastal and four inland counties, as recognized by the U.S. Department of Commerce's Economic Development Administration (EDA). In alignment with EDA requirements, the region's Comprehensive Economic Development Strategy (CEDS) is updated and submitted every five years.

The 2017-2022 CEDS outlines a collaborative regional planning process that brings together public and private sector partners to create a roadmap for strengthening and sustaining coastal Georgia's economy. The document includes a detailed analysis of the regional economy and serves as a foundation for establishing goals and objectives, implementing a plan of action, and identifying investment priorities and funding sources.

By maintaining an up-to-date CEDS, the region remains eligible for EDA investment assistance, which can support local infrastructure improvements, technology-driven economic initiatives, and responses to sudden and severe economic disruptions.

Population and Employment Trends

	2000	2010	2020	2024	2030
Effingham	37,535	52,250	64,769	69,143	82,568

Source: U.S. Census Bureau Decennial Census 2000-2020; U.S. Census Bureau American Community Survey 5-Year Estimates; and Georgia Governor's Office of Planning and Budget Population Projects, County Population 2024-2060 (https://opb.georgia.gov/census-data/population-projections).

According to the U.S. Census Bureau, the county's population has increased from 37,535 in 2000 to 64,769 in 2020, representing a 72.5% increase. Population in the county is projected to reach 82,568 by 2030 according to the Georgia Governor's Office of Planning and Budget.

Regionally, the coastal Georgia area is expected to see substantial growth as well, with the population rising from 558,350 in 2000 to a projected 842,715 in 2030.

Employment across the region is also expected to increase significantly. According to the Georgia Coast 2030: Population Projections for the 10-county Coastal Region published by the Center for Quality Growth and Regional Development at the Georgia Institute of Technology, the coastal Georgia region supported approximately 312,400 jobs in 2000. By 2030, that figure is expected to reach 435,050 jobs, reflecting an economic expansion of 39%. According to the U.S. Bureau of Labor Statistics, unemployment rate in Effingham County was 2.5 in May 2026, which is less than the unemployment rate of 3.5 in Georgia.

1.8 Economic Impact

The proposed development has an estimated build-out value of **$85,000,000**. Upon completion, the proposed development is expected to generate an estimated **$1,003,884** in annual local tax revenue. The estimated number of full-time employees will be **200** people. According to the applicant, the existing regional workforce is sufficient to fill the demand for this development. This development will not displace any existing uses or employees.

1.9 Transportation Impact

A **traffic study** has been completed for the proposed development, and the applicant has indicated that transportation improvements **will** be needed to serve this project**.** The applicant's concept plan indicates two entrances on Old River Road. Improvements recommended by the traffic engineer include a northbound left deceleration lane for both entrances. The northern entrance is recommended to also have a southbound right turn deceleration lane. The traffic volume per day expected to be generated by this development will be **124 vehicle trips** at weekday AM peak hour (89 entering and 35 exiting), and **146 trips** during the weekday PM peak hour (53 entering and 93 exiting).

2 CRC Resources

2.1 Regional Commission Recommendations and Environmental Considerations

The following comments from the CRC are recommendations. The CRC is not the approving body for new developments in Effingham County, that authority rests with locally elected representatives. The CRC is tasked with providing public notice, an opportunity for public comment, and recommendations based on existing comprehensive plans and best planning practices.

Water conservation is a key planning priority in coastal Georgia, particularly in support of long-term resource stewardship. The CRC strongly encourages the use of native or drought-tolerant landscaping and recommends the applicant to review the Coastal Georgia Regional Water Plan to ensure that the best practices for water efficiency, and stormwater management are incorporated into site design.

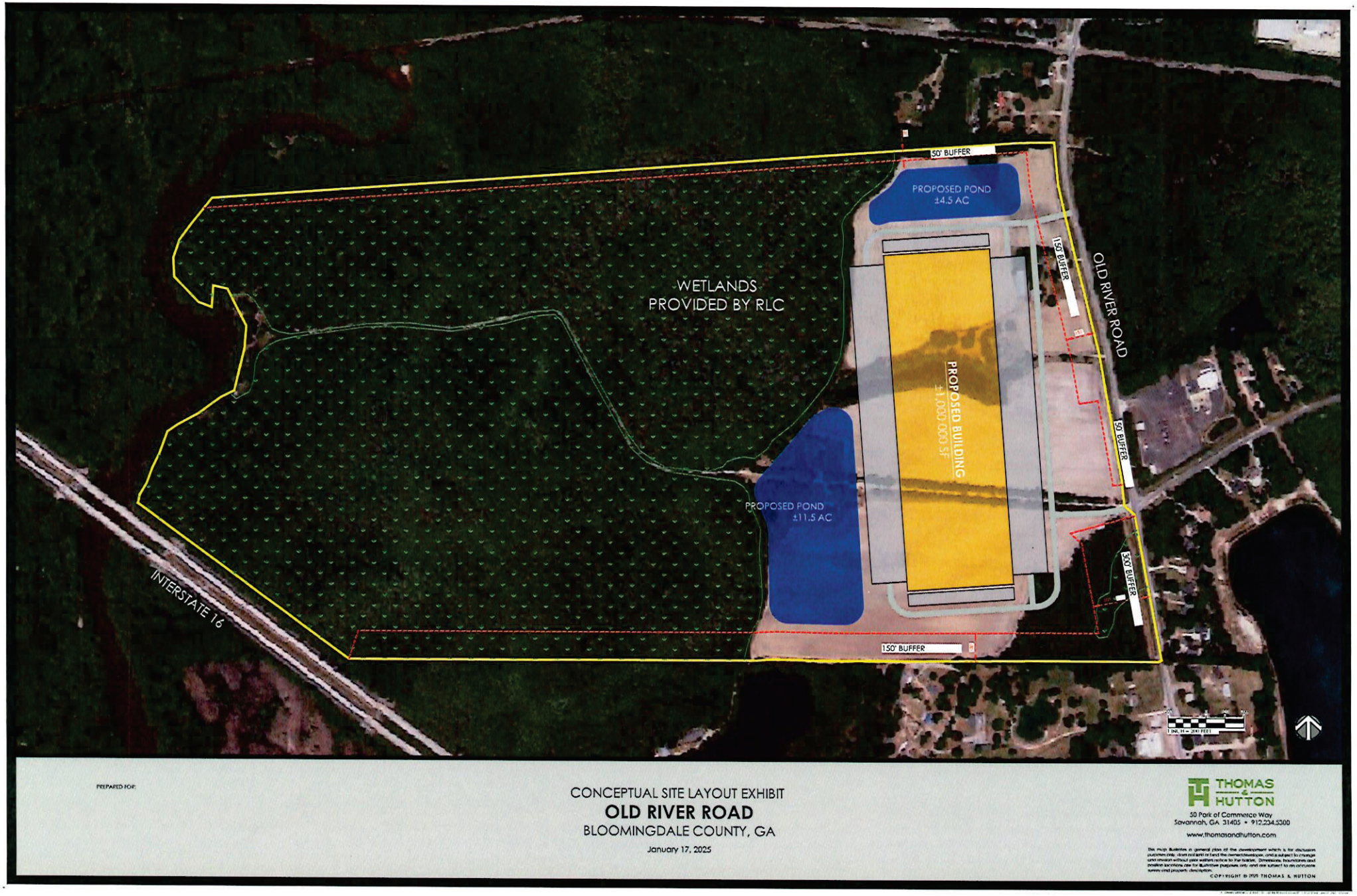
The CRC strongly advises the applicant to evaluate the potential impacts on the overall drainage system and flood risks associated with the proposed development, taking into account FEMA flood zone designation.

The property is designated as an **Area of Significant Natural Resources** with the exception of the area to the east.

2.2 Public Comments

Public comments were to be received on or by July 15, 2026, and are included as Attachment F. The CRC has received commentary from the City of Savannah, Ogeechee Riverkeeper, and one general public comment that is in opposition to this potential development.

Attachment A
Site Concept Plan



PREPARED FOR:

CONCEPTUAL SITE LAYOUT EXHIBIT

OLD RIVER ROAD

BLOOMINGDALE COUNTY, GA

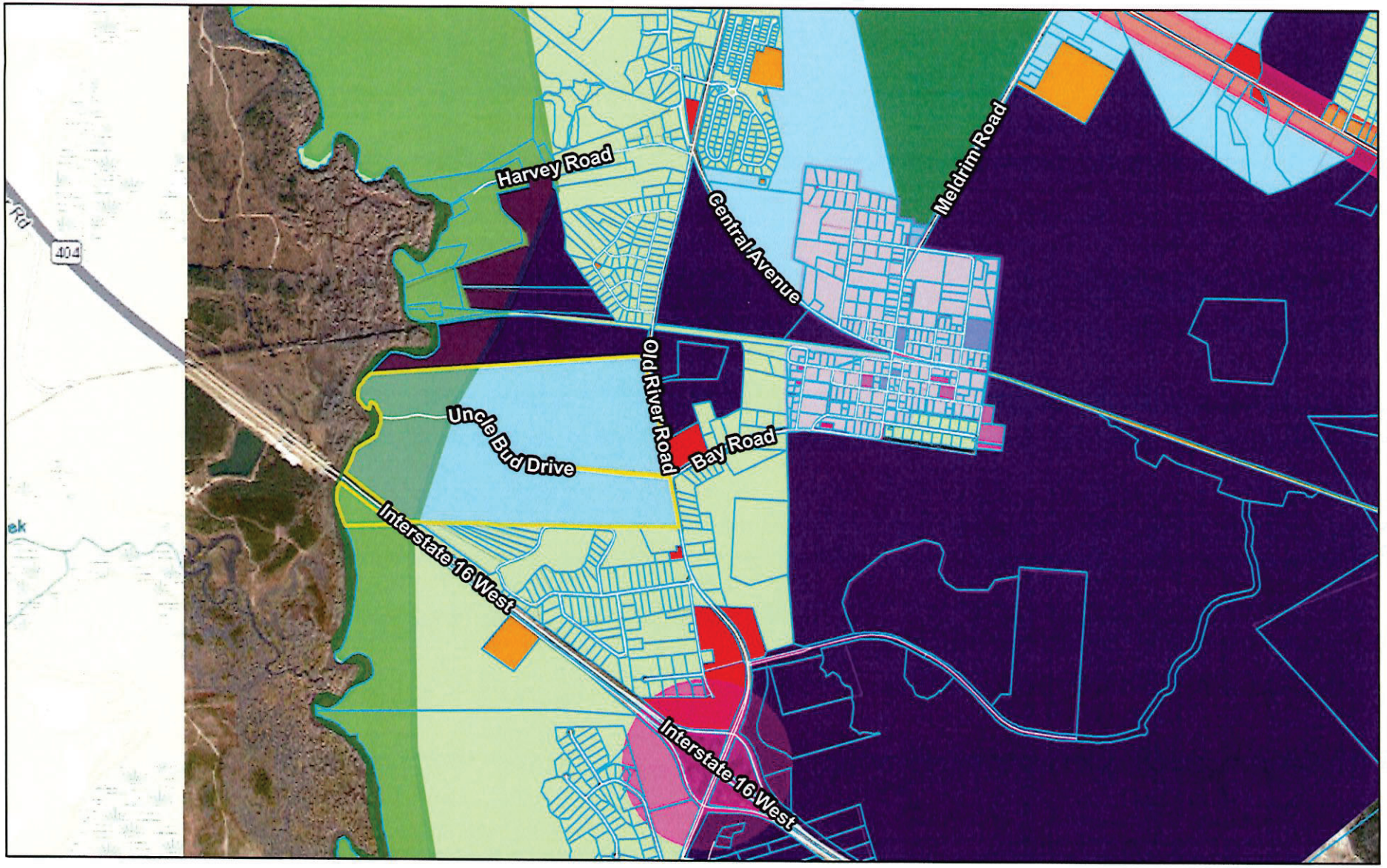
January 17, 2025

THOMAS & HUTTON
50 Park of Commerce Way
Savannah, GA 31405 • 912.234.5300
www.thomasandhutton.com

This map illustrates a general plan of the development which is for discussion purposes only, does not emit or bind the owner/developer, and is subject to change and revision without prior written notice to the holder. Dimensions, boundaries and position locations are for illustrative purposes only and are subject to an accurate survey and property description.
COPYRIGHT © 2025 THOMAS & HUTTON

Attachment B
Future Land Use Map

304-10



6/29/2026

Roads
Parcels

Character Areas
Commercial Corridor Overlay
Conservation
Development-Suburban Node
Historic Overlay District

FLUM Areas
Agricultural-Residential
Assembly Area
Commercial
Conservation-Recreation
Industrial
Public-Institutional
Transitional
Utility

Citations

1:31,372

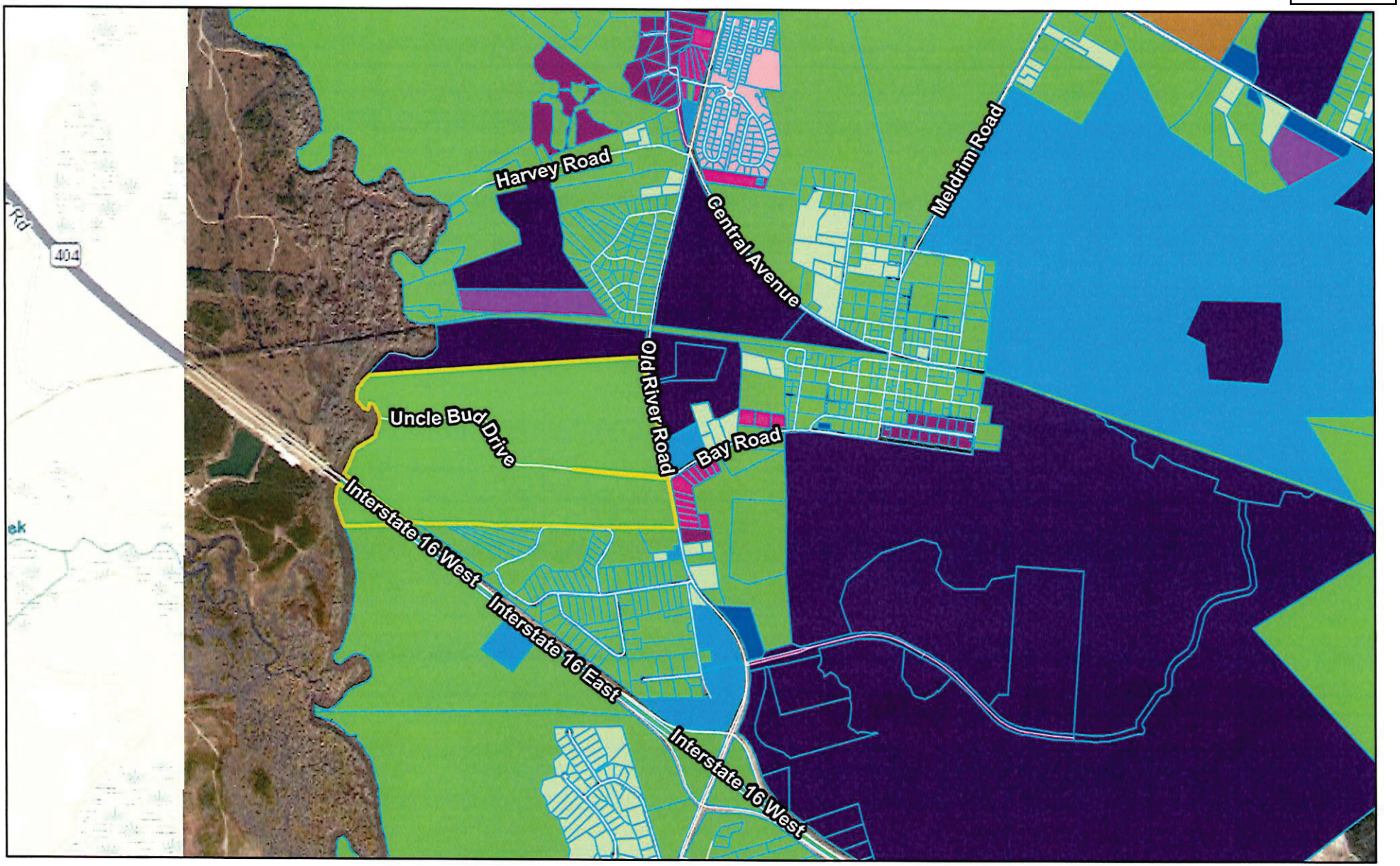
0 0.23 0.45 0.9 mi

0 0.35 0.7 1.4 km

ECBOC, Savannah Area GIS, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA

Attachment C
Zoning Districts Map

304-10



6/29/2026

Roads
Parcels

Zoning
AR-1
AR-2
R-1
R-2
B-2
B-3
I-1
HI
PD
SPLIT
Citations

1:31,372

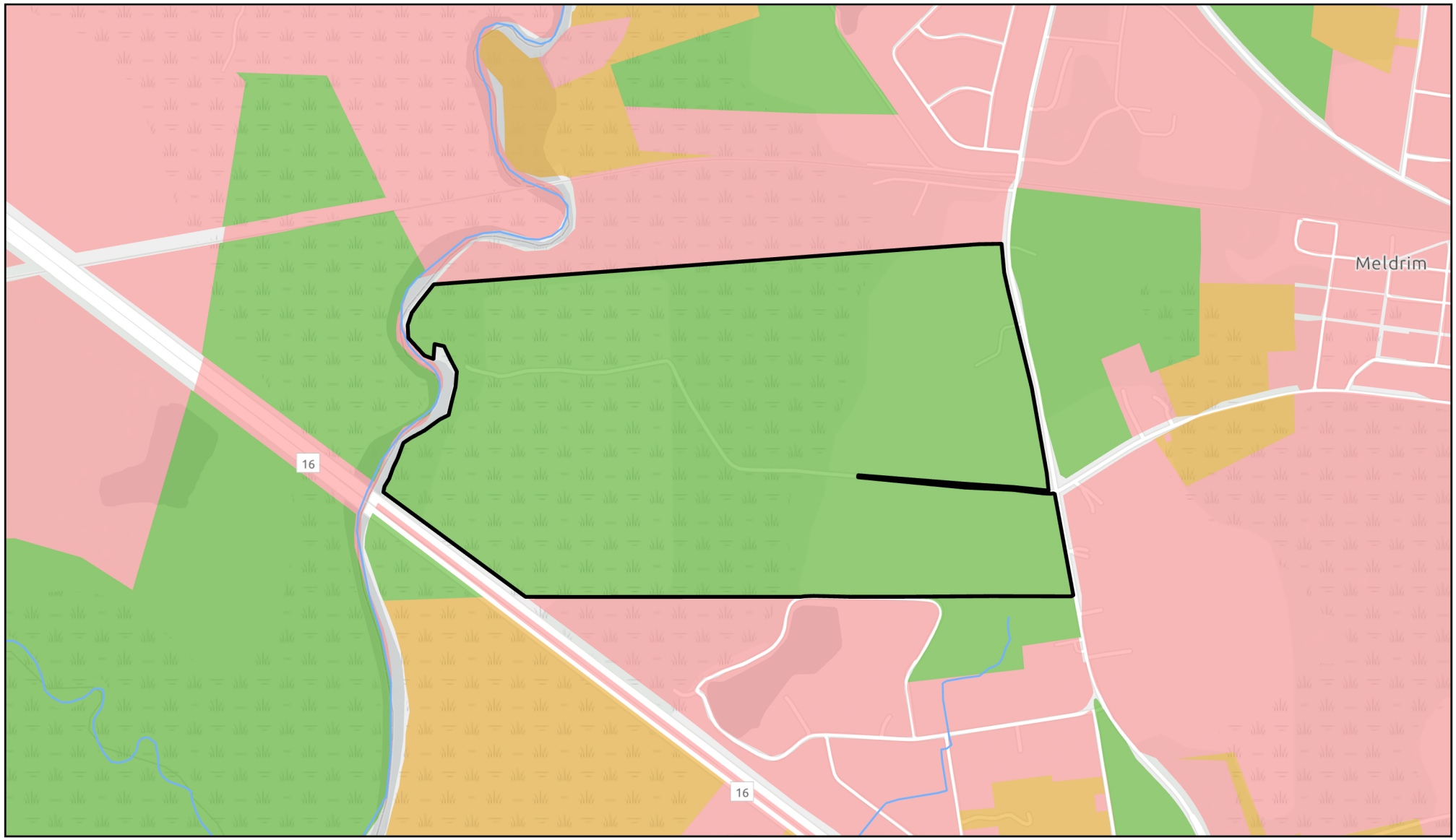
0 0.23 0.45 0.9 mi

0 0.35 0.7 1.4 km

ECBOC, Savannah Area GIS, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA

Attachment D
Regional Impact Maps

DRI #4772 - Old River Rd Logistics
Jurisdiction: Unincorporated Effingham
Future Development



Rivers

Future Development

- Developed
- Developing
- Rural

0 950 1,900 3,800 Feet

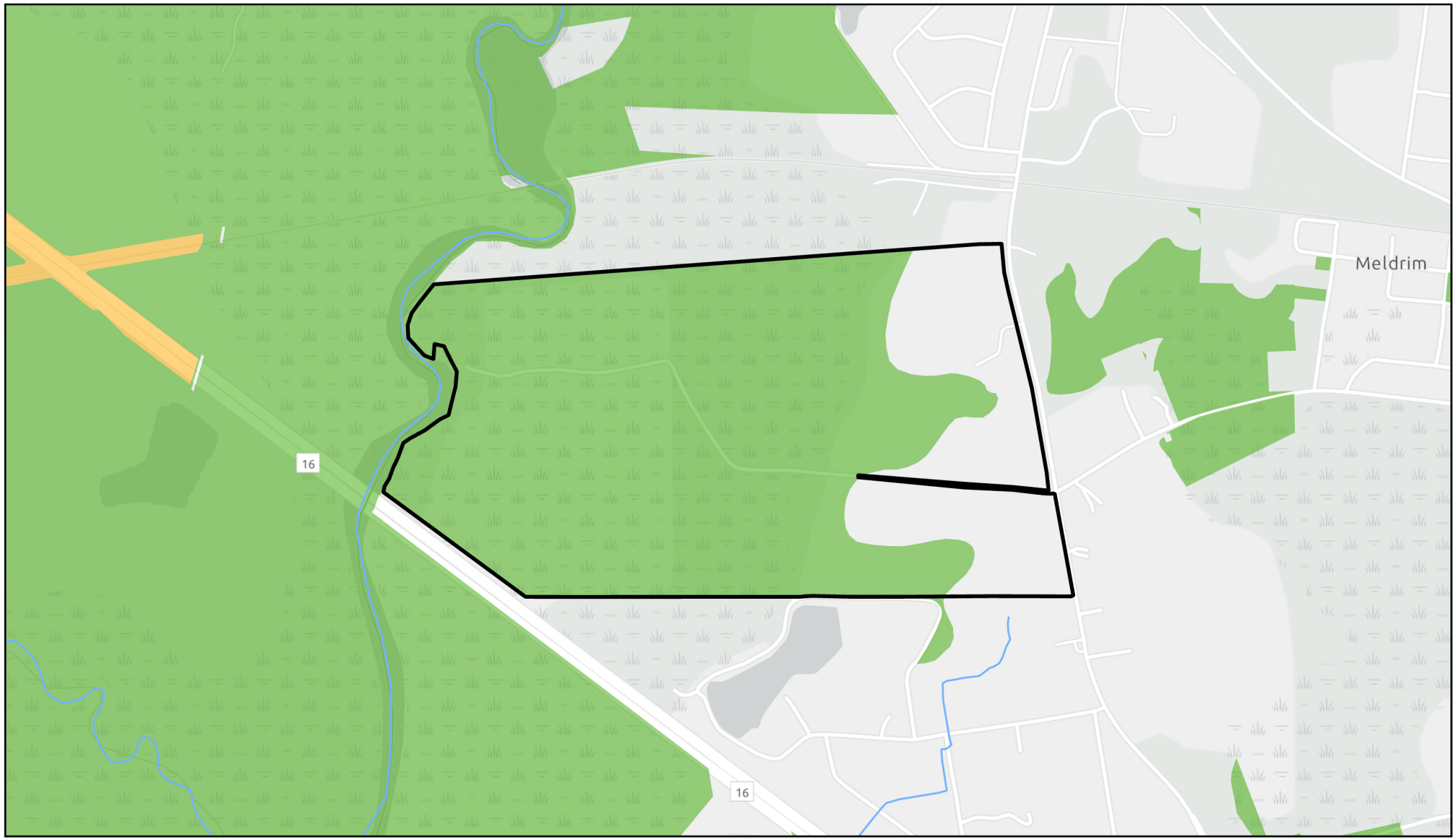
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Date Exported: 6/30/2026

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Coastal Regional Commission of Georgia

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DRI #4772 - Old River Rd Logistics
Jurisdiction: Unincorporated Effingham
Areas Requiring Special Attention



Rivers

Areas Requiring Special Attention

Areas in Need of Redevelopment

Areas of Significant Natural Resources

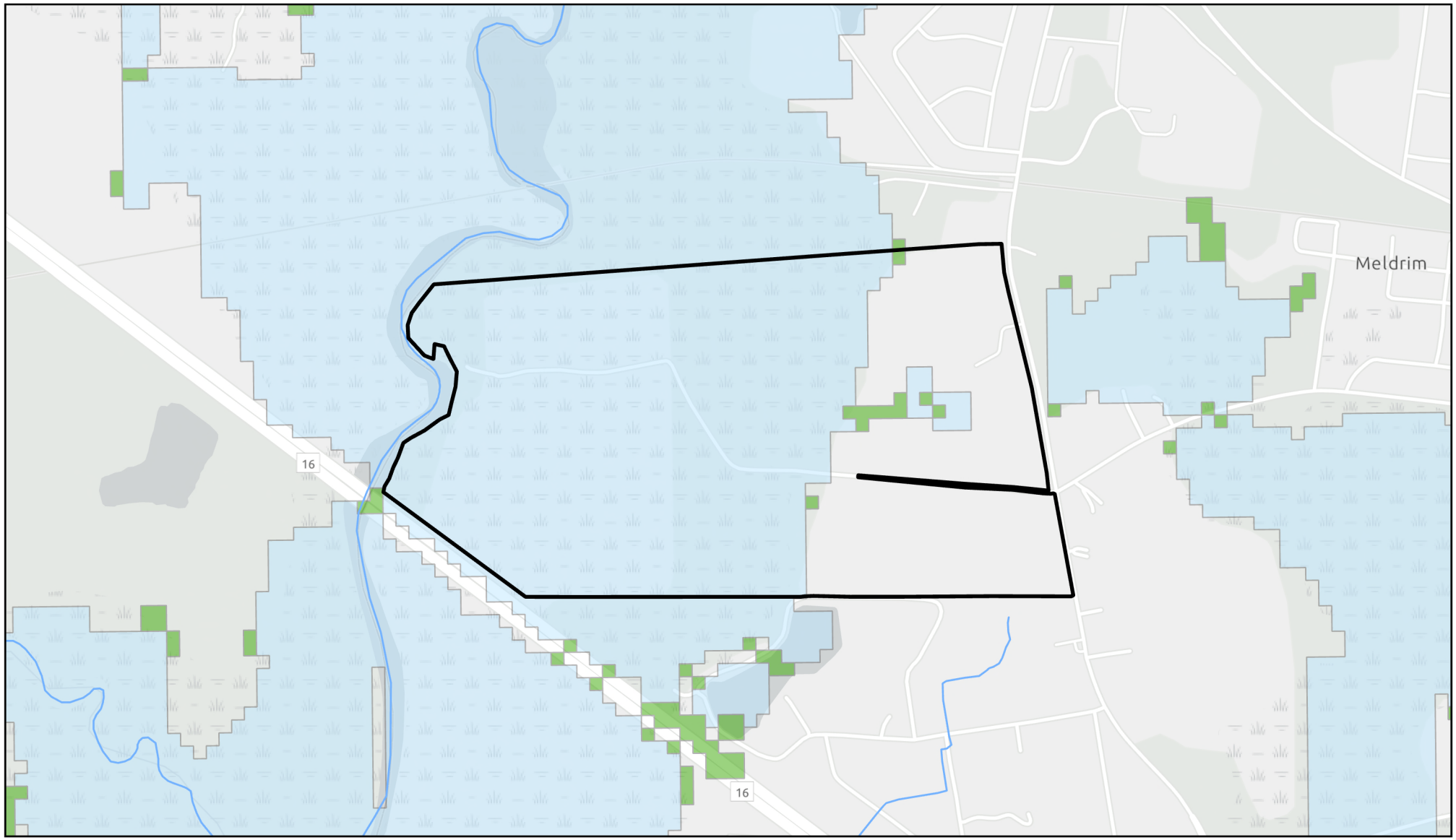
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DRI #4772 - Old River Rd Logistics
Jurisdiction: Unincorporated Effingham
Green Infrastructure



Rivers

Green Infrastructure Class

Core

Corridor

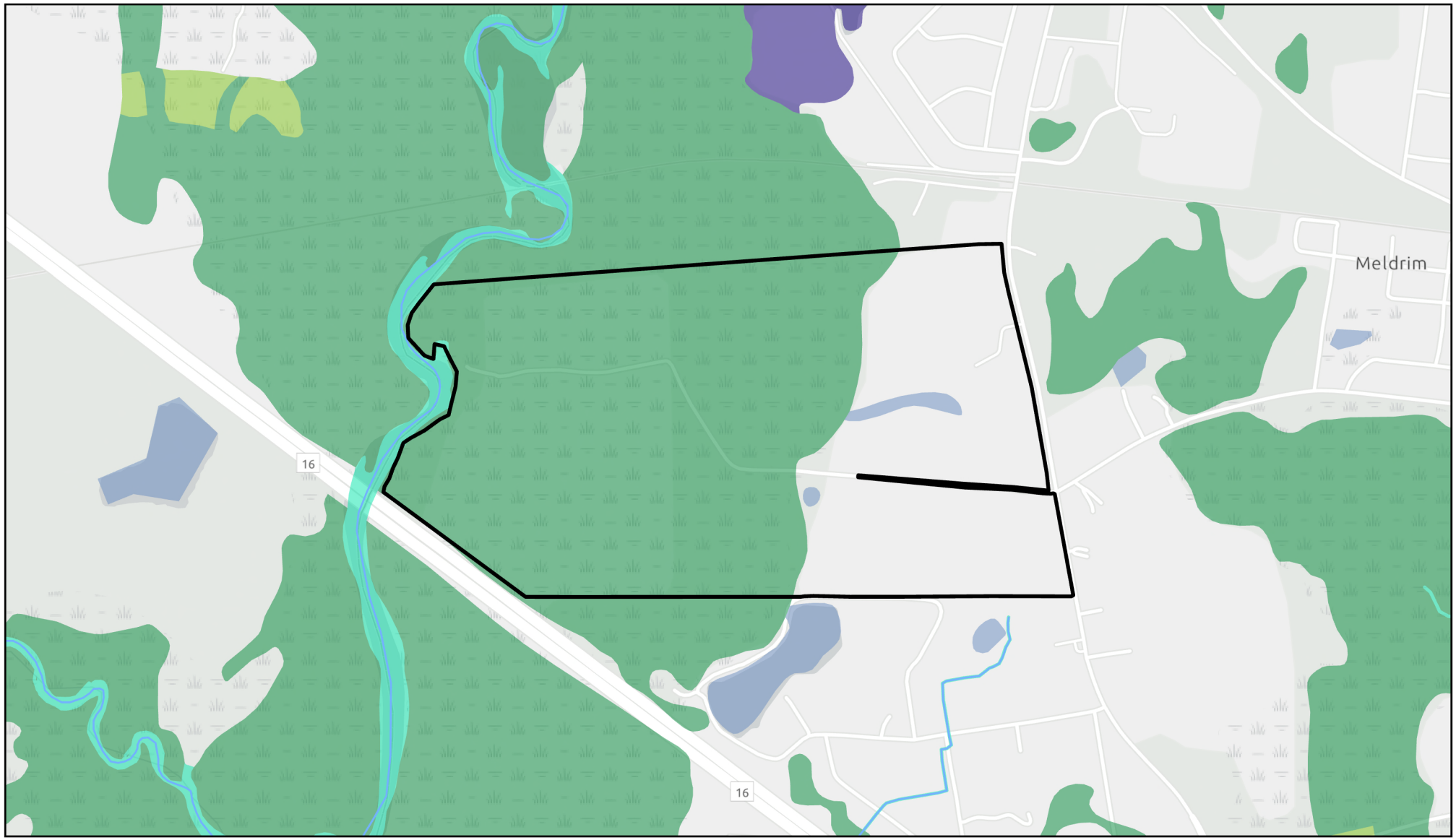
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DRI #4772 - Old River Rd Logistics
Jurisdiction: Unincorporated Effingham
Wetlands



Rivers

Wetlands Type

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine

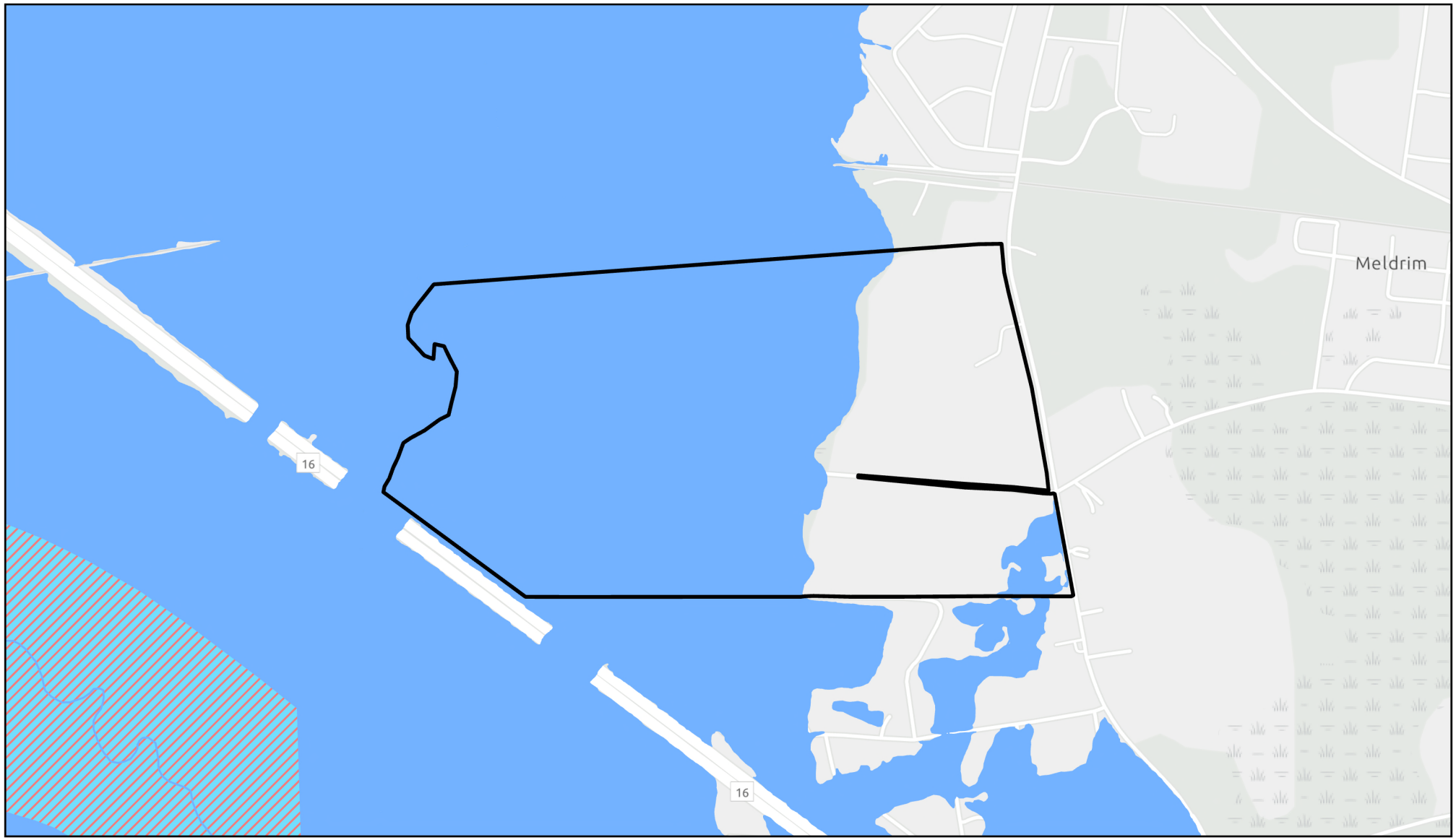
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DRI #4772 - Old River Rd Logistics
Jurisdiction: Unincorporated Effingham
Flood Zones



Rivers

Flood Zone

AE

AE (Floodway)

Map Coordinates:
81.39776°W 32.1394°N
Date Exported: 6/30/2026

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Attachment E
Property Record Card

Effingham County, GA

To view Prebill Mobile Home Information. Please scroll down this page to the Prebill Mobile Home section.
Left click on the Account Number to under the Prebill Mobile Home section to view additional information.

Assessment Appeals Process

Would you like to submit an appeal to the Board of Assessors? Appeal to Board of Assessors

Homestead Application

Please wait to apply for homestead until your name appears under the "Owner" section below.

Apply for Homestead Exemption

Assessment Notice

2026 Assessment Notice (PDF)
2025 Assessment Notice (PDF)
2024 Assessment Notice (PDF)
2023 Assessment Notice (PDF)
2022 Assessment Notice (PDF)

CUVA / FLPA Notices

2023 CUVA Notices (PDF)

Public Comment Card

Public Comment Card

Sales Questionnaire

Sales Questionnaire

Summary

Parcel Number	03040010
Account/Realkey	3889
Location Address	1180 OLD RIVER RD
Legal Description	280.50 AC (COMB 304-10CUV) (Note: Not to be used on legal documents)
Class	A5-Agricultural (Note: This is for tax purposes only. Not to be used for zoning.)
Zoning	AR-1
Tax District	01-County (District 01)
Millage Rate	29.526
Acres	280.5
Neighborhood	03040: LAND: 00000/ BLDG: 00000 (000529)
Homestead Exemption	No (S0)
Landlot/District	N/A

View Map



Owner

COOPER MARK G AND MARY D AND LAURA
MADELINE AND MARK DANIEL
P O BOX 72
FURMAN, SC 29921

Rural Land

Type	Description	Calculation Method	Soil Productivity	Acres
RUR	Open Land	Rural	8	1
RUR	Open Land	Rural	6	6
RUR	Open Land	Rural	1	11.31
RUR	Open Land	Rural	4	0.41
RUR	Open Land	Rural	6	60.39
RUR	Ponds	Rural	2	2.09
RUR	Woodland	Rural	2	3
RUR	Woodland	Rural	5	1.91
RUR	Woodland	Rural	6	4.29
RUR	Woodland	Rural	7	185.88
RUR	Woodland	Rural	8	0.01
RUR	Woodland	Rural	9	4.21

Residential Improvement Information

Style	One Family
Heated Square Feet	2755
Interior Walls	Sheetrock
Exterior Walls	Brick Veneer
Foundation	Slab Perimeter
Attic Square Feet	0
Basement Square Feet	0
Year Built	1983
Roof Type	Asphalt Shingles
Flooring Type	Carpet\Tile
Heating Type	Cent Heat / AC
Number Of Rooms	0
Number Of Bedrooms	0
Number Of Full Bathrooms	2
Number Of Half Bathrooms	0
Number Of Plumbing Extras	6
Value	$245,154
Condition	Average
Fireplaces\Appliances	Const 1 sty 1 Box 1
House Address	1180 OLD RIVER RD

Style	One Family
Heated Square Feet	1260
Interior Walls	Sheetrock
Exterior Walls	Masonry and Wood
Foundation	Piers
Attic Square Feet	0
Basement Square Feet	0
Year Built	1949
Roof Type	Asphalt Shingles
Flooring Type	Pine
Heating Type	No Heating
Number Of Rooms	0
Number Of Bedrooms	0
Number Of Full Bathrooms	1
Number Of Half Bathrooms	0
Number Of Plumbing Extras	0
Value	$111,825
Condition	Average
Fireplaces\Appliances	Const 1 sty 1 Box 1

Style	One Family
Heated Square Feet	672
Interior Walls	Panel
Exterior Walls	Asbestos Shingle\Siding
Foundation	Piers
Attic Square Feet	0
Basement Square Feet	0
Year Built	1950
Roof Type	Asphalt Shingles
Flooring Type	Pine
Heating Type	No Heating
Number Of Rooms	0
Number Of Bedrooms	0
Number Of Full Bathrooms	1
Number Of Half Bathrooms	0
Number Of Plumbing Extras	0
Value	$50,687
Condition	Average
House Address	217 UNCLE BUD DR

Style	One Family
Heated Square Feet	672

Interior Walls	Sheetrock
Exterior Walls	Asbestos Shingle\Siding
Foundation	Piers
Attic Square Feet	0
Basement Square Feet	0
Year Built	1951
Roof Type	Asphalt Shingles
Flooring Type	Pine
Heating Type	No Heating
Number Of Rooms	0
Number Of Bedrooms	0
Number Of Full Bathrooms	1
Number Of Half Bathrooms	0
Number Of Plumbing Extras	0
Value	$50,687
Condition	Average
House Address	218 UNCLE BUD DR

Prebill Mobile Homes

Left click on the Account Number to view additional information.

Account Number	Owner	Lot Number	Year Built	Manufacturer	Model	Width x Length
168	BARNES H L		1969	HOLIDAY HOUSE INC	HOLIDAY (SGL/MULTI)	12x65

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
IMPLEMENT SHED, ROOF ONLY	2021	12x32 / 0	1	$2,089
FIRE CHARGE-BUILDING ON PARCEL	2020	0x0 / 1	2755	$0
FIRE CHARGE-BUILDING ON PARCEL	2020	0x0 / 1	1260	$0
FIRE CHARGE-BUILDING ON PARCEL	2020	0x0 / 1	672	$0
FIRE CHARGE-BUILDING ON PARCEL	2020	0x0 / 1	672	$0
FIRE CHARGE-BUILDING ON PARCEL	2020	0x0 / 1	780	$0
FIRE FEE-RES	2010	0x0 / 0	5	$0
SANITATION - REGULAR	2010	0x0 / 0	5	$0
HOME SITE ABOVE AVERAGE	2000	0x0 / 1	1	$12,950
HAY BARN OR POLE SHED	2000	45x140 / 0	1	$23,154
MOBILE HOME PICS	1975	12x70 / 0	1	$0
IMPLEMENT SHED FLR OR WLS & RF	1900	28x60 / 0	1	$1,000
UTILITY BUILDING, UNFINISHED	1900	12x30 / 0	1	$600

Sales

Sale Date	Sale Price
9/21/2018	$0
9/21/2018	$0
9/1/1959	$0
9/1/1959	$0

Valuation

		2026	2025	2024	2023
	Previous Value	$1,781,631	$1,745,685	$1,527,164	$1,527,164
	Land Value	$1,351,474	$1,283,485	$1,283,485	$1,283,485
+	Improvement Value	$458,353	$458,353	$422,407	$218,705
+	Accessory Value	$39,793	$39,793	$39,793	$24,974
=	**Current Value**	**$1,849,620**	**$1,781,631**	**$1,745,685**	**$1,527,164**
	10 Year Land Covenant (Agreement Year / Value)				2014 / $105,638

Photos

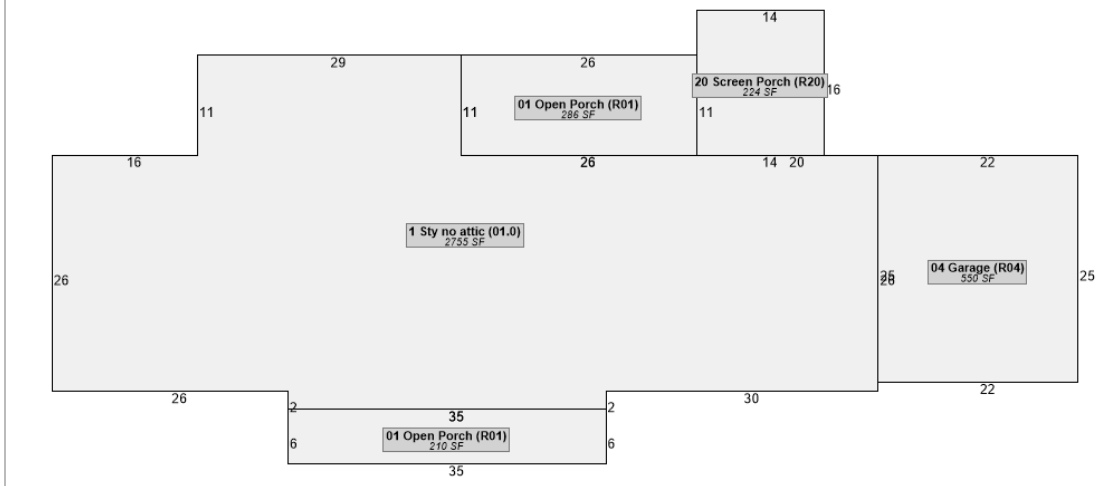

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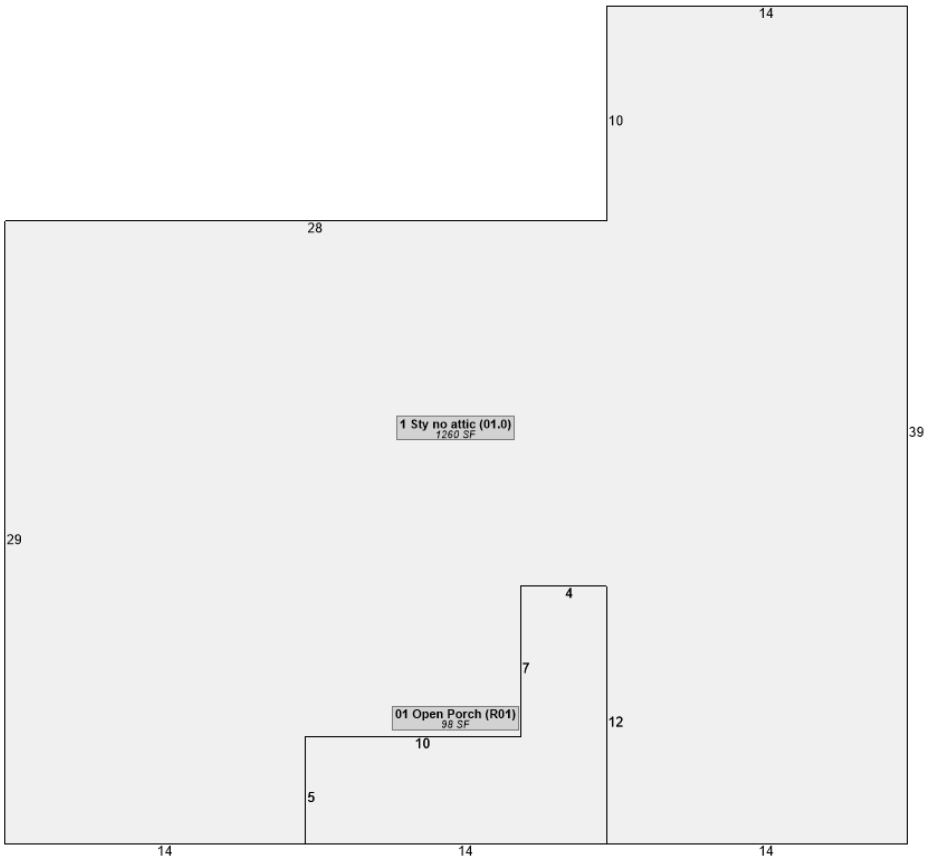

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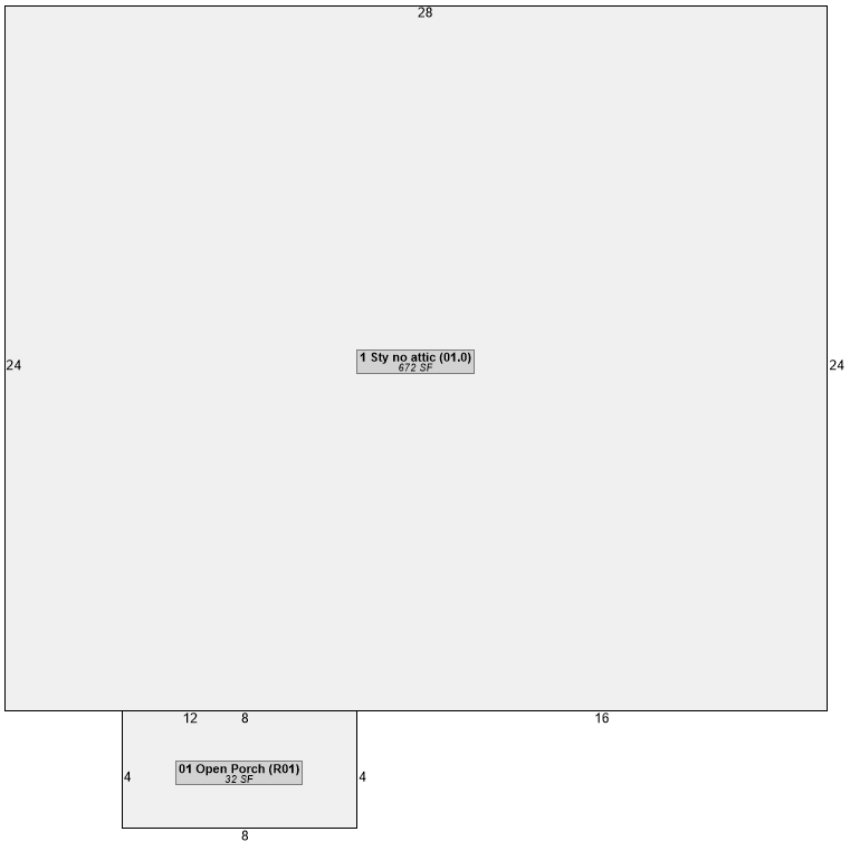

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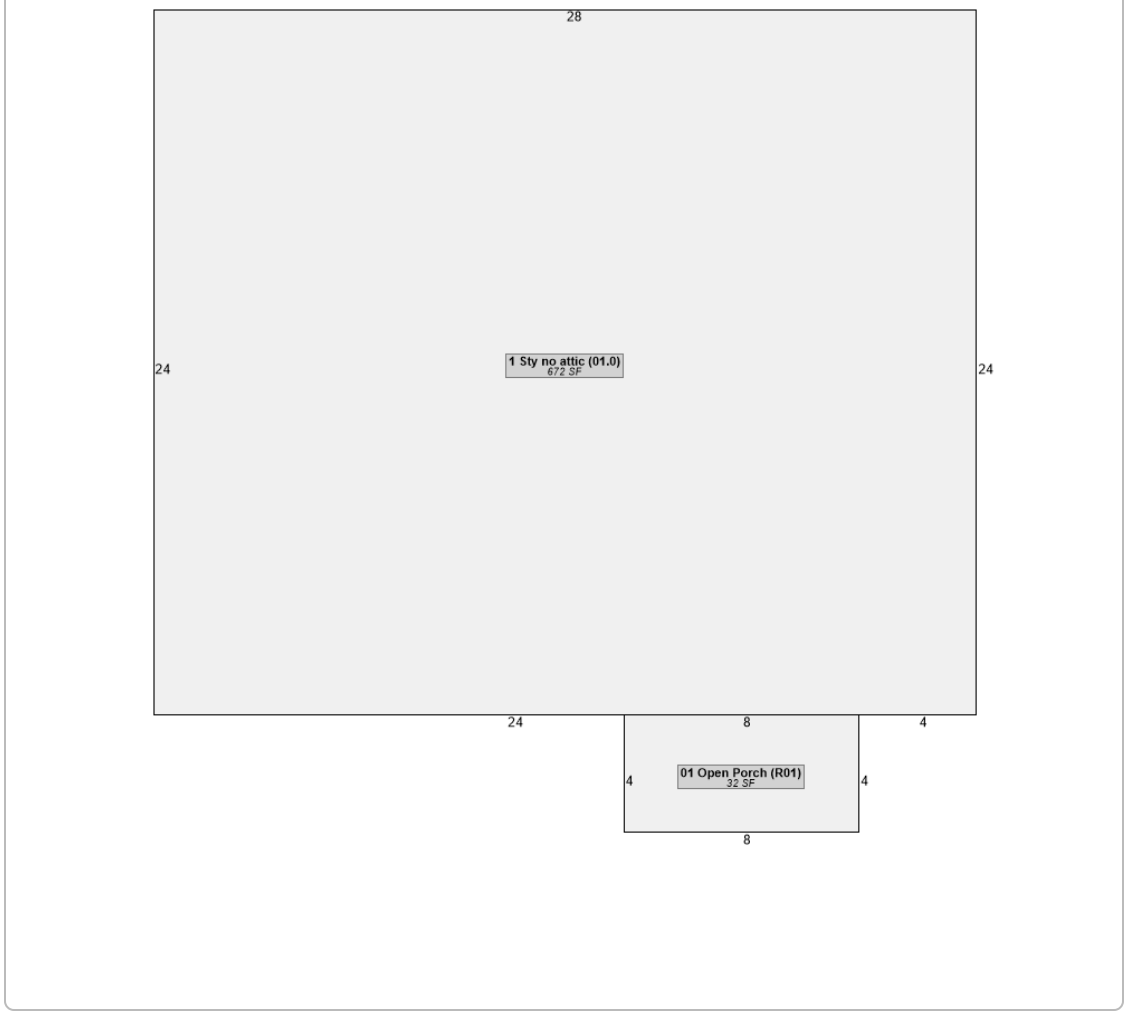

06.05.2014

Sketches


14
29
26
20 Screen Porch (R20)
224 SF
16
01 Open Porch (R01)
286 SF
11
11
11
16
26
14
20
22
1 Sty no attic (01.0)
2755 SF
26
04 Garage (R04)
550 SF
25
26
22
26
30
2
35
2
01 Open Porch (R01)
210 SF
6
6
35


14
10
28
1 Sty no attic (01.0)
1260 SF
39
29
4
7
01 Open Porch (R01)
98 SF
12
10
5
14
14
14


28
24
1 Sty no attic (01.0)
672 SF
24
12
8
16
01 Open Porch (R01)
32 SF
4
4
8



No data available for the following modules: Mobile Home Tax Notice, Assessment Notice, Land, Conservation Use Rural Land, FLPA Report, Commercial Improvement Information, Mobile Homes, Permits.

The Effingham County Assessor Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation.
| User Privacy Policy | GDPR Privacy Notice
Last Data Upload: 6/29/2026, 6:24:38 PM

Contact Us

Developed by
SCHNEIDER GEOSPATIAL

Attachment F
Public Comment

Jennifer Voris

From: Cornelia Reed <CReed@Savannahga.Gov>
Sent: Tuesday, July 14, 2026 1:25 PM
To: Planning
Cc: Shawn Rosenquist; James Laplander; Ronald Feldner; Bridget Lidy; Edward Morrow; Cornelia Reed
Subject: City of Savannah Response DRI #4772 -1180 Old River Rd. Logistics - Effingham

Hello. The City of Savannah has the following response regarding DRI #4772 -1180 Old River Rd. Logistics - Effingham.

Water Resources Planning and Engineering: Water Resources, would like to make the following statements regarding the regional impact of the development described in DRI #4772 - 1180 Old River Rd. Logistics - Effingham: City of Savannah, Water Resources, does not anticipate any direct impacts from this project outside of that already captured in state level management of groundwater resources and Coastal Georgia regional surface water supply planning.

Shawn Rosenquist, Ph.D., P.E.
Assistant Director
Water Resources Planning and Engineering
Shawn.Rosenquist@Savannahga.gov
O: 912.651.6573 ext. 2511; M: 912.657.6975

Thank you.

With best regard

Cornelia M. Reed, M.A.
Program Coordinator
creed@savannahga.gov

PO Box 16206
Savannah, GA 31416
Phone/Fax: 866-942-6222

www.ogeecheeriverkeeper.org
Working Together to Protect the Ogeechee, Canoochee and Coastal Rivers

July 15, 2026

Via E-Mail

Coastal Regional Commission
planning@crc.ga.gov

Re: Comments on DRI #4772 - Old River Rd. Logistics - Effingham

Coastal Regional Commission and Effingham County:

Ogeechee Riverkeeper 501(c)(3) (ORK) works to protect, preserve, and improve the water quality of the Ogeechee River basin, which includes the Canoochee River, tributary streams, and all of the streams flowing out to Ossabaw Sound and St. Catherine's Sound. The Ogeechee River system drains more than 5,500 square miles across 20 counties in Georgia. ORK works with local communities to retain the ecological and cultural integrity of rivers, streams, wetlands, and related habitats throughout the Basin. One of ORK's primary roles is as watchdog on new land development projects in the watershed that could pose a threat to its water quality and aquatic environments.

ORK's comments on the Old River Rd. Logistics development fall into two main categories. First, we are concerned about the actual need for this project, as millions of square feet of warehouse space is currently vacant. Second, flooding risks and stormwater management concerns should prevent the rezoning and development as proposed. Effingham County should seriously consider these two significant issues when making its decision here.

1. No demonstrable need for additional warehouse space

The Savannah region's warehouse market does not currently need new warehouses, including the 1 million square feet of new warehousing space proposed here. The regional market has maintained its current **roughly 10% vacancy rate**[1] for the last 6 quarters. With a crystal clear lack of need for the proposed use, ORK urges Effingham County to deny the requested rezoning and deny any requested permit for the proposed development.

[1] Colliers (2026 Q2) = **10.01%** (https://www.colliers.com/en/research/savannah/2026q2-industrial)
Lee & Associates (2026 Q1) = **12.8%** (https://www.lee-associates.com/atlanta/wp-content/uploads/sites/77/2026/04/Savannah-Industrial-Market-Report_2026_Q1.pdf)
Cushman & Wakefield (2026 Q1) = **9.9%** (https://assets.cushmanwakefield.com/-/media/cw/marketbeat-pdfs/2026/q1/us-reports/industrial/savannah_americas_alliance_marketbeat_industrial_q12026.pdf?rev=94a98d29b2f14009b02655150f484227)

The Savannah regional market has no demonstrable need for this proposed warehousing and logistics development. Warehouse development continues at an unprecedented rate, leading to an ever-growing oversupply of space. Looking specifically at the Savannah-area warehousing market, vacancy rates have continued to rise over the previous year. The vacancy rate remains extremely elevated from the recent low seen in 2022 Q4's vacancy rate of less than 1%. **Between 2022 and 2024**, the Savannah market has **added more than 50 million square feet**[2] of warehouse space - **a nearly 50% increase** in supply over an incredibly short period. In the **4 quarters of 2025 and Q1 2026, another ~18 million square feet**[3] of new space has been added. Based on the averages of vacant rate applied to total inventory,[4] **there is currently around 18 million square feet of already-existing and vacant warehouse and distribution space.**

In the most recent report published by Colliers,[5] the Savannah region saw **7.9 million square feet of new warehouse space** added to the market. In addition, an estimated 4.4 million square feet was currently under construction, with likely tens of millions more square feet rezoned and approved but not yet under construction, or otherwise under consideration.

In light of this continued oversaturation of warehouse space, ORK along with Savannah Riverkeeper and One Hundred Miles,[6] developed a Warehouse Dashboard.[7] Attachment A, included below, provides a visualization of the warehousing landscape around the proposed site. ORK urges Effingham County's staff and decision makers to review this tool, available here: https://savrk.maps.arcgis.com/apps/dashboards/438f7c1bd32845628aac697703ac7537# **Simply put, there is no clear need for more new warehouse space.**

In sum:

- There is no clear need for new warehouse space.
- The warehouse vacancy rate remains around 10%.
- Roughly 18 million square feet of warehouse space is entirely empty and ready to be utilized.
- More speculative warehouse space will only add to the glut of supply, at the cost of other land uses.

---

[2] Q4 2022 total = 102,993,004 square feet (Q1 2023 total = 103,514,071 [minus] Q1 2023 delivered =521,067) - https://www.colliers.com/en/research/savannah/2023q1industrial
Q4 2024 total = 153,531,831 square feet (Q3 2024 total = 137,731,831 [plus] Q4 2024 delivered = "15.8 million") - https://www.colliers.com/en/research/savannah/2023q1industrial and https://www.colliers.com/en/research/savannah/2024q4industrial
Two-year net increase = 50,538,827 square feet

[3] Per Lee & Associates quarterly reports = **27,491,785 sqft** → 2025 Q4 167,637,487 (minus) 2024 Q4 140,635,189 (plus) 2026 Q1 507,460.
Per Colliers quarterly reports = **18.188M sqft** → 2025 Q1 = 4.9M sqft; 2025 Q2 = 4.2M sqft; 2025 Q3 = 943k sqft; 2025 Q4 = 745k sqft; 2026 Q1 = 7.4M sqft.
Per Cushman & Wakefield quarterly reports = **13,326,380 sqft** → 2025 Q1 = 4,580,464; 2025 Q2 = 4,009,093; 2025 Q3 = 2,453,583; 2025 Q4 = 2,058,600; 2026 Q1 = 224,640.

[4] **Average = 18,357,204 square feet**
Lee & Associates' vacancy rate of 12.8% applied to the total inventory of (2026 Q1 new supply 507,460 sqft + 2025 Q4 total inventory 167,637,487) put the total vacant square footage at **21,522,553.**
Colliers' 9.8% vacancy rate applied to total inventory of 172,492,470 results in **16,904,262** square feet of vacant space.
Cushman & Wakefield put total vacant square footage at **16,644,799.**

[5] Colliers (2026 Q2) = **10.01%** . https://www.colliers.com/en/research/savannah/2026q2-industrial.

[6] Warehouse Dashboard press release - https://www.ogeecheeriverkeeper.org/release-savannah-area-warehouse-dashboard/

[7] Warehouse Dashboard - https://savrk.maps.arcgis.com/apps/dashboards/438f7c1bd32845628aac697703ac7537#

2. The site's natural and aquatic features present flooding risks and make it a poor location for this development

Stormwater management is important for any development in Effingham County. As storms will intensify and occur more frequently in the coming years and decades, stormwater management will only become more important. As such, a site's existing natural condition must instruct whether a development is feasible and guide how stormwater will be managed, including the preservation of natural stormwater management, reduction to artificial and constructed stormwater intensifiers, building in long-term resilience, and avoiding construction in hazardous areas.

This site is vulnerable to flooding and stormwater management issues. A FEMA-designated Zone AE Special Flood Hazard Area (aka the 100-year floodplain) dominates the site. Wetlands and a freshwater pond further indicate the prevalence of water flowing on and through the site. As proposed, the site layout does not escape the present flooding vulnerabilities and fails to fully consider a future of growing flood risks. As such, ORK urges Effingham County to deny this rezoning and to not permit this project due to the flood hazards and associated risks.

If the project is to proceed, ORK further urges Effingham County to fully consider present conditions as well as future risks, preserving already-existing natural flood controls while building in additional stormwater control capacity.

Wetlands - natural and no-cost stormwater management - should be preserved throughout the property. These quickly-dwindling resources not only reduce stormwater flows, they retain important volumes of stormwater, filter pollutants, and provide natural habitats for the region's fish and wildlife. All of these ecosystem services are invaluable and are freely available - so long as Effingham County and other governmental bodies and regulators do not allow developers to fill the wetlands and build atop them. When wetlands are filled, these services are lost and either have to be replaced with expensive and less effective artificial options or are not replaced and harm our shared places and natural resources. **Wetlands provide these ecosystem services regardless of the Army Corps' jurisdictional determination**. As such wetlands preservation should be the first step in stormwater management.

Impervious surface coverage reduction should be the second step in reducing stormwater management pressure. Based on the applicant's estimate of 20% impervious surface coverage of the approximately 280.5-acre site, this proposal will create approximately **56.1 acres of new impervious surface**. These hard surfaces, like concrete and asphalt, prevent stormwater from infiltrating into the ground, where they can be absorbed and reduce stormwater volumes. Impervious surfaces also speed up stormwaters, adding to management pressure. Finally, impervious surfaces hold pollutants and allow them to be washed into nearby waterways if not properly captured or treated. To reduce these issues, a significant reduction in impervious surfaces should be prioritized.

Following wetland preservation and impervious surface reductions, the developers should be required to build resilient and long-term stormwater retention/detention structures. Effingham County should be specific in its requirements, rather than relying on non-specific, passing references of potential management options. To better prepare for intensifying and more frequent storming and flooding, stormwater and flood damage prevention designs should go beyond the required minimums. First, the development should be conditioned on **reducing post-construction runoff**, rather than just ensuring no additional runoff compared to pre-construction amounts. This will help to offset stormwater pressure from stronger storms. Second, **increasing stormwater retention/detention ponds capacity** should be increased. As one of the main mechanisms to control post-construction runoff, these ponds

capacities are important. In anticipation of increasing storm strength, requiring these ponds to be able to retain and assimilate 125% of the 100-year storm or 100% of the 500-year storm.

Finally, the proposed location for this development faces serious and sustained **flooding risks**. Flooding, and its associated damages and pollution risks, will be an ongoing and growing issue on this site. Careful site design and layout should consider and protect the neighboring and nearby property as well as the natural areas around this site.

Flooding is very likely at this location. FEMA's designated 1% Annual Chance Flood Hazard area, also known as the 100-year floodplain or Zone AE,[8] should draw specific attention. While the "100-year floodplain" name implies that floods will only occur once every 100 years, this obscures the actual risk. Over a 30-year period, the actual flood risk is 26%[9] - a more than 1 in 4 chance for properties in the 100-year floodplain over that time.

The "100-year floodplain" only looks narrowly at the "base flood." The base flood describes the strength of flood that is 1% likely to happen in any year.[10] Non-base floods, *i.e.* floods less strong or severe than the base flood (aka the "100-year flood"), are more likely to happen each year. Likewise, the 100-year flood is not the absolute strongest possible flood that the property could face. The narrow focus on the 100-year flood not only undercounts the potential frequency of flooding on the property but also underconsiders the severity of flooding the property could experience.

Further, reliance on the backwards-looking 100-year flood model further obscures risk. The estimates of floods and the extent of the floodplains rely on historic data, leaving out the most recent and most representative data. With the anticipated increase in storm frequency and intensity in the coming years and decades, the extent, size, and frequency of flooding on this property is likely greater than the Flood Hazard area anticipates.

The project's current layout presents serious concerns about flood risk and damage. While attempts were made to avoid floodplains, aquatic features, and wetlands, it does not appear to do so completely. The northwestern portions of the proposed parking lot look to require wetland fill, as does the southwestern stormwater pond. Additionally, the warehouse structure itself will overlay a freshwater pond identified on the Wetlands map included in the DRI Notice. When considering these current conditions and the likely expansion of floodplains as storm frequency and intensity grows, this and the proposed development will likely face flooding-related issues throughout its operational lifetime. Effingham County should strongly consider these risks when deciding whether to rezone the property and permit the proposed development.

Finally, Effingham County should also take into account the potential financial burdens related to flooding. Those financial burdens include, but are not necessarily limited to property and structure damage, water and land pollution, and buyout costs. At the most basic level, flooding threatens to inundate, damage, and destroy any structure in its path. Structures within the floodplain see their risks increase. Costs of clean up, collateral damage, and to neighboring properties should be considered. Flooding also presents water pollution threats. As discussed above, gasoline and diesel fuels as well as other remnant vehicle-related pollution from frequent car and truck traffic risks

[8] Federal Emergency Management Agency (FEMA). " Zone A." *See*: https://www.fema.gov/about/glossary/z?%2Fabout%2Fglossary%2Fz= .
[9] *See* https://savannahga.gov/FAQ.aspx?QID=332 and https://www.floodsmart.gov/flood-zones-and-maps
[10] Federal Emergency Management Agency. "Appendix B: How to Read a Flood Insurance Rate Map (FIRM) Course Glossary". *Available at*: https://emilms.fema.gov/is_0273/groups/157.html

being swept up in flood waters. The nearby Little Ogeechee River is the principal water body threatened by these pollution risks. Finally, if flooding occurs frequently enough, FEMA may offer a property buyout[11] to return the property to its now-current, undeveloped conditions. These buyouts, though funded mainly by FEMA, still expect a 25% contribution from the local and/or state government.[12] This burden, as well as additional clean-up, emergency, rescue, and other foreseeable flood-related costs would likely fall on the City. ORK urges Effingham County to specifically consider and factor in these foreseeable financial costs of building in the floodplain.

In summary:

- Stormwater management considerations must be central to any land use decision made by Effingham County,
- The prevalence of aquatic features, including wetlands and a pond, along with the 100-year floodplain should prevent the rezoning and construction proposed,
- Wetland preservation should be prioritized for the broad-ranging and free environmental services it provides,
- A reduction to the 56+ acres of new impervious surface coverage should occur,
- Stormwater retention and detention features should be built above minimum standards to add long-term resiliency in light of anticipated increased storm frequency and intensity,
- Even alternative site layouts will likely find it difficult to sufficiently avoid flooding risk, and
- Effingham County risks the possibility of bearing costs related to FEMA buyouts.

Thank you in advance for your time and consideration; please let me know if you have any questions or would like to talk further on these topics: ben@ogeecheeriverkeeper.org.

Ben Kirsch, Legal Director
Ogeechee Riverkeeper

[11] University of Delaware Disaster Research Center and The Nature Conservancy. "Floodplain Buyouts: Challenges, Practices, and Lessons Learned." At page 9. August 2021. *Available at*: https://www.nature.org/content/dam/tnc/nature/en/documents/Buyouts_Lessons_Learned_Siders_Gerber_Chavez_TNC_Full_Report_2021.pdf

[12] Federal Emergency Management Agency. "FACT SHEET: Acquisition of Property After a Flood Event." *Available at*: https://www.fema.gov/press-release/20250121/fact-sheet-acquisition-property-after-flood-event

Attachment A

Warehouse Dashboard
Developed by:
Ogeechee Riverkeeper, Savannah Riverkeeper, and One Hundred Miles
Select area around the
Old River Rd. Logistics development

Available at:
https://savrk.maps.arcgis.com/apps/dashboards/438f7c1bd32845628aac697703ac7537#


Warehouse Dashboard
Marlow
Bland
Skinners Bay
Three Men Swamp
Horning Swamp
Blitchton
Ogeechee River
Eden
Walthour Swamp
Black Creek
US Highway 80
Meldrim
Hardin Swamp
Bloomingdale
Horse Pen Swamp
Savannah Quarters Country Club
Bryan
Earthstar Geographics | Esri | TomTom | Garmin | SafeGraph | GeoTechnologies, Inc | METI/NASA | USGS | EPA | NPS | USDA
Powered by Esri
Warehouse Stage of Construction
Built 83
Details unconfirmed 9
Under Construction 3
Site plan approved 6
Zoning approved 4
Warehouse Total
48.4M sq ft
Includes warehouses already built, approved, or under construction
Warehouse Construction by Year
Harbor Expansion Project
Number of Warehouses Built
Year
0
2
4
6
8
10
12
14
2008
2010
2012
2014
2016
2018
2020
2022
2024
2026

Jennifer Voris

From: Jenny Watkins <jenny@ta-tria.com>
Sent: Thursday, July 2, 2026 4:39 PM
To: Planning
Subject: Public comment regarding DRI 4772 - Old River Rd. Logistics

I am submitting this comment in opposition to the proposed industrial development at **1180 Old River Road, Bloomingdale (DRI #4772).**

I oppose this project for the following reasons:

- **The proposal is incompatible with local planning objectives and would have detrimental impacts on environmental resources.** The proposed industrial development conflicts with established land use planning intended to protect the character and ecological integrity of the area.
- **The development would undermine the intended transitional land use buffer.** This property is intended to serve as a transition between neighboring rural properties and existing industrial uses. Rezoning it for industrial development would eliminate that important buffer.
- **The project includes land designated for conservation.** Rezoning property identified for conservation to industrial use is inconsistent with long-term planning goals and disregards the interests of area residents who rely on these natural areas.
- **Most of the parcel is classified as Core Class on the Green Infrastructure Map.** This designation identifies lands that provide essential ecological functions and habitat connectivity. Replacing this core natural area with industrial development would result in the permanent loss of valuable ecosystem services.
- **The parcel contains significant wetland resources.** These wetlands provide critical flood mitigation, water filtration, wildlife habitat, and other ecological benefits that support both the surrounding community and the broader watershed.

For these reasons, I respectfully urge decision-makers to deny the requested rezoning and protect this ecologically significant parcel from industrial development.

Sincerely,
Jenny Watkins
jenny@ta-tria.com

Effingham County Georgia
Planning and Zoning Services

Staff Report

Subject:	2nd Reading- Zoning Map Amendment
Author:	Kimberly Barlett, Senior Planner
Department:	Development Services
Application:	RZN-26-28
Meeting Date:	October 20, 2026
Existing Zoning:	**AR-1 (Agricultural–Residential, 5 acres or more)**
Proposed Zoning:	**LI (Light Industrial)**
Map & Parcel(s):	304-10
Total Acreage Affected	± 99 acres out of ±280.50 acres
Location:	1180 Old River Road
Commissioner District:	First District
Proposed Use:	Warehouse
Applicant	Boltin Teeter 9040 Roswell Road Ste 420 Atlanta, GA 30350
Owner:	Mark Cooper P.O. Box 72 Furman, SC 29921

Rezoning Summary:

Item	Description
Request	Rezone ± 99 acres from **AR-1 to LI**
Proposed Use	Warehouse
Existing Use	Agricultural/ Residential
Future Land Use	**Transitional & Conservation**
Utilities	Public Water & septic system
Access	Old River Road

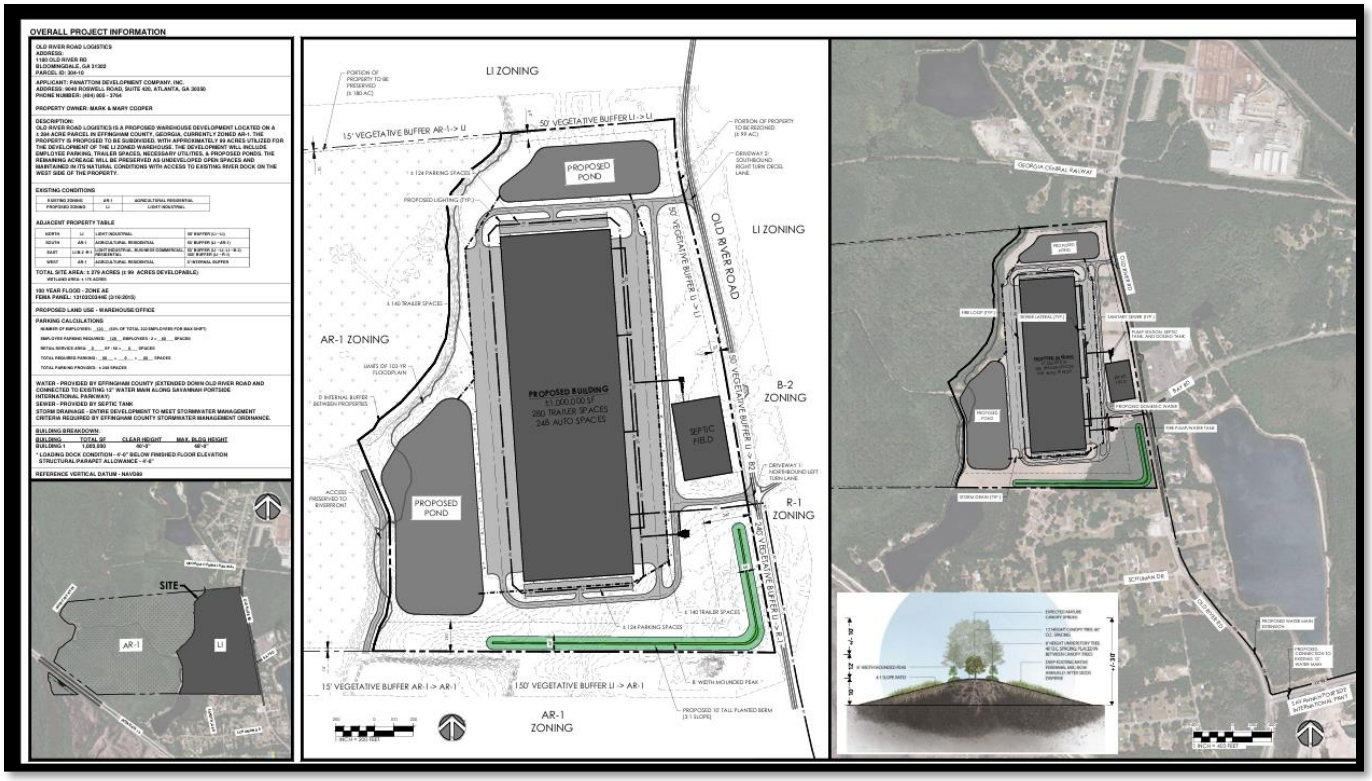
Project Summary:

The applicant is requesting to **rezone ±99 acres** of a ±280.50-acre parent tract from AR-1 (Agricultural Residential) to **LI (Light Industrial)** to allow for the construction of an approximately 1,000,000-square-foot industrial warehouse for distribution and storage. The remaining acreage is proposed to remain zoned AR-1 and, according to the applicant, will be donated to Effingham County.

Subsequent to the **Planning Board meeting** and the Board's request for additional buffering and berms to provide greater protection and screening for adjacent property owners, the applicant submitted a revised plan incorporating additional mitigation measures.
The proposed revisions include the following:

- **Berm Addition:** A new berm, shown in green on the revised plan, has been added along the applicable property boundaries. A cross-section of the proposed berm is provided in the lower right-hand corner of the plan. The berm is approximately **68 feet wide and 10 feet in height**.
- **Landscaping:** Proposed plantings will be installed along the top of the berm and are anticipated to provide approximately **12 feet of additional height at installation**, with an estimated **10 feet of additional growth at maturity**. Once the landscaping canopy matures, the combined berm and vegetation are anticipated to provide approximately **30 feet of total screening height above finished grade**.
- **Southern Property Boundary:** The existing **150-foot buffer will remain unchanged**. The proposed berm along the southern property line will be provided **in addition to the 150-foot buffer**, providing supplemental screening for adjacent properties.
- **Eastern Property Boundary:** The proposed eastern buffer has been revised from **300 feet to 240 feet**. A **10-foot-high berm**, designed in accordance with applicable ordinance standards, has been added to provide additional visual screening and separation from adjoining properties.

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.



*DRI Report

A DRI report was completed for this project on July 20, 2026.

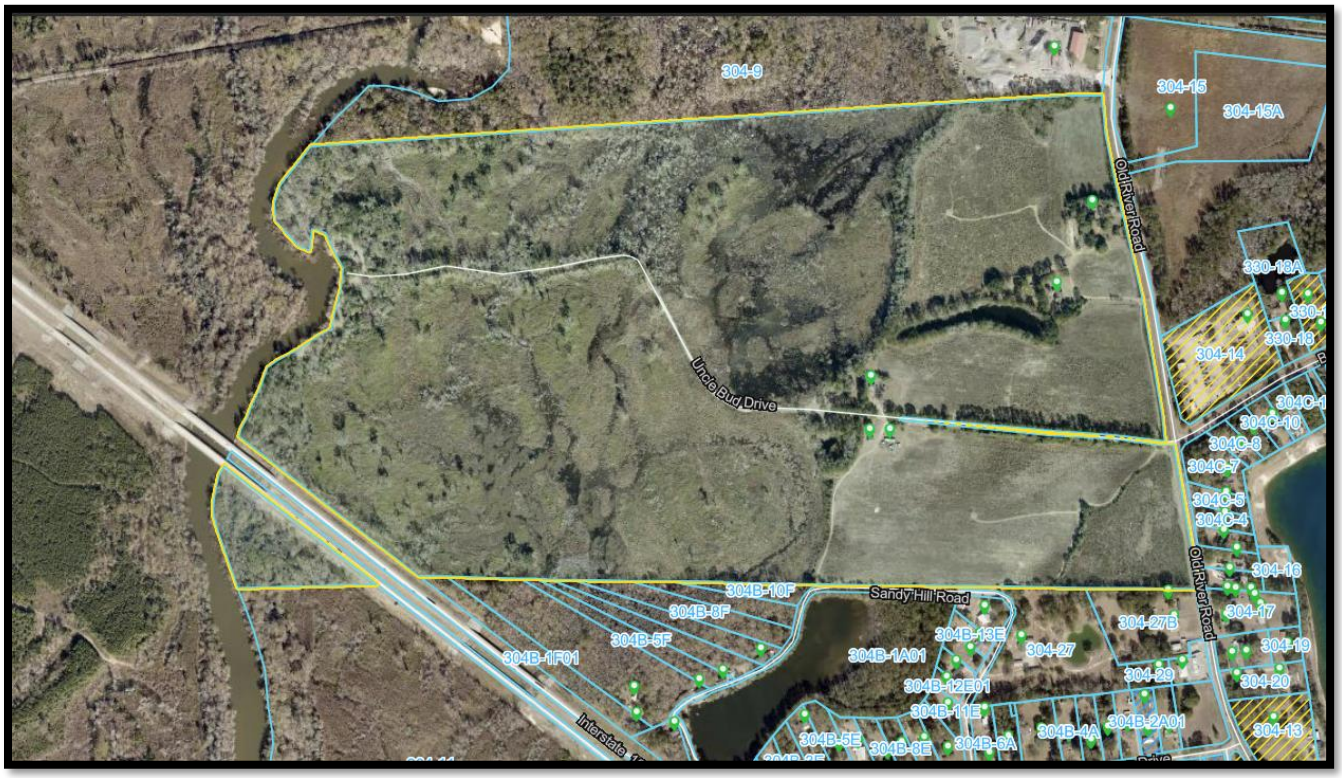
The CRC strongly encourages the use of native or drought-tolerant landscaping and recommends the applicant to review the Coastal Georgia Regional Water Plan to ensure that the best practices for water efficiency, and stormwater management are incorporated into site design. The CRC strongly advises the applicant to evaluate the potential impacts on the overall drainage system and flood risks associated with the proposed development, taking into account FEMA flood zone designation. The property is designated as an Area of Significant Natural Resources with the exception of the area to the east.

Public comments were to be received on or by July 15, 2026. The CRC has received commentary from the City of Savannah, Ogeechee Riverkeeper, and one general public comment that is in opposition to this potential development.

Zoning History

The subject property is currently zoned A**R-1 (Agricultural Residential).** Prior zoning cases are on record for this property.

- April 9, 2024 – Rezoning of 280.5 acres from AR-1 to I-1 was postponed at the Planning Board and then withdrawn prior to consideration by the Board of Commissioners.

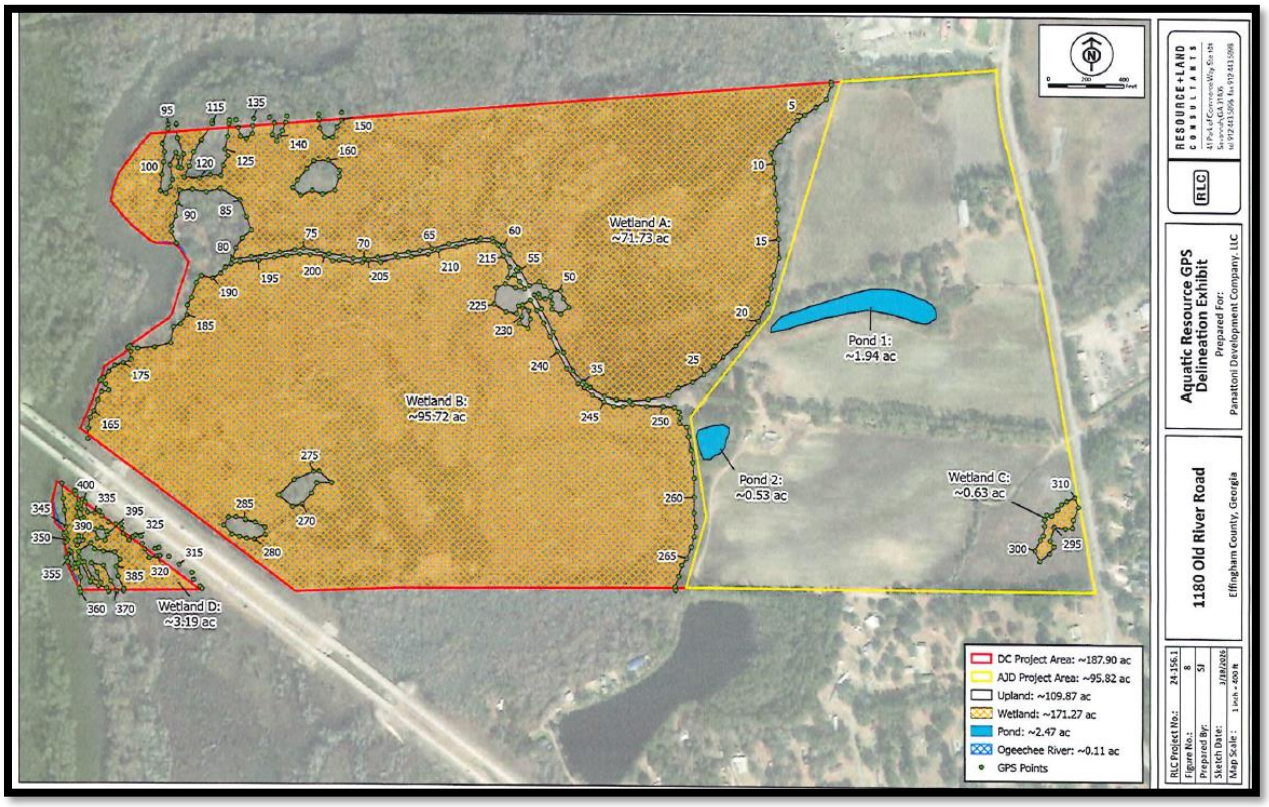


Existing Site Condition

The subject property consists of approximately **280.50 acres** with frontage along **Old River Road**. The property is currently developed with four stick-built single-family residences, one mobile home, and several associated accessory structures.

The parcel does contain identified **wetlands and floodplains AE** based on **County GIS mapping. A Level III soil study and a wetlands delineation submittal have been provided. A traffic study has**

been completed at this site.



Surrounding Use and Zoning Pattern

Surrounding Neighborhood
• North: I-1 (Industrial Districts)
• South: AR-1 (Agricultural–Residential, 5 acres or more)

• East: R-1 (Single-Family Residential) & I-1 (Industrial Districts) & B-2 (General Commercial Districts) & AR-2 (Agricultural residential, 1 acre or more)
• West: Bryan County

The surrounding area is characterized by a mix of rural residential, commercial, and industrial uses. Lot sizes range from approximately one-half acre within nearby residential subdivisions to large agricultural tracts. The development pattern reflects an area in transition, with established residential and agricultural uses located near existing and proposed commercial and industrial development.

North/ Northeast

- Agricultural Residential homesteads (AR-1)
- Pecan Grove Subdivision (AR-1)
- Transloading Facility (I-1)
- Lumber Manufacturing (I-1)

East

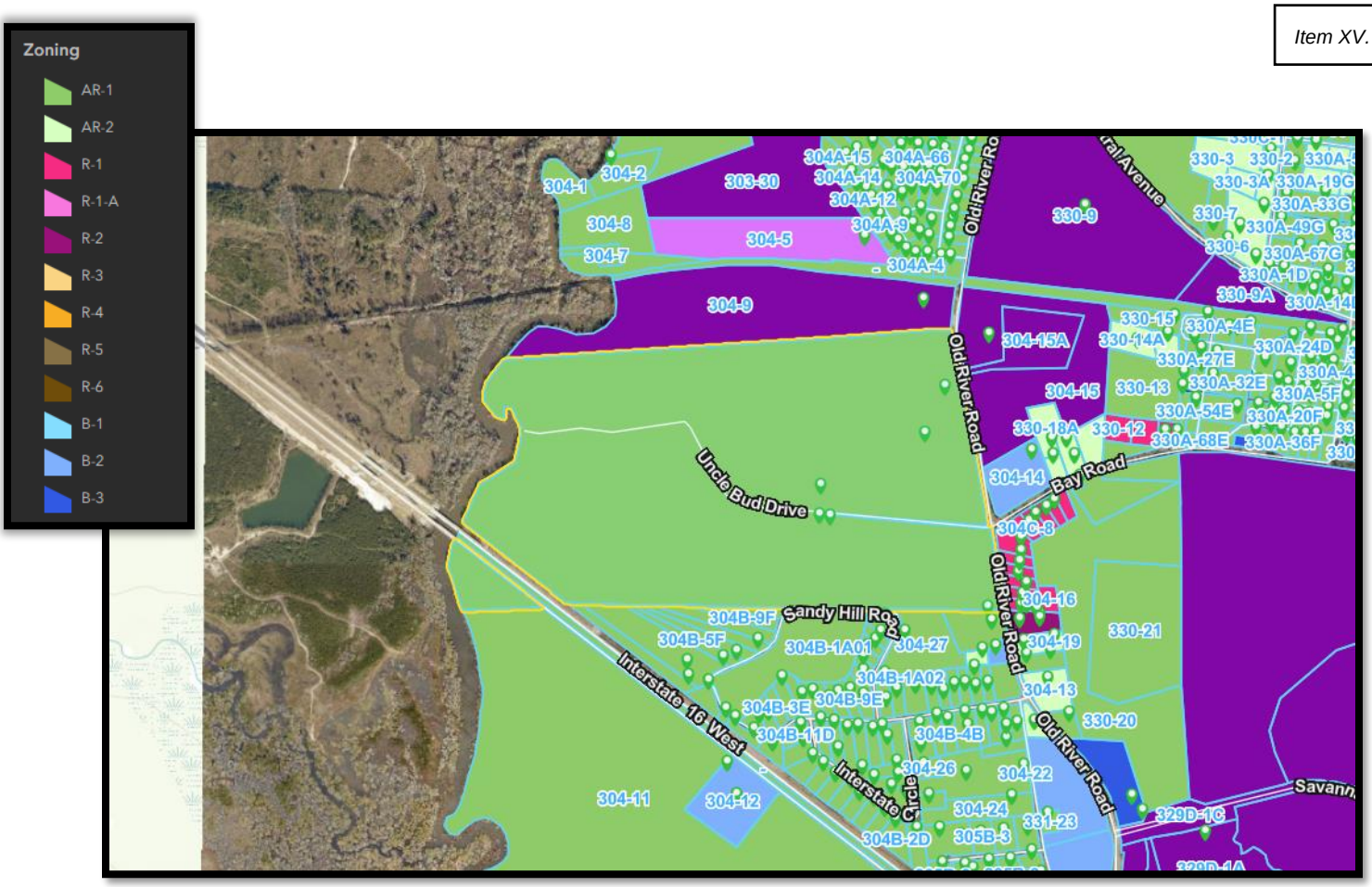
- Agricultural Residential homesteads (AR-1 & R-1& AR-2)
- Proposed Asphalt Plant (I-1)
- Dump Truck Company (B-2)
- Megans Bay Subdivision (R-1)

South

- Meldrim Lakes Subdivision (AR-1)

West

- Bryan County



Applicable Ordinance Sections

Section 3.4.2(c) – Adjacent Public Street Buffers:

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

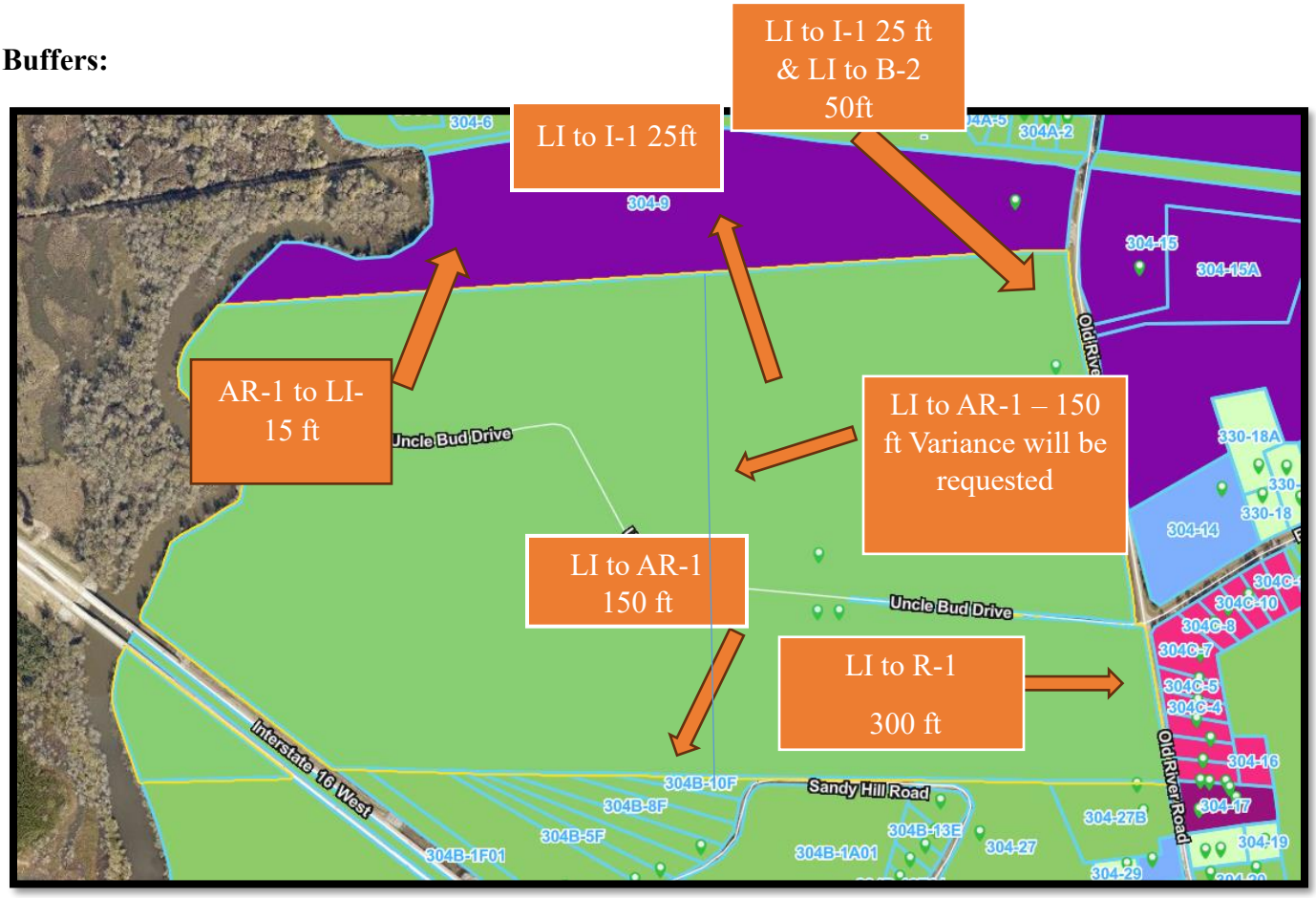
Zoning Development Standards for LI

Requirement	Standard
Greenspace	Minimum 15% of site area
Buffers	Based on adjacent zoning
Parking (Sec. 30.30)	1 for every 2 employees, plus 1 for every 50 square feet of retail sales or service
Lighting	Must be designed to reflect light away from adjacent residentially zoned properties

Zoning Classification

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.

Buffers:



Intensity of Use

The proposed rezoning from AR-1 (Agricultural–Residential) to **LI (Light Industrial)** for the development of an approximately 1-million-square-foot warehouse would substantially increase the intensity of use. The development would change a low-density agricultural residential property to a large-scale industrial and distribution use, resulting in significantly greater building coverage, impervious surface, lighting, stormwater runoff, utility demand, and traffic—particularly from trucks and employee vehicles.

These impacts would be most significant where the property adjoins residential or agricultural uses. Adequate roadway capacity, safe truck access, turn lanes, stormwater management, utility availability, and required buffers and screening will be necessary to mitigate potential impacts. Overall, the proposed development constitutes a high-intensity change from the existing AR-1 zoning and should be evaluated based on the site's location, surrounding land uses, infrastructure capacity, and compliance with applicable development standards.

Infrastructure

The property is served by **public water and a septic system, consistent with the** surrounding development.

Roadway Classification: The proposed development will access Old River Road, which is classified as a Major Collector within Effingham County.

Public Health, Safety, and Welfare

The proposed rezoning from AR-1 (Agricultural–Residential) to **LI (Light Industrial)** may have significant implications for the public health, safety, and welfare due to the scale of the development. Potential impacts include increased large truck and employee traffic, roadway congestion, noise, lighting, air emissions from vehicle activity, stormwater runoff, and increased demand on utilities.

Appropriate buffers and screening may also be necessary to protect nearby agricultural and residential properties. Provided these impacts are adequately evaluated and mitigated through the development-review process, the proposed use may operate without creating an unreasonable adverse effect on the public health, safety, or welfare.

Consistency with Comprehensive Plan

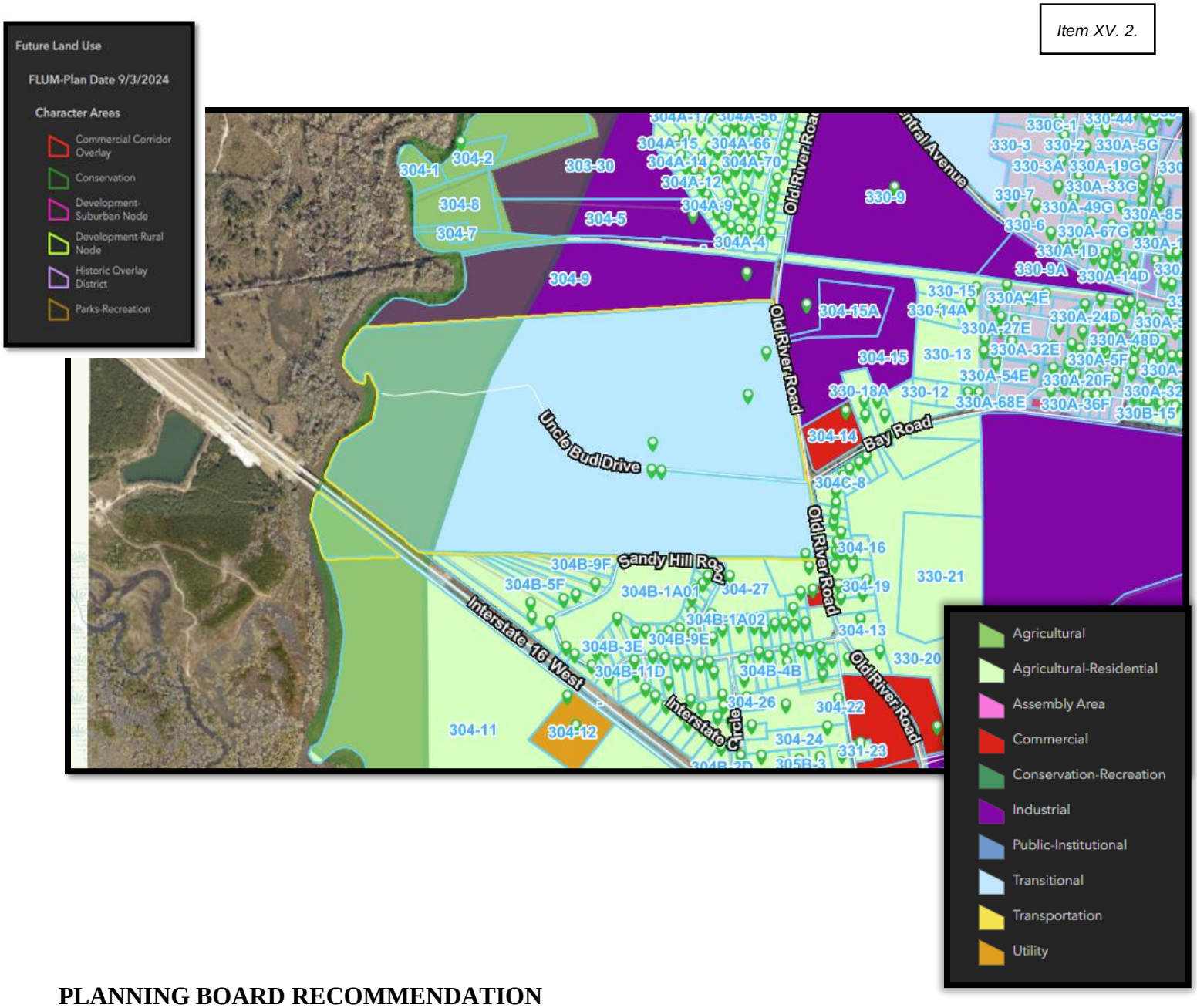
The subject property is designated **Transitional** on the **Future Land Use Map**, while the portion proposed to remain zoned AR-1 (Agricultural–Residential) is designated **Conservation.** The proposed

rezoning of the Transitional portion to LI (Light Industrial) may be generally consistent with the Comprehensive Plan, as the Transitional designation is intended to accommodate areas changing land-use character that may support appropriately located employment or industrial development where adequate infrastructure is available.

Retaining the Conservation-designated portion under the existing AR-1 zoning would help preserve environmentally sensitive land and separate the proposed warehouse development from surrounding properties.

*This parcel is designated **Transitional** on the **Future Land Use Map**, which is an area that buffers between commercial, Industrial, and less intense residential areas and allows for development opportunities. Future development will allow for mixed use and adaptive use opportunities. This area is designed to allow for transition from residential uses to compatible nonresidential developments. Transitional areas are often exhibit characteristics of neighboring zones and may undergo changes in land use, density, or character over time. A blend of residential, commercial, or industrial uses that bridge the gap between adjacent zones.(Effingham County 2020–2040 Joint Comprehensive Plan, p. 37).*

*This parcel is designated **Conservation** in the **Character Area** on the **Future Land Use Map**, which is Environmentally Sensitive Areas refers to the management and protection of natural areas and resources to preserve habitats and species, protect ecosystems, and maintain environmental quality. Areas of open space that follow natural and manmade linear features for recreation and conservation purposes that link ecological, cultural, and recreational amenities. Conservation land use may involve activities such as wildlife conservation, sustainable agriculture, and protection of water resources. These lands are characterized by low-impact development and recreation. Some of these areas represent 100-year floodplains along river and stream corridor and identified wetlands. (Effingham County 2020–2040 Joint Comprehensive Plan, p. 41).*



PLANNING BOARD RECOMMENDATION

At the **September 8, 2026,** Planning Board meeting, the Planning Board conducted a public hearing regarding the requested rezoning application to rezone approximately ± 99 acres from AR-1 to LI to allow for permitted uses in LI.

During its deliberations, the Planning Board discussed the proposed zoning classification and the donation of land to the county, transitional designation, growth in the area, and residential areas surrounded by industrial uses, buffers and berms.

Citizen concerns included:

- Traffic
- No protection to the residential
- Concerned about buffers
-

Following the public hearing and discussion, the Planning Board voted to recommend approval of the rezoning request, subject to the stipulations

1. For additional buffer and berms to protect the adjacent landowners.

Staff Summary

Staff finds that the requested rezoning is consistent with the Transitional and Conservation designations of the Future Land Use Map and with the intent of the LI (Light Industrial) zoning district. The portion designated Conservation will remain zoned AR-1 (Agricultural–Residential), thereby supporting the preservation of environmentally sensitive areas.

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

ZONING MAP AMENDMENT ORDINANCE

Rezoning Application: RZN-26-28
Applicant: Boltin Teeter as agent for Mark Cooper
Parcel ID: 304-10
Commission District: District 1
Acreage: 95 ± Acres
Location:1180 Old River Road

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF EFFINGHAM COUNTY, GEORGIA

BE IT ORDAINED by the **Board of Commissioners of Effingham County, Georgia (hereinafter referred to as the "Board of Commissioners"),** in regular meeting assembled and pursuant to the authority granted by the laws of the State of Georgia and the Effingham County Zoning Ordinance, that the Official Zoning Map of Effingham County be amended as follows:

Application
An application was submitted by Boltin Teeter as agent for Mark Cooper requesting the rezoning of approximately ± 95 acres, identified as Tax Parcel 304-10, located at 1180 Old River Road in Commission District 1, from AR-1 (Agricultural Residential; 5-acre minimum lot size) to LI (Light Industrial) to allow future warehousing and industrial operations.

Public Hearings and Notice
Notice of the required public hearings was published in the **Effingham County Herald**, the official legal organ of Effingham County, in accordance with the **Georgia Zoning Procedures Law (O.C.G.A. §36-66-1 et seq.)**.
A public hearing was conducted **on September 8, 2026,** before the **Effingham County Planning Board (hereinafter referred to as "Planning Board")**, with notice published in the Effingham County Herald on **August 19, 2026**.
A public hearing was conducted on **October 6, 2026,** before the Board of Commissioners, with notice published in the Effingham County Herald on **September 16, 2026**.

Findings of Fact
The Board of Commissioners makes the following findings regarding this zoning map amendment:

1. The applicant requested the rezoning of approximately ±95 acres identified as Tax Parcel 304-10, located in Commission District 1.
2. Notice of the required public hearings was provided in accordance with the **Georgia Zoning Procedures Law**.
3. Public hearings were conducted before both the **Planning Board** and the **Board of Commissioners**.
4. The Board of Commissioners reviewed the application, staff report, Planning Board recommendation, and all information presented during the public hearings.
5. The Future Land Use Map designates the property as Transitional and Conservation.

Zoning Map Amendment
The Board of Commissioners hereby approves the rezoning of approximately ±95 acres, Tax Parcel 304-10, from AR-1 (Agricultural Residential; 5-acre minimum lot size) to LI (Light Industrial), thereby amending the Official Zoning Map of Effingham County, Georgia.

Conditions of Approval

This zoning map amendment is approved subject to the following stipulations:

1. Additional buffer and berms to protect the adjacent landowners.

Repealer

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

Effective Date

This ordinance shall become effective immediately upon adoption by the Board of Commissioners.

ADOPTED this _____ day of _____, 20____

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: _____
DAMON RAHN, CHAIRMAN

Date of First Reading: _____

Date of Second Reading: _____

ATTEST:

_____
STEPHANIE JOHNSON
COUNTY CLERK

EFFINGHAM COUNTY DEVELOPMENT SERVICES
STAFF REPORT

TO: Effingham County Board of Commissioners
FROM: Akela Wright, Planning Manager, Development Services
DATE: [Meeting Date]
CASE: [TXT-26-__]
RE: Text Amendment to Appendix C, Zoning Ordinance — Review Bodies, Hearing Procedures, and Notice

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REQUEST

Staff requests approval of a text amendment to Appendix C, Zoning Ordinance, that revises how zoning applications are reviewed and heard. The amendment has three purposes:

First, it assigns each application type to the correct review body. Only rezonings and conditional uses in commercial and industrial zoning districts would be heard by both the Planning Board and the Board of Commissioners. All other applications, including conditional uses in residential and agricultural districts, variances, Housing Ordinance exemptions, and text amendments, would be heard by the Board of Commissioners only.

Second, it updates notice, hearing, and appeal procedures to reflect current requirements of the Georgia Zoning Procedures Law (ZPL), O.C.G.A. § 36-66-1 et seq.

Third, it corrects conflicting, outdated, and ambiguous language throughout the ordinance, and includes related revisions to home occupation submittals, nonconforming properties, minimum living area, conditional zoning, and the PD district.

BACKGROUND

Article IX currently requires two public hearings, one before the Planning Board and one before the Board of Commissioners, for any proposed zoning amendment. Other sections of the ordinance route applications inconsistently. Several residential conditional uses, including those in the R-1-A and R-6 districts, schools and churches, rural businesses, agritourism, and family cemeteries, are sent through the Planning Board, while I-1 industrial conditional uses go to the Board of Commissioners alone. PD sketch plans are heard and approved by the Planning Board, and Housing Ordinance exemptions are decided by the Planning Board. Article VII states that the Planning Board may approve or deny rezonings, although its role is advisory.

The ordinance also contains errors that create uncertainty in administration. It cross-references a section 7.1.6 that does not exist and refers to a "planning commission" and a "board of zoning adjustment," neither of which the County has.

State law has also changed. In 2022, the General Assembly amended the ZPL to distinguish quasi-judicial decisions, such as variances and appeals of administrative decisions, from legislative zoning decisions. Quasi-judicial decisions require 30 days' mailed notice to the property owner, and those decisions and special use (conditional use) decisions are now reviewed by the superior court on the record rather than in a new trial.

SUMMARY OF HEARING PROCESS

Section 7.1.4 lists the applications the Planning Board hears, and section 9.2.2 provides that all other applications go to the Board of Commissioners only. The following table compares current practice with the proposed process.

Application type	Current ordinance	Proposed
Rezoning	Planning Board hearing and recommendation, then BOC hearing and decision	No change
Conditional uses in commercial and industrial zoning districts	Inconsistent; most sections route through the Planning Board, but I-1 conditional uses go to the BOC only	Planning Board hearing and recommendation, then BOC hearing and final action
Conditional uses in residential and agricultural zoning districts	Planning Board and BOC in most sections	BOC only
Variances	BOC	BOC only, with 30-day mailed notice to the property owner for the quasi-judicial hearing
Housing Ordinance exemptions	Decided by the Planning Board, with appeal to the BOC	BOC only, after a public hearing under Article IX
Text amendments	Planning Board hearing, then BOC hearing	BOC public hearing only

CONDITIONAL USE CLASSIFICATION

Under sections 2.118 and 7.1.4, the hearing path for a conditional use depends on the zoning district in which it is proposed.

A conditional use proposed in a commercial or industrial zoning district is heard by the Planning Board, which makes a recommendation, and then by the Board of Commissioners for final action. This includes I-1 conditional uses, which currently bypass the Planning Board.

A conditional use proposed in a residential or agricultural zoning district is heard and decided by the Board of Commissioners. Examples include home occupations and residential businesses, rural businesses, agritourism, family cemeteries, and schools and places of worship.

TEXT AMENDMENTS

Because text amendments are not among the applications listed in section 7.1.4, they would no longer be heard by the Planning Board. A text amendment would require a public hearing before the Board of Commissioners, advertised under section 9.3, before the Board takes action.

Text amendments that authorize multifamily uses within single-family classifications, grant blanket permission to deviate from single-family requirements, or abolish single-family classifications remain subject to the heightened procedures of O.C.G.A. § 36-66-4(h), which apply regardless of local ordinance.

GEORGIA ZONING PROCEDURES LAW UPDATES

Notice. Published notice is required 15 to 45 days before each hearing, and one notice may cover both the Planning Board and Board of Commissioners hearings when both dates fall within that window. A sign must be posted on the property at least 15 days before each hearing on a site-specific application. Property owners within 200 feet receive mailed notice. For quasi-judicial hearings, the owner of the subject property also receives mailed notice at least 30 days before the hearing, consistent with O.C.G.A. § 36-66-4(g). The amendment also incorporates the additional requirements for drug treatment facilities (§ 36-66-4(f)), military installations (§ 36-66-6), and developments of regional impact.

Hearing procedures. O.C.G.A. § 36-66-5 requires a minimum of ten minutes per side for proponents and opponents. The amendment provides equal time of at least 15 minutes per side. The applicant may reserve up to five minutes of the proponents' time for summary remarks, and any extension given to one side must be given to the other.

Records. Each public hearing must be recorded by audio or video, and the clerk must prepare written minutes. The record and all evidence submitted become a permanent part of the application file. For rezonings, the Planning Board must document written findings on each of the eight checklist criteria.

Appeals. Article XI separates the two appeal paths under state law: legislative zoning decisions under O.C.G.A. § 36-66-5.1(a)(1), and quasi-judicial and conditional use decisions, which are reviewed on the record, under § 36-66-5.1(a)(2).

SECTION-BY-SECTION SUMMARY

Section	Change
Article II — Definitions	
2.118 Conditional use	Clarifies that the Board of Commissioners may impose conditions to address the impacts of a proposed use, and states the hearing path: commercial and industrial conditional uses are heard by the Planning Board and the BOC; residential and agricultural-residential conditional uses are heard by the BOC only.
2.390 Planned development	Replaces the definition of "planned single-family home community" with a definition of "planned development" tied to the PD district and an approved master plan.
2.391 Planning board	States that the Planning Board's hearing and recommendation authority is limited to the applications listed in section 7.1.4.
2.410 Quasi-judicial board or agency	Corrects a mislabeled heading (previously "Public use") and adopts a definition of the body that makes quasi-judicial decisions under the ordinance and state law.
2.522 Variance	Restates the definition: a variance is granted by the BOC for conditions unique to the property and not created by the owner, may not be contrary to the public interest, and may not authorize a use prohibited in the district.
Article III — General Provisions	
3.6 Family cemeteries	Requires conditional use approval by the BOC at a noticed public hearing under Article IX.

Section	Change
3.7.2 Schools and churches in other districts	Removes the Planning Board step; approval is by BOC conditional use at a noticed public hearing.
3.7A.2 Conditional zoning	States that conditions of rezoning are in addition to ordinance requirements and bind the property and any successor in title.
3.15 Home occupations	Replaces the business plan with an operational statement, removes the photograph requirement, and reduces renewal submittals to a renewal form, a statement of changes, and a certification of continued compliance. The Zoning Administrator may request additional information when needed.
3.15A(5) Nonconforming property	A legally nonconforming lot, structure, or use no longer has to be brought into full compliance as a condition of considering a conditional use or residential business. The proposal may not create or expand a nonconformity, and unrelated violations must be corrected before approval.
3.15B(b) Rural businesses	Removes Planning Board review. The BOC holds the public hearing under Article IX and may impose conditions.
3.17 Excavation, mining, and fills	Assigns review of the activities listed in section 3.17.1 to the BOC rather than the Planning Board, and changes references to the PD-MR district to PD.
3.20 Minimum living area	Removes the 525-square-foot minimum living area. Dwelling units must meet applicable building, fire, health, and development requirements.
5.1.2.13(c) Agritourism	Removes Planning Board review. Approval is by the BOC, which may impose conditions.
Article IV — Zoning Districts and Map	
4.2.02(a) Map amendments	Removes the reference to a "planning commission," which the County does not have. The map is amended by the BOC under the procedures of the ordinance and state law.
4.2.04(g) District boundaries	Assigns boundary interpretations to the Zoning Administrator in place of a "board of zoning adjustment," which the County does not have.
Article V — District Regulations	
5.5.2.1 (R-1-A) and 5.9A.5 (R-6)	Corrects cross-references to section 7.1.6, which does not exist, to Article IX. These residential conditional uses are decided by the BOC.
5.13.1A (I-1)	Adds the Planning Board hearing so that I-1 conditional uses follow the same path as other industrial conditional uses.
5.16 PD district	Deletes section 5.16 in its entirety. [Staff to describe replacement PD provisions or the reason for deletion.]
Article VII — Planning Board	
7.1.2 Meetings	Corrects "options" to "motions."
7.1.4 Review authority	Limits Planning Board review to rezonings in any district and conditional uses in commercial or industrial zoning districts. Removes the statement that the Planning Board may approve or deny; the Board may recommend approval, approval with conditions, or denial, or forward the application without a recommendation.

Section	Change
Article IX — Amendments to Map or Text	
9.2.1 Applications	Requires each site-specific application to be signed by the owner or an agent with notarized written authorization, assigns the completeness review and scheduling to the Zoning Administrator, and provides that text amendments and County-initiated rezonings may be initiated by the BOC or by the Zoning Administrator at the BOC's direction.
9.2.2 Required public hearings	Provides that the Planning Board holds hearings only on the application types that require one, and that all other applications are heard and decided by the BOC only.
9.3 Notice	Assigns published and posted notice to the Zoning Administrator, allows one published notice to cover both the Planning Board and BOC hearings when both dates fall within the 15-to-45-day window, extends the notice content and posted-sign requirements to all site-specific applications, and adds the requirements of O.C.G.A. § 36-66-4(f), § 36-66-6, and DRI review.
9.3.1 Mailed notice	Requires first-class mailed notice at least 15 days before the hearing to the property owner and owners within 200 feet, and adds the 30-day mailed notice to the property owner for quasi-judicial hearings under O.C.G.A. § 36-66-4(g).
9.3.2–9.3.4 Actions	Limits Planning Board recommendations to applications that require a Planning Board hearing, and provides that an application moves to the BOC without a recommendation if the Planning Board does not adopt one by majority vote. Applications that do not require a Planning Board hearing go directly to the BOC once accepted as complete.
9.4 Hearing procedures	Replaces the "county zoning officer" with the Zoning Administrator, provides equal speaking time of at least 15 minutes per side with up to five minutes reserved for the applicant's summary, requires equal extensions, and requires audio or video recording and written minutes of each hearing.
9.5 Rezoning checklist	Requires rezoning applicants to address the review criteria and the Planning Board to document written findings on each of the eight checklist criteria. "Master plan" is updated to "comprehensive plan."
Article XI — Appeals	
11.1–11.2	Separates appeals of legislative zoning decisions (O.C.G.A. § 36-66-5.1(a)(1)) from appeals of quasi-judicial and conditional use decisions, which are reviewed on the record (O.C.G.A. § 36-66-5.1(a)(2)).
Housing Ordinance Appendix	
3.2, 3.2.4, 3.3.6, 3.4, 1.3	Exemptions from compatibility and architectural standards are decided by the BOC after a public hearing, rather than by the Planning Board.
3.5, 1.1.7, 4.1, 9.7	Unresolved applicability questions become written Zoning Administrator determinations that may be appealed to the BOC. Nonconforming placement applications and revised planned manufactured housing community plans go to a BOC public hearing.

PROCEDURE FOR THIS AMENDMENT

Until this amendment is adopted, the current Article IX governs, which requires public hearings before both the Planning Board and the Board of Commissioners for a text amendment. Staff

has scheduled the amendment as follows: Planning Board public hearing on [date]; Board of Commissioners public hearing on [date]. The revised procedures would apply to applications filed after the effective date.

FISCAL IMPACT

No significant fiscal impact is anticipated. Removing Planning Board hearings for residential and agricultural conditional uses, Housing Ordinance exemptions, and text amendments will reduce advertising, staff preparation, and processing time for those applications. The 30-day mailed notice for quasi-judicial hearings and the audio or video recording requirement will add minor administrative costs.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the text amendment to Appendix C, Zoning Ordinance, as shown in the attached redline.

ATTACHMENTS

1. Redline of Appendix C, Zoning Ordinance

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.

[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 Bboard of Ccommissioners 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 commissioners, at their discretion, may require additional restraints, restrictions, qualifications, or limiting factors to make a particular use acceptable.~~ 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 single-family home community.*~~ *Planned Development.* ~~A subdivision used or intended for use as a residential area occupied by single-family 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 subdivision is under single ownership or control.~~ 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 ~~*Public use*~~ *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. ~~Quasi-judicial officers, boards, or agencies. An officer, board, or agency appointed by a local government to exercise delegated, quasi-judicial zoning powers including hearing appeals of administrative decisions by such officers, boards, or agencies and hearing and rendering decisions on applications for variances, special administrative permits, special exceptions, conditional use permits, or other similar permits not enumerated herein as a zoning decision, pursuant to standards for the exercise of such quasi-judicial authority adopted by a local government.~~

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 terms of this ordinance granted by the county commission where such modification will not be contrary to the public interest; and where, owing to conditions peculiar to the property and not as a 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.~~ 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. ~~Approval of a family cemetery shall be determined by the board of commissioners, following county review and recommendation, in accordance with the county's conditional use procedures.~~ 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:
   - 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 only after recommendations of the planning board and approval by the county commissioners, which shall hold a public hearing on such request.~~ 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. ~~Such restrictions shall be binding upon the applicant and any successor in title.~~ 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. Business Plan - A written statement describing the nature of the business, hours of operation, staffing, floor area allocation, materials and equipment used, and methods of mitigating any potential impacts on adjacent residential properties.

3. Photographs - Current color photographs showing the principal dwelling, driveways, parking areas, and any accessory structures proposed for use, dated within 14 days of application submission.

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*. Renewal applications shall include, at a minimum:

1) A renewal form signed by the principal practitioner and property owner (if applicable);

2) An updated business summary describing any operational changes;

3) Verification of floor area used for the occupation;

4) An updated concept plan, if any structural or operational modifications have occurred;

5) A compliance affidavit affirming continued adherence to all applicable standards;

6) Current photographs showing the dwelling, parking, and accessory structures used for the occupation; and

7) Inspection authorization permitting county inspection if deemed necessary.

(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. Any parcel determined to be a legal non-conforming use, structure, or lot under this Development Code shall be required to come into full compliance with all applicable zoning, development and property maintenance standards prior to consideration of a conditional use permit or business approval by the board of commissioners. The zoning administrator shall verify 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 ~~reviewed by the planning board and~~ approved by the board of commissioners before any activities in connection with the occupation begin. ~~The planning board may recommend to the board of commissioners that conditions be imposed to insure the orderly operation of the proposed business and its compatibility with the surrounding properties~~. 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 planning board and board of commissioners shall hold public hearings as provided in article IX of this ordinance.~~ 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.

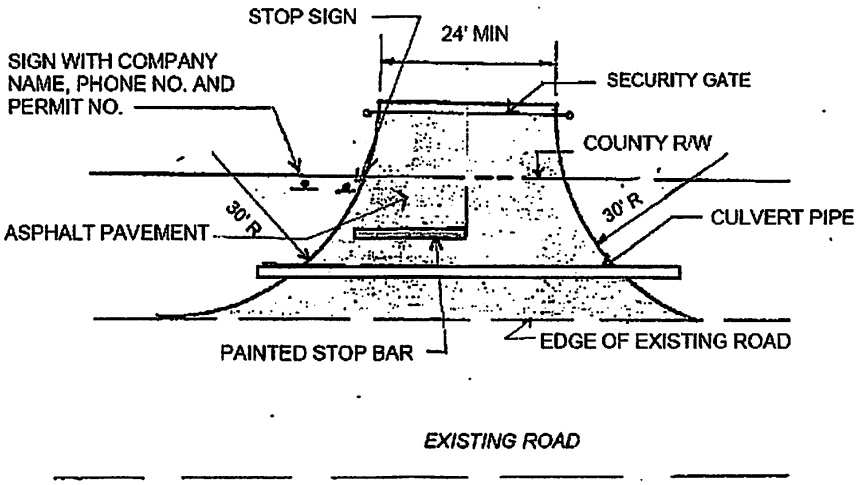
(d) A driveway culvert is to be installed if the right-of-way contains a roadside ditch or drainage swale, to allow for the continuation of drainage control along the right-of-way.

(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 ~~county planning board~~:

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. ~~planning board 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~~-MR~~ zoning district. Excavation activities that have greater than ten acres must be permitted in PD~~-MR~~.

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 floodprone 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 untis may be established conditionally within an industrial district, provided that succh living untis 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.

No single or multiple-family living unit shall be constructed with a total living area of less than 525 square feet; provided, however, that a special exception to the minimum living area requirements shall be granted for the construction of efficiency type apartments having no separate bedroom if it is established that the granting of such exception will not adversely affect the interest of the general public or the character of the surrounding neighborhood. Application for any such special exception shall be made to the planning board, which shall forward its recommendations to the county commissioners for their action. The planning board may require the submission of plans in connection with such applications and may impose such additional requirements as a condition of the granting of the request as it deems reasonable and appropriate. (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

Roominghouses, 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)

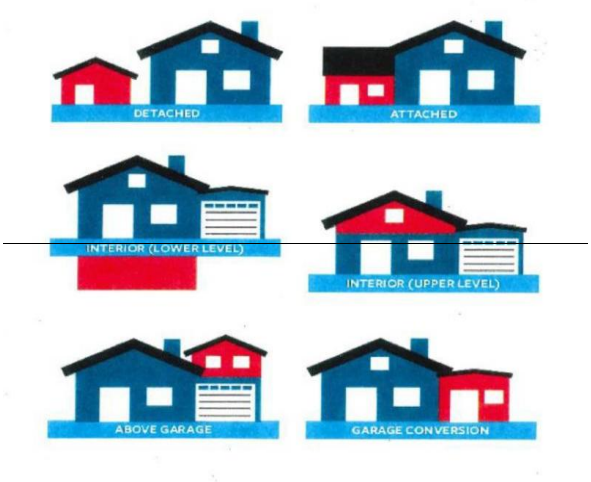
3.45 County surveyor.

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 sqft. 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 reviewed by the planning board and~~ approved by the board of commissioners before any business activities begin. ~~The planning board may recommend to the board of commissioners that conditions be imposed to insure the orderly operation of the proposed business and its compatibility with surrounding properties~~. 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 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.~~ 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 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.

(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 openspace 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 ~~section 7.1.6~~ Aarticle IX in the single-family residential district (alternative) (R-l-A) on a conditional basis upon approval by the Bboard of Ccommissioners ~~after review by the planning board~~.

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 openspace 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 openspace 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 ~~section 7.1.6~~ article IX in the single-family residential (R-6) district on a conditional basis upon approval by the Board of Commissioners.

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 ~~I~~ 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 B~~b~~oard of C~~c~~ommisioners.

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 options that passed~~ 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. ~~It shall be the responsibility of the planning board to review and recommend to county commission approval, disapproval, or approval with conditions on all requests for rezonings. In the authority given to the planning board, they can approve, deny, or take no action on rezonings.~~ 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 ~~Procedure for change in zoning district.~~ 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 him~~ prescribed for that purpose by the zoning administrator, so as to assure the fullest practicable presentation of facts for the record. ~~Each application for a change of district boundaries or classification or property shall be verified by at least one of the owners or lessees of property within the area proposed to be reclassified,~~ 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. ~~It shall contain a map of the area proposed to be rezoned~~, 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 satisfactory, shall submit it to the office of the planning board. Amendments to the zoning ordinance may also be initiated by the planning board by resolution, and recommended to the county commissioners for adoption.~~ 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. ~~No official action shall be taken on any proposed zoning amendment unless at least two public hearings have been held. The first public hearing shall be conducted by the planning board and the second shall be conducted by the county commission.~~ The planning board shall hold a public hearing only on ~~all~~ applications for rezoning and applications for conditional uses proposed within commercial or industrial zoning districts. The B~~b~~oard of C~~c~~ommissioners shall hold a public hearing on ~~the~~ 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 ~~residental~~ conditional uses shall ~~only~~ require one (1) public hearing to be held by the B~~b~~oard of C~~c~~ommissioners.

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 scheduled public hearings the building and zoning inspector shall publish in the newspaper of general circulation notice~~ prior to a ~~each~~ 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~~. 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~~this period~~.

~~If a zoning amendment is for the rezoning of property,~~ 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 of the property.~~ 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, the building and zoning inspector~~ prior to the date of a ~~each~~ 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 proposed rezoning;~~ 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 a proposed amendment by the county commission~~ on an application ~~by the board of~~ 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 ~~county~~ Board of Commissioners judge the merits of each specific proposed amendment.

9.3.1 Notice to property owners. ~~The planning board shall give notice of the date, time, place, and purpose of public hearings to be held by it on proposed amendments or supplements by mail to the owners of all properties lying within 200 feet of any part of the property proposed to be changed~~. 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 recommendations adopted hereunder.~~ 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 ~~on~~ of planning board. ~~The planning board may recommend that the application be granted~~ 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 certified to the county commissioners~~. shall then be presented ~~certified~~ to the B~~b~~oard of C~~c~~ommissioners. 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 ~~certified~~ to the B~~b~~oard of C~~c~~ommissioners as forwarded without recommendation for action by~~, and~~ the B~~b~~oard of C~~c~~ommissioners ~~may proceed~~.

9.3.3 Public hearing by B~~b~~oard of C~~c~~ommissioners. ~~After receiving from the planning board the certification of said recommendations on the proposed amendment, and before adoption of such amendment, the commissioners shall hold a public hearing thereon,~~ For applications requiring a planning board hearing, after receiving the planning board's ~~certification~~ presentment under section 9.3.2, and for all other ~~zoning~~ applications requiring a public hearing, after the application is accepted as complete, the B~~b~~oard of C~~c~~ommissioners 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 ~~county~~ B~~b~~oard of C~~c~~ommissioners. The ~~county~~ B~~b~~oard of C~~c~~ommissioners ~~shall consider the recommendations of the planning board, and vote on the proposed amendment to the text or map of the zoning ordinance after the public hearing.~~ 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 ~~county~~ B~~b~~oard of C~~c~~ommissioners through the zoning administrator.

9.3.5 Denial ~~of rezonings~~. If the ~~decision of the county commission~~ B~~b~~oard of C~~c~~ommissioners ~~does not approve the application~~ ~~is to deny the rezoning of property~~, 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 ~~county commission~~ B~~b~~oard of C~~c~~ommissioners.

(Ord. No. 2024-448, 9-3-24)

9.4 Procedure for conducting a public hearing.

All public hearings on zoning ~~matters~~ requests that require a public hearing included but not limited to rezonings, text amendments, conditional uses, ~~sketch plans~~, 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 county zoning 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.

~~A time limit of 15 minutes shall be imposed upon the total number of people who wish to speak in favor of the zoning request, including the initial presentation of the zoning applicant. Thereafter, a time limit of 15 minutes shall be imposed on the total number of persons who wish to speak in opposition to the zoning application. Summary remarks by the zoning applicant shall be limited to five minutes. These time limits may be extended at the discretion of the presiding officer upon a showing of good cause by the person so requesting.~~ 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.

~~A secretary shall record the proceedings of the public hearing~~. 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 particular zoning amendment's file.~~ the application file.

(Ord. of 07-18-2023(3))

9.5 Effingham County rezoning checklist.

~~Applicants requesting a zoning change shall supply to the planning board information describing the proposed change plus supporting data relating to the change to assist the planning board in making their determination. The supporting documentation shall include a format substantially the same as the checklist/criteria used by the planning board in evaluating the requested zoning change.~~

~~After receiving all information presented as to each zoning proposal at any public hearing provided for in this article, and prior to making any recommendation thereon, the planning board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the board of commissioners together with any additional material deemed appropriate:~~

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, ~~F~~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 ~~master plan~~ 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 l~~L~~and 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; ~~Page 3 of 3~~

(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, ~~and~~ 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 ~~April 6, 1999~~October 20, 2026.

PHILLIP E. KING
Chairman

ATTEST:

SANDRA ANDREWS
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 may appeal~~ 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 zoning decision may appeal~~ 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-appealling 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 vformation 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.

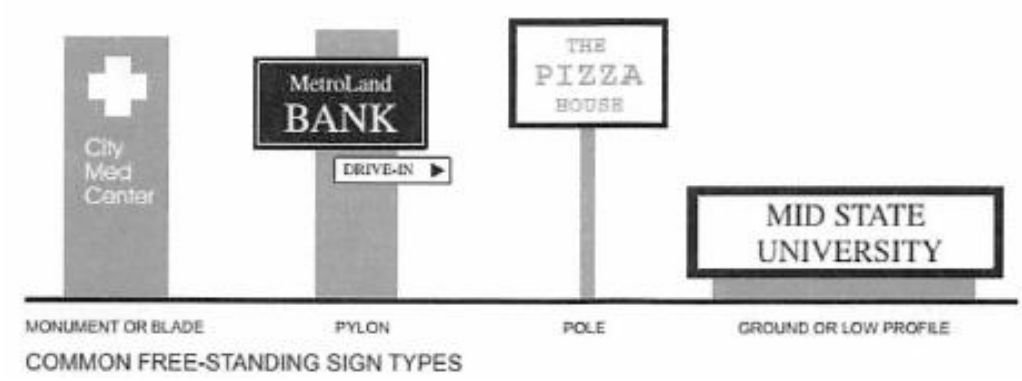
- *Freestanding sign:* A sign principally supported by a structure affixed to the ground, and not supported by a building, including signs supported by one or more columns, poles, or braces placed in or on the ground.
- *Frontage (building):* The length of an exterior building wall or structure of a 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.

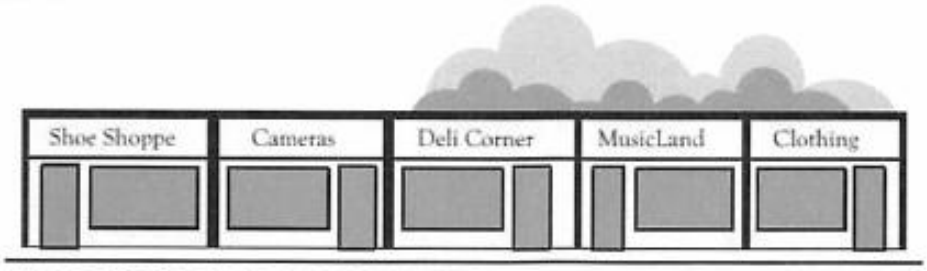
- *Yard, front:* A yard situated between the front building line and the front lot line extending the full width of the lot.

(Ord. No. 2024-673, 1-7-25)

13.4 General sign types.



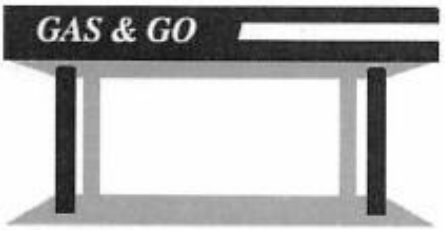
COMMON FREE-STANDING SIGN TYPES



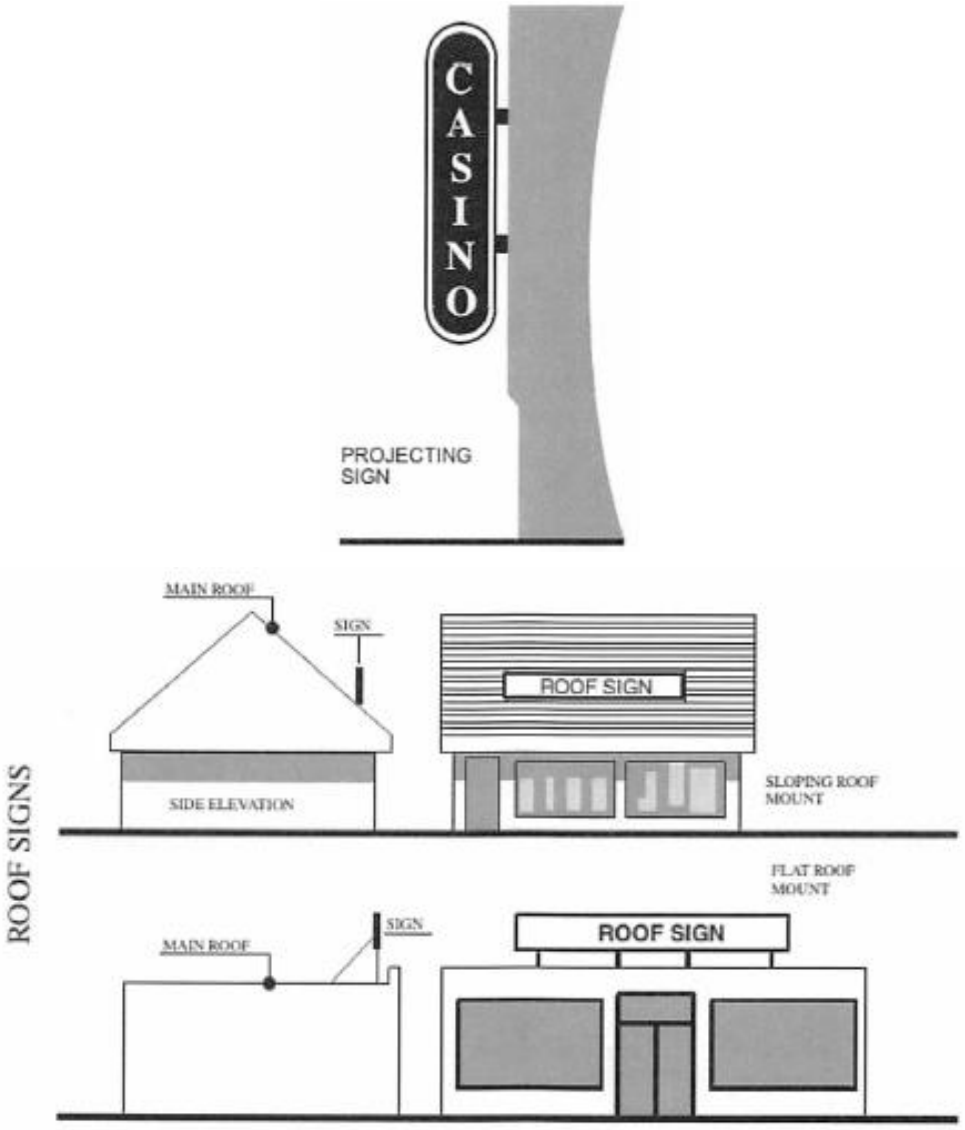
WALL OR FASCIA SIGNS ON STOREFRONTS

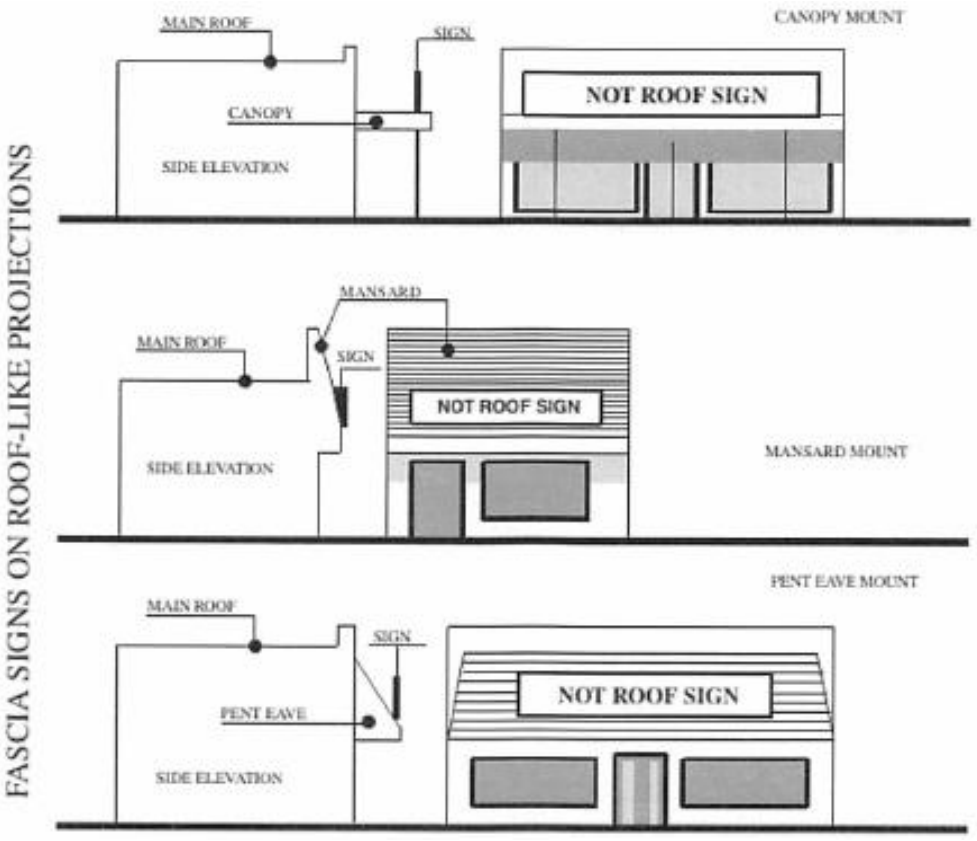


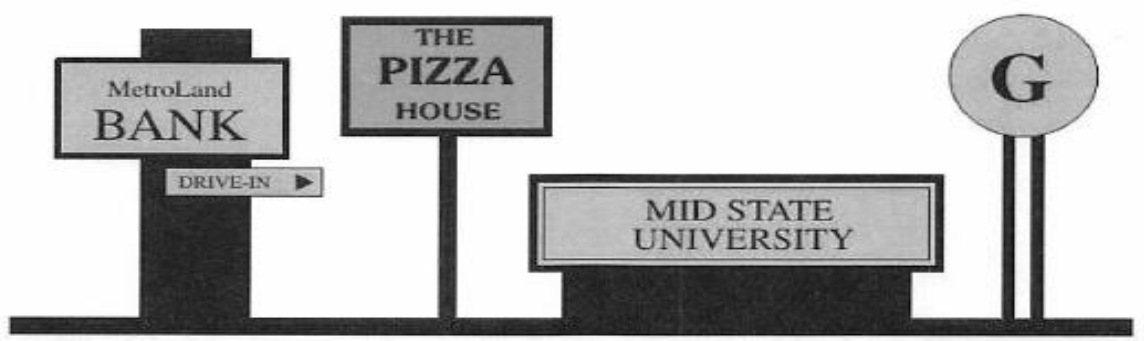
ROOF SIGN



CANOPY SIGN
ON FREE-STANDING CANOPY

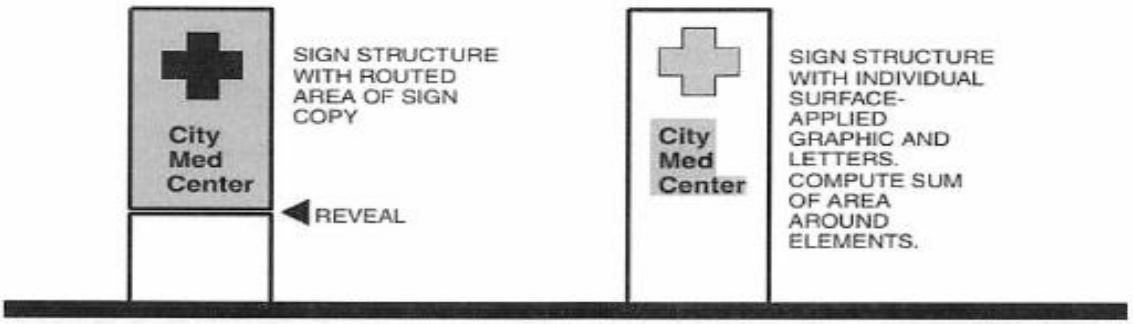

CASINO
PROJECTING SIGN
ROOF SIGNS
MAIN ROOF
SIGN
SIDE ELEVATION
ROOF SIGN
SLOPING ROOF MOUNT
FLAT ROOF MOUNT
MAIN ROOF
SIGN
ROOF SIGN


FASCIA SIGNS ON ROOF-LIKE PROJECTIONS
MAIN ROOF
SIGN
CANOPY MOUNT
CANOPY
NOT ROOF SIGN
SIDE ELEVATION
MANSARD
MAIN ROOF
SIGN
NOT ROOF SIGN
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SIGN
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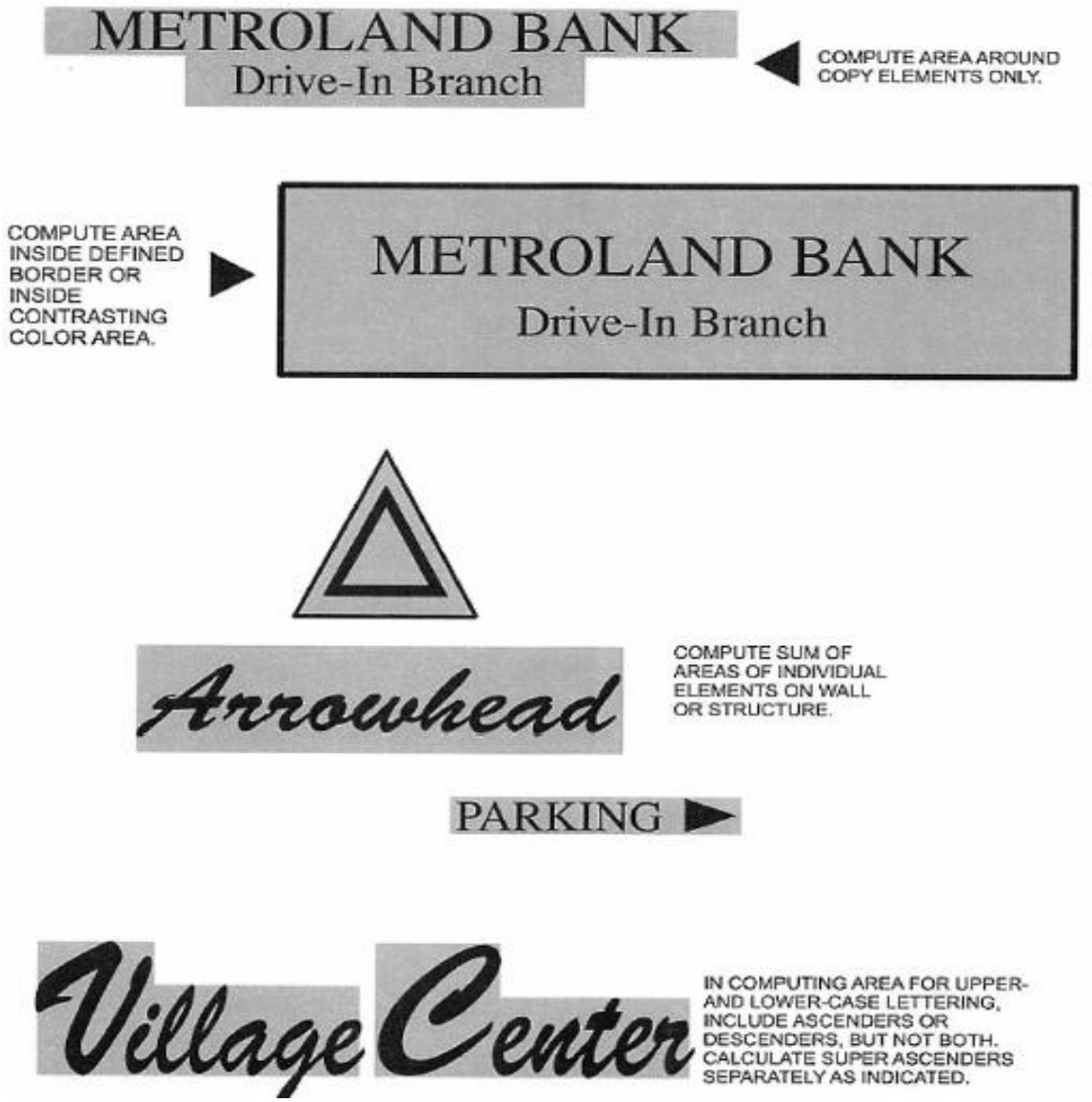




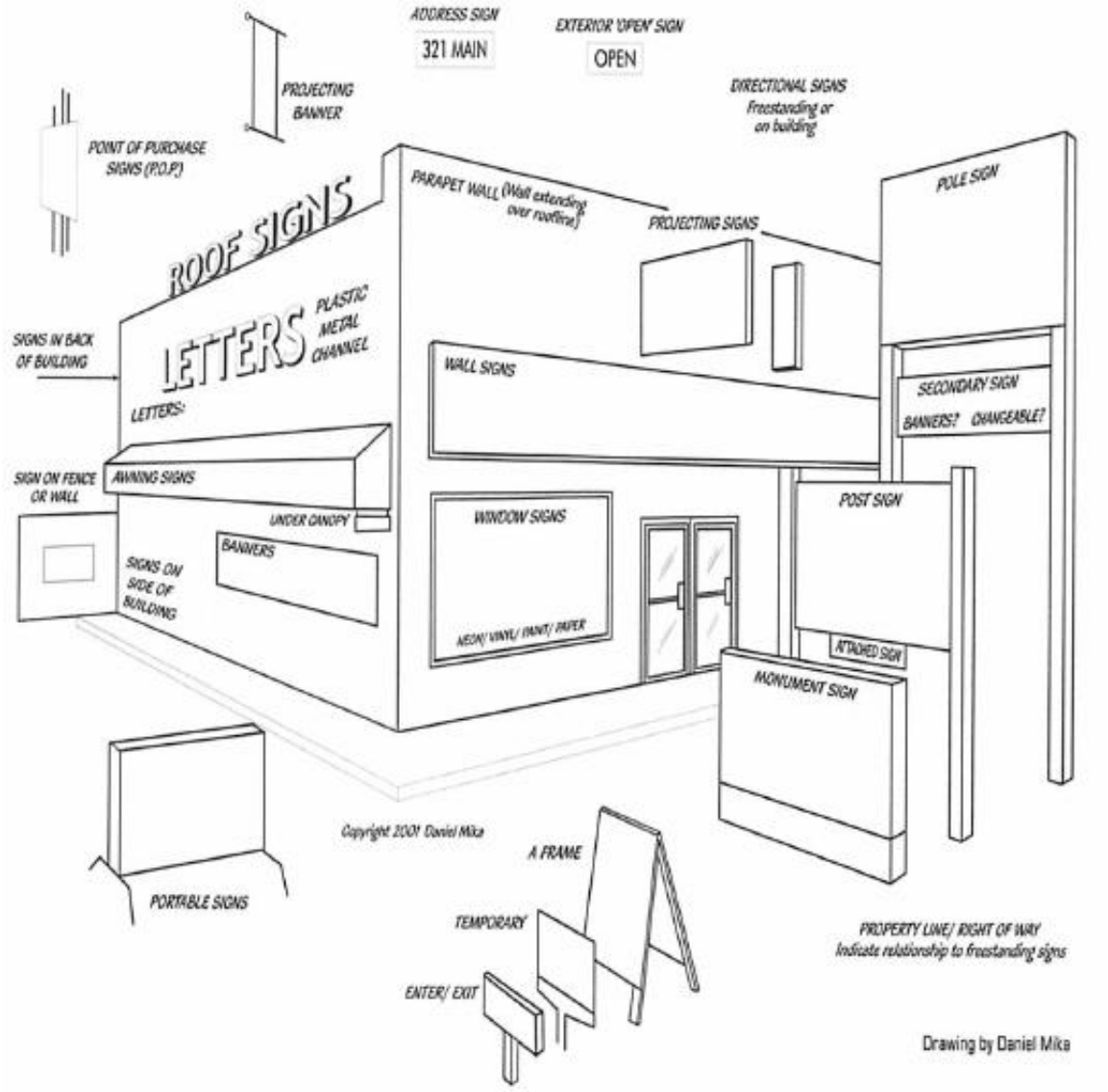
SIGN STRUCTURES



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.

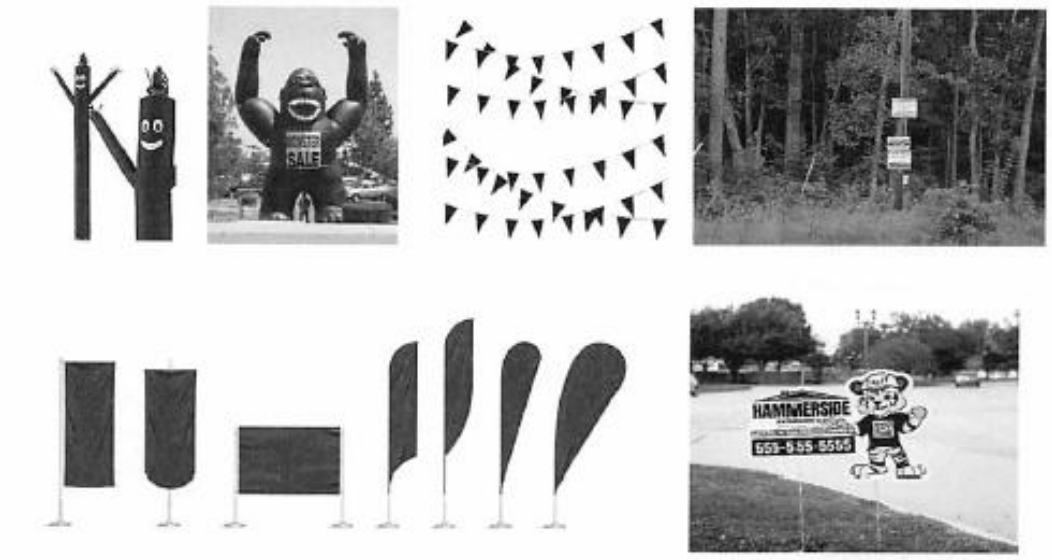
J. Any unpermitted sign attached to a permitted sign.

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.

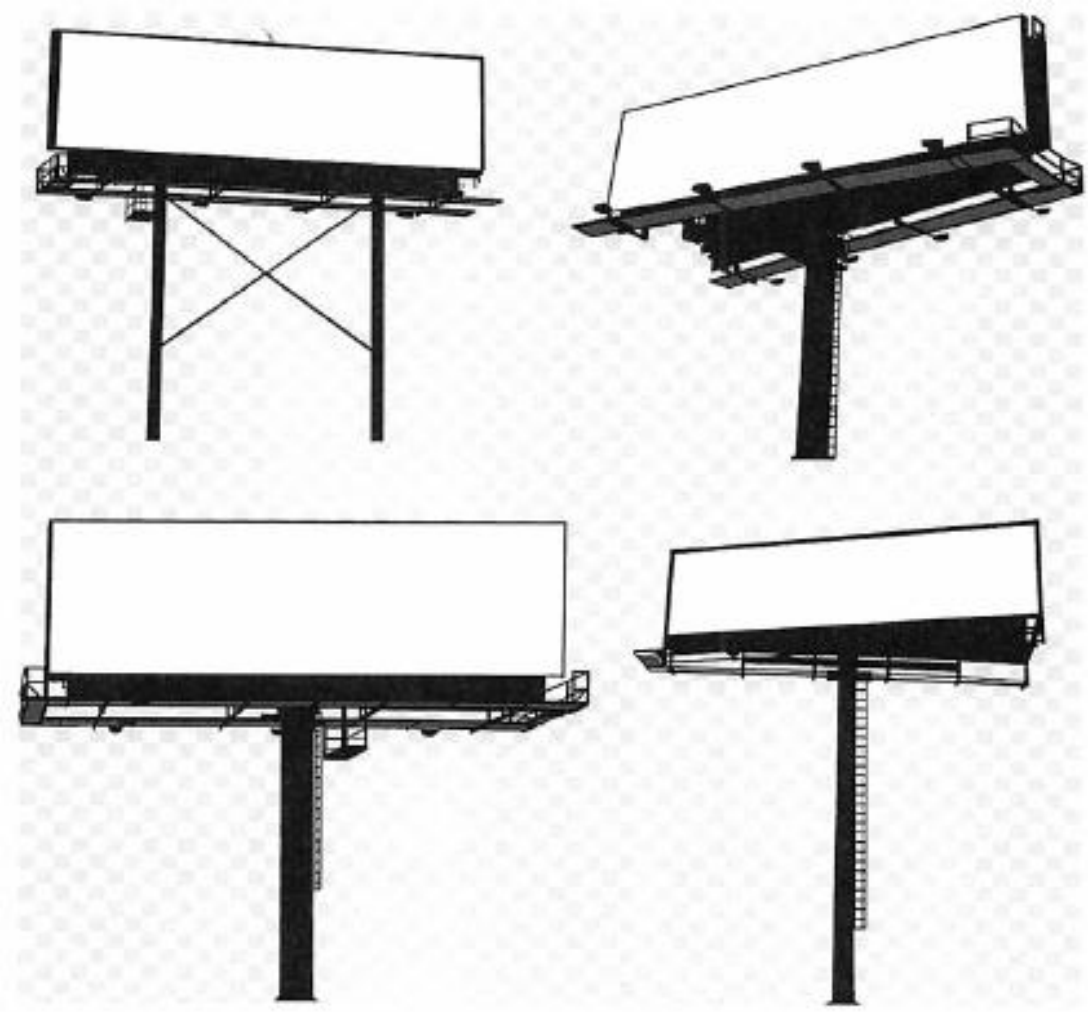
E. *Extrusions prohibited.* Extrusions beyond the face of the billboard, excluding aprons, are prohibited.

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 planning board upon application~~ may be granted by the Board of Commissioners, 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 planning board~~ the Board of Commissioners 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 planning board shall further consider~~ The Board of Commissioners 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 ~~Appeals~~. Exemptions by the Board of Commissioners.

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. ~~The applicant must file for appeal within 30 days of the decision of the planning board.~~

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 may refer the matter to the planning board for a final determination of applicability.~~ the zoning administrator shall issue a written determination, which may be appealed to the Board of Commissioners.

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 refer said application to the planning board which shall make a recommendation to the county commission on the basis of~~ The zoning administrator shall schedule said application for a public hearing before the Board of Commissioners in accordance with article IX of the zoning ordinance, and the Board of Commissioners 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 may refer the matter to the planning board for a final determination of applicability.~~ the zoning administrator shall issue a written determination, which may be appealed to the Board of Commissioners.

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~~ Board of Commissioners, ~~based on a recommendation from the planning board,~~ 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 planning board and county commission for review and approval~~ shall be submitted to the Board of Commissioners 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.

Official Zoning Map of Effingham County 2026

N

Legend
Railroads
Roads
Municipal Boundary
County Boundary

Zoning
AR-1
AR-2
AR-3
R-1-A
R-1
R-2
R-3
R-4
R-5
R-6
B-1
B-2
B-3
I-1
H-I
L-I
PD
PD-MR
PD-R
CP
FH
SPLIT

This map reflects zoning map amendments approved by the Board of Commissioners of Effingham County through September 15, 2026. This map does not reflect any special conditions of rezoning that may have been imposed by the Board of Commissioners in connection with such zoning map amendments. Such conditions, which are reflected in the minutes and ordinances of the Board of Commissioners, are adopted and incorporated by reference as if set forth fully herein.

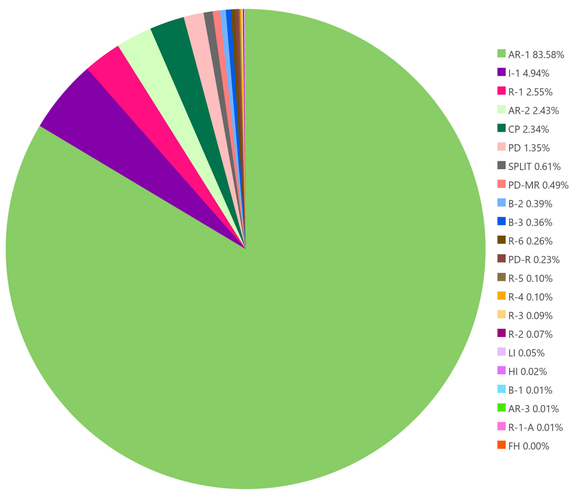
Future land use will be subject to the boundaries as depicted on this map as approved by the Effingham County Board of Commissioners. Any future changes to the zoning boundaries will be subject to the Code of Ordinances for Effingham County, Georgia.

APPENDIX C ZONING ORDINANCE
ARTICLE IV. ESTABLISHMENT OF DISTRICTS

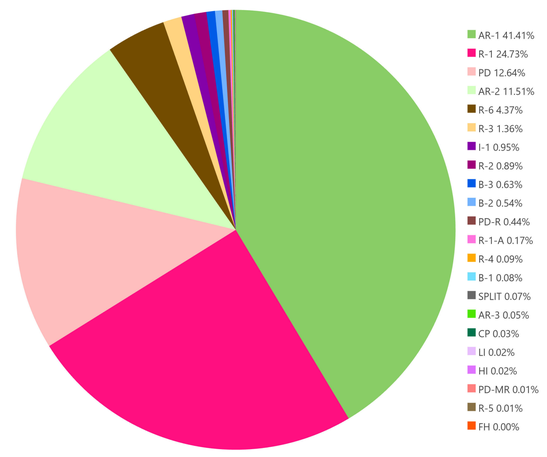
4.2.01 (a) & 4.2.02 (a) Zoning map.
The official zoning map of Effingham County, Georgia is hereby adopted and identified as that map or series of maps, adopted by the board of commissioners, that show the precise location and boundaries of the zoning districts and that is certified by the county clerk of Effingham County, Georgia. 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.

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.

Zoning % By Acreage



Zoning % By Parcel Count



APPROVED BY EFFINGHAM COUNTY BOARD OF COMMISSIONERS

FIRST READING DATE: _____

SECOND READING DATE: _____

_____ _____
DAMON RAHN, CHAIRMAN DATE

_____ _____
STEPHANIE JOHNSON, COUNTY CLERK DATE

Effingham County Georgia
Board of Commissioners

0 1 2 4 6 8 10 Miles

Effingham County assumes no responsibility for the legal accuracy contained herein.

P:\Maps\Zoning and Future Land Use Maps\Zoning Map 2025\Zoning Map 2025.aprx Map Revised: 10/9/2026 Author: dagbeko

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.

[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 Bboard of Ccommissioners 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 commissioners, at their discretion, may require additional restraints, restrictions, qualifications, or limiting factors to make a particular use acceptable.~~ 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 single-family home community.*~~ *Planned Development.* ~~A subdivision used or intended for use as a residential area occupied by single-family 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 subdivision is under single ownership or control.~~ 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 ~~*Public use*~~ *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. ~~Quasi-judicial officers, boards, or agencies. An officer, board, or agency appointed by a local government to exercise delegated, quasi-judicial zoning powers including hearing appeals of administrative decisions by such officers, boards, or agencies and hearing and rendering decisions on applications for variances, special administrative permits, special exceptions, conditional use permits, or other similar permits not enumerated herein as a zoning decision, pursuant to standards for the exercise of such quasi-judicial authority adopted by a local government.~~

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 terms of this ordinance granted by the county commission where such modification will not be contrary to the public interest; and where, owing to conditions peculiar to the property and not as a 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.~~ 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. ~~Approval of a family cemetery shall be determined by the board of commissioners, following county review and recommendation, in accordance with the county's conditional use procedures.~~ 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:
   - 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 only after recommendations of the planning board and approval by the county commissioners, which shall hold a public hearing on such request.~~ 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. ~~Such restrictions shall be binding upon the applicant and any successor in title.~~ 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. Business Plan - A written statement describing the nature of the business, hours of operation, staffing, floor area allocation, materials and equipment used, and methods of mitigating any potential impacts on adjacent residential properties.

3. Photographs - Current color photographs showing the principal dwelling, driveways, parking areas, and any accessory structures proposed for use, dated within 14 days of application submission.

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*. Renewal applications shall include, at a minimum:

1) A renewal form signed by the principal practitioner and property owner (if applicable);

2) An updated business summary describing any operational changes;

3) Verification of floor area used for the occupation;

4) An updated concept plan, if any structural or operational modifications have occurred;

5) A compliance affidavit affirming continued adherence to all applicable standards;

6) Current photographs showing the dwelling, parking, and accessory structures used for the occupation; and

7) Inspection authorization permitting county inspection if deemed necessary.

(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. Any parcel determined to be a legal non-conforming use, structure, or lot under this Development Code shall be required to come into full compliance with all applicable zoning, development and property maintenance standards prior to consideration of a conditional use permit or business approval by the board of commissioners. The zoning administrator shall verify 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 ~~reviewed by the planning board and~~ approved by the board of commissioners before any activities in connection with the occupation begin. ~~The planning board may recommend to the board of commissioners that conditions be imposed to insure the orderly operation of the proposed business and its compatibility with the surrounding properties~~. 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 planning board and board of commissioners shall hold public hearings as provided in article IX of this ordinance.~~ 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.

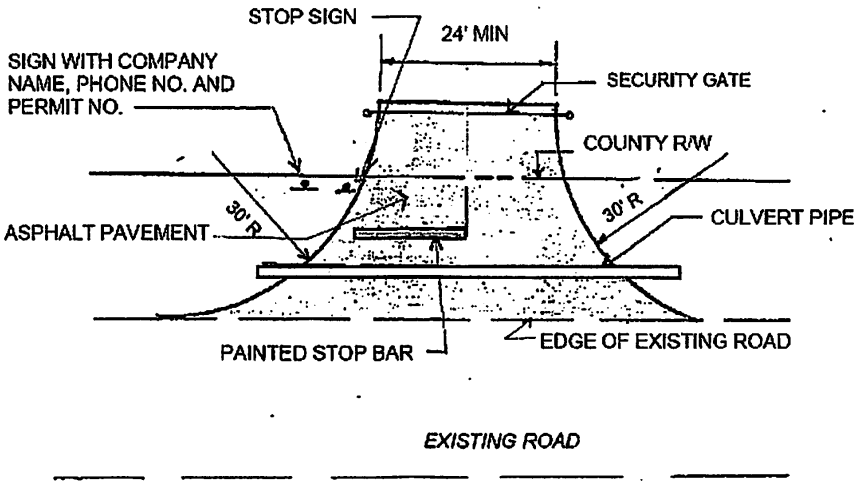
(d) A driveway culvert is to be installed if the right-of-way contains a roadside ditch or drainage swale, to allow for the continuation of drainage control along the right-of-way.

(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 ~~county planning board~~:

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. ~~planning board 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~~-MR~~ zoning district. Excavation activities that have greater than ten acres must be permitted in PD~~-MR~~.

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 floodprone 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 untis may be established conditionally within an industrial district, provided that succh living untis 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.

No single or multiple-family living unit shall be constructed with a total living area of less than 525 square feet; provided, however, that a special exception to the minimum living area requirements shall be granted for the construction of efficiency type apartments having no separate bedroom if it is established that the granting of such exception will not adversely affect the interest of the general public or the character of the surrounding neighborhood. Application for any such special exception shall be made to the planning board, which shall forward its recommendations to the county commissioners for their action. The planning board may require the submission of plans in connection with such applications and may impose such additional requirements as a condition of the granting of the request as it deems reasonable and appropriate. (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

Roominghouses, 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)

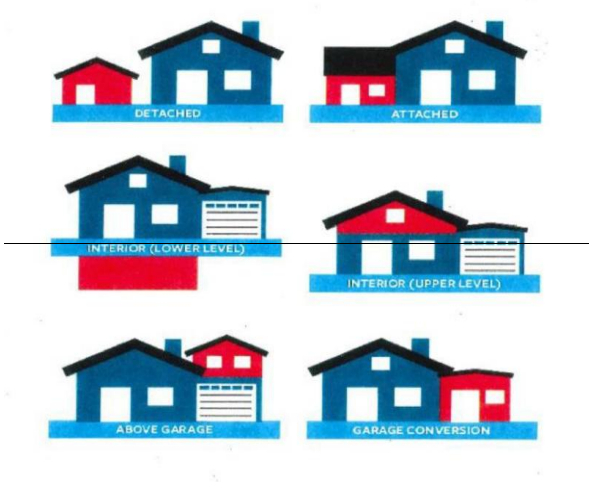
3.45 County surveyor.

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 sqft. 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:

o Wetlands: 40 acres
o Required Buffers: 25 acres
o 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 reviewed by the planning board and~~ approved by the board of commissioners before any business activities begin. ~~The planning board may recommend to the board of commissioners that conditions be imposed to insure the orderly operation of the proposed business and its compatibility with surrounding properties~~. 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 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.~~ 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 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.

(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 openspace 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 ~~section 7.1.6~~ Aarticle IX in the single-family residential district (alternative) (R-l-A) on a conditional basis upon approval by the Bboard of Ccommissioners ~~after review by the planning board~~.

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 openspace 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 openspace 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 ~~section 7.1.6~~ article IX in the single-family residential (R-6) district on a conditional basis upon approval by the Board of Commissioners.

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 ~~I~~ 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 B~~b~~oard of C~~c~~ommisioners.

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 options that passed~~ 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. ~~It shall be the responsibility of the planning board to review and recommend to county commission approval, disapproval, or approval with conditions on all requests for rezonings. In the authority given to the planning board, they can approve, deny, or take no action on rezonings.~~ 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 ~~Procedure for change in zoning district.~~ 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 him~~ prescribed for that purpose by the zoning administrator, so as to assure the fullest practicable presentation of facts for the record. ~~Each application for a change of district boundaries or classification or property shall be verified by at least one of the owners or lessees of property within the area proposed to be reclassified,~~ 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. ~~It shall contain a map of the area proposed to be rezoned~~, 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 satisfactory, shall submit it to the office of the planning board. Amendments to the zoning ordinance may also be initiated by the planning board by resolution, and recommended to the county commissioners for adoption.~~ 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. ~~No official action shall be taken on any proposed zoning amendment unless at least two public hearings have been held. The first public hearing shall be conducted by the planning board and the second shall be conducted by the county commission.~~ The planning board shall hold a public hearing only on ~~all~~ applications for rezoning and applications for conditional uses proposed within commercial or industrial zoning districts. The B~~b~~oard of C~~c~~ommissioners shall hold a public hearing on ~~the~~ 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 ~~residental~~ conditional uses shall ~~only~~ require one (1) public hearing to be held by the B~~b~~oard of C~~c~~ommissioners.

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 scheduled public hearings the building and zoning inspector shall publish in the newspaper of general circulation notice~~ prior to a ~~each~~ 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~~. 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~~this period~~.

~~If a zoning amendment is for the rezoning of property,~~ 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 of the property.~~ 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, the building and zoning inspector~~ prior to the date of a ~~each~~ 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 proposed rezoning;~~ 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 a proposed amendment by the county commission~~ on an application ~~by the board of~~ 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 ~~county~~ Board of Commissioners judge the merits of each specific proposed amendment.

9.3.1 Notice to property owners. ~~The planning board shall give notice of the date, time, place, and purpose of public hearings to be held by it on proposed amendments or supplements by mail to the owners of all properties lying within 200 feet of any part of the property proposed to be changed~~. 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 recommendations adopted hereunder.~~ 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 ~~on~~ of planning board. ~~The planning board may recommend that the application be granted~~ 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 certified to the county commissioners~~. shall then be presented ~~certified~~ to the Bboard of Ccommissioners. 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 ~~certified~~ to the Bboard of Ccommissioners as forwarded without recommendation for action by~~, and~~ the Bboard of Ccommissioners ~~may proceed~~.

9.3.3 Public hearing by Bboard of Ccommissioners. ~~After receiving from the planning board the certification of said recommendations on the proposed amendment, and before adoption of such amendment, the commissioners shall hold a public hearing thereon,~~ For applications requiring a planning board hearing, after receiving the planning board's ~~certification~~ presentment under section 9.3.2, and for all other ~~zoning~~ applications requiring a public hearing, after the application is accepted as complete, the Bboard of Ccommissioners 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 ~~county~~ Bboard of Ccommissioners. The ~~county~~ Bboard of Ccommissioners ~~shall consider the recommendations of the planning board, and vote on the proposed amendment to the text or map of the zoning ordinance after the public hearing.~~ 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 ~~county~~ Bboard of Ccommissioners through the zoning administrator.

9.3.5 Denial ~~of rezonings~~. If the ~~decision of the county commission~~ Bboard of Ccommissioners ~~does not~~ approve the application~~is to deny the rezoning of property~~, 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 ~~county commission~~ Bboard of Ccommissioners.

(Ord. No. 2024-448, 9-3-24)

9.4 Procedure for conducting a public hearing.

All public hearings on zoning ~~matters~~ requests that require a public hearing included but not limited to rezonings, text amendments, conditional uses, ~~sketch plans~~, 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 county zoning 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.

~~A time limit of 15 minutes shall be imposed upon the total number of people who wish to speak in favor of the zoning request, including the initial presentation of the zoning applicant. Thereafter, a time limit of 15 minutes shall be imposed on the total number of persons who wish to speak in opposition to the zoning application. Summary remarks by the zoning applicant shall be limited to five minutes. These time limits may be extended at the discretion of the presiding officer upon a showing of good cause by the person so requesting.~~ 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.

~~A secretary shall record the proceedings of the public hearing~~. 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 particular zoning amendment's file.~~ the application file.

(Ord. of 07-18-2023(3))

9.5 Effingham County rezoning checklist.

~~Applicants requesting a zoning change shall supply to the planning board information describing the proposed change plus supporting data relating to the change to assist the planning board in making their determination. The supporting documentation shall include a format substantially the same as the checklist/criteria used by the planning board in evaluating the requested zoning change.~~

~~After receiving all information presented as to each zoning proposal at any public hearing provided for in this article, and prior to making any recommendation thereon, the planning board shall consider each of the eight questions contained in the following checklist in written form and forward a copy of the same to the board of commissioners together with any additional material deemed appropriate:~~

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, ~~F~~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 ~~master plan~~ 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 l~~L~~and 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; ~~Page 3 of 3~~

(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, ~~and~~ 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 ~~April 6, 1999~~October 20, 2026.

PHILLIP E. KING
Chairman

ATTEST:

SANDRA ANDREWS
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 may appeal~~ 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 zoning decision may appeal~~ 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-appealling 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 vformation 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.

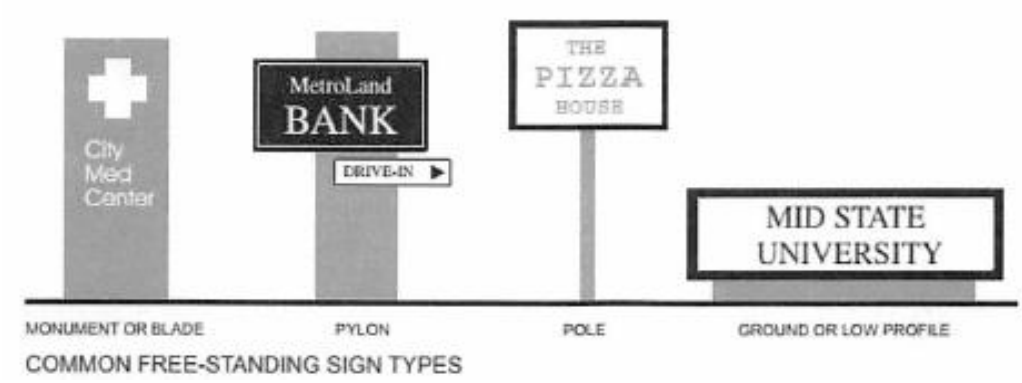
- *Freestanding sign:* A sign principally supported by a structure affixed to the ground, and not supported by a building, including signs supported by one or more columns, poles, or braces placed in or on the ground.
- *Frontage (building):* The length of an exterior building wall or structure of a 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.

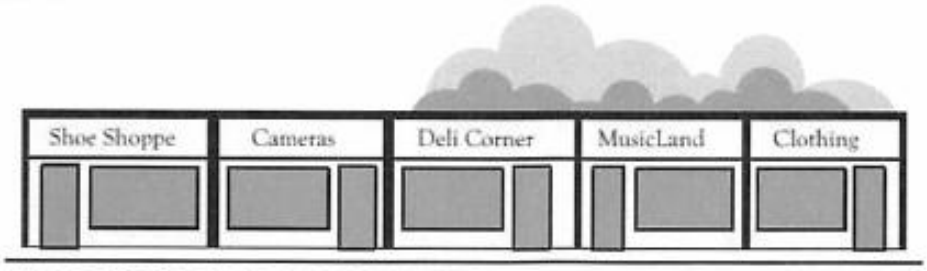
- *Yard, front:* A yard situated between the front building line and the front lot line extending the full width of the lot.

(Ord. No. 2024-673, 1-7-25)

13.4 General sign types.



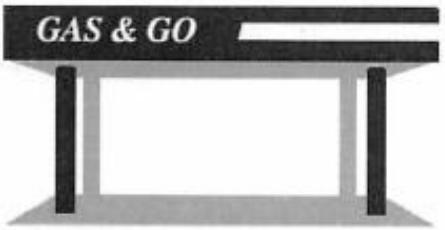
COMMON FREE-STANDING SIGN TYPES



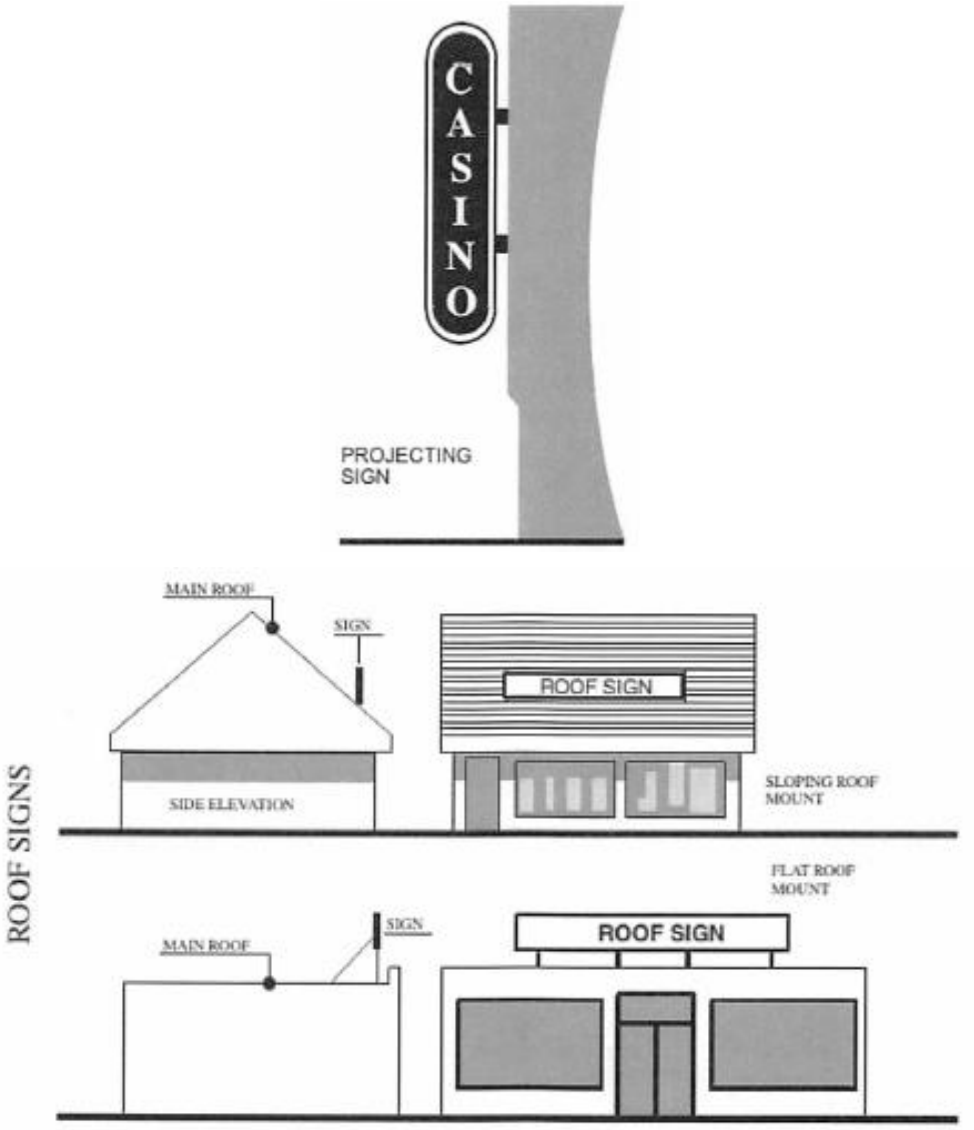
WALL OR FASCIA SIGNS ON STOREFRONTS



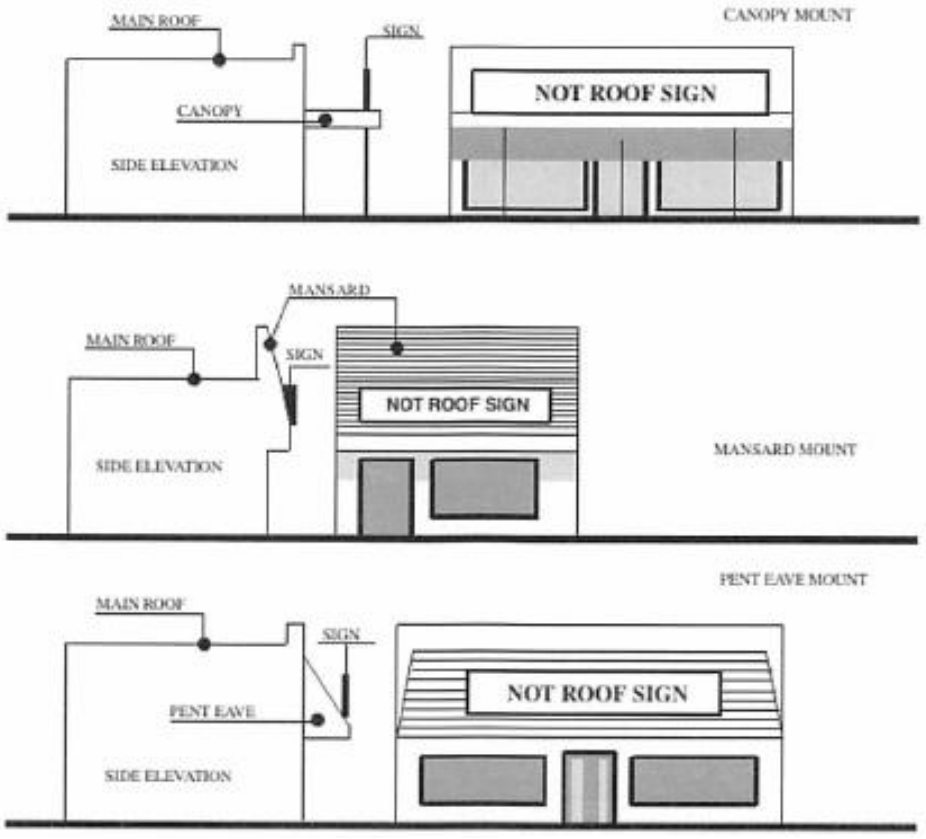
ROOF SIGN

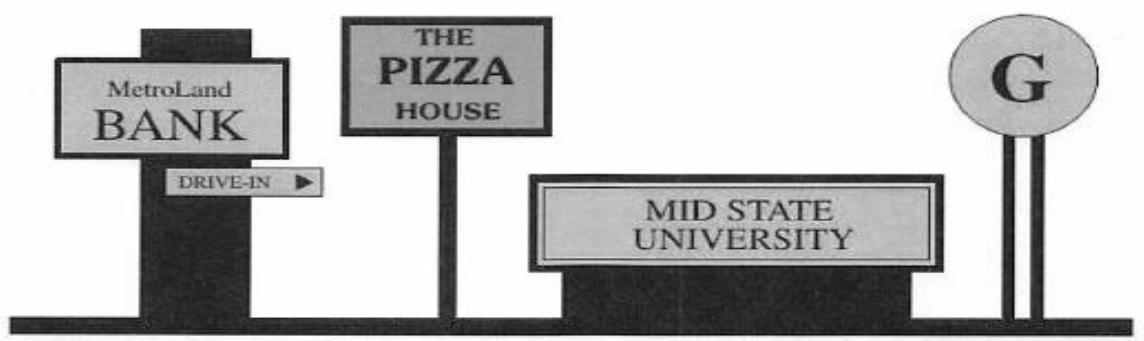


CANOPY SIGN
ON FREE-STANDING CANOPY


CASINO
PROJECTING SIGN
ROOF SIGNS
MAIN ROOF
SIGN
SIDE ELEVATION
ROOF SIGN
SLOPING ROOF MOUNT
FLAT ROOF MOUNT
MAIN ROOF
SIGN
ROOF SIGN

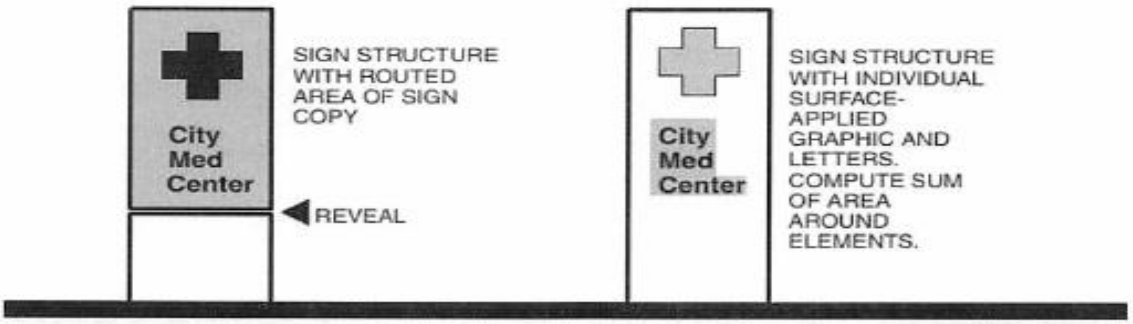
FASCIA SIGNS ON ROOF-LIKE PROJECTIONS



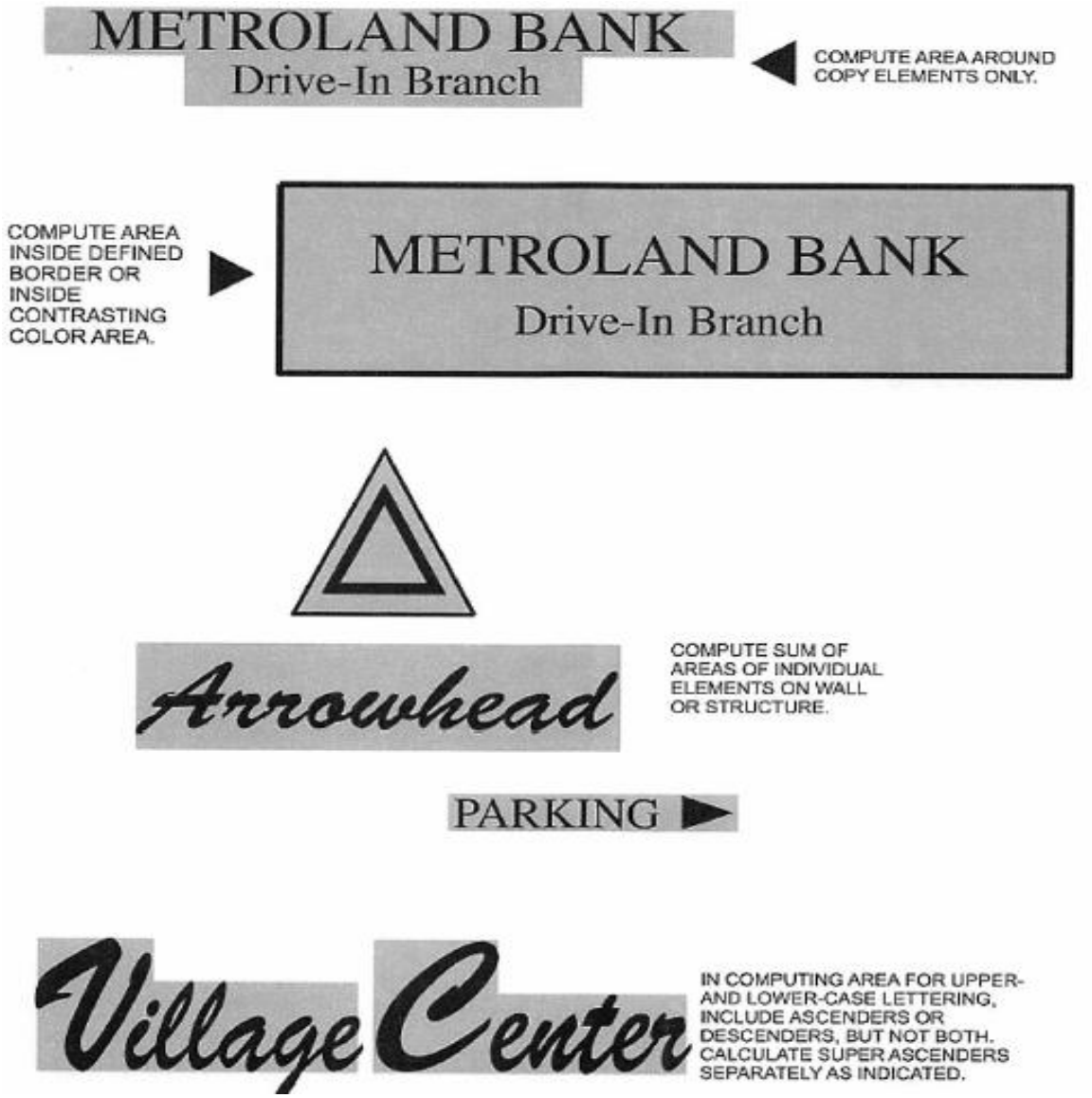




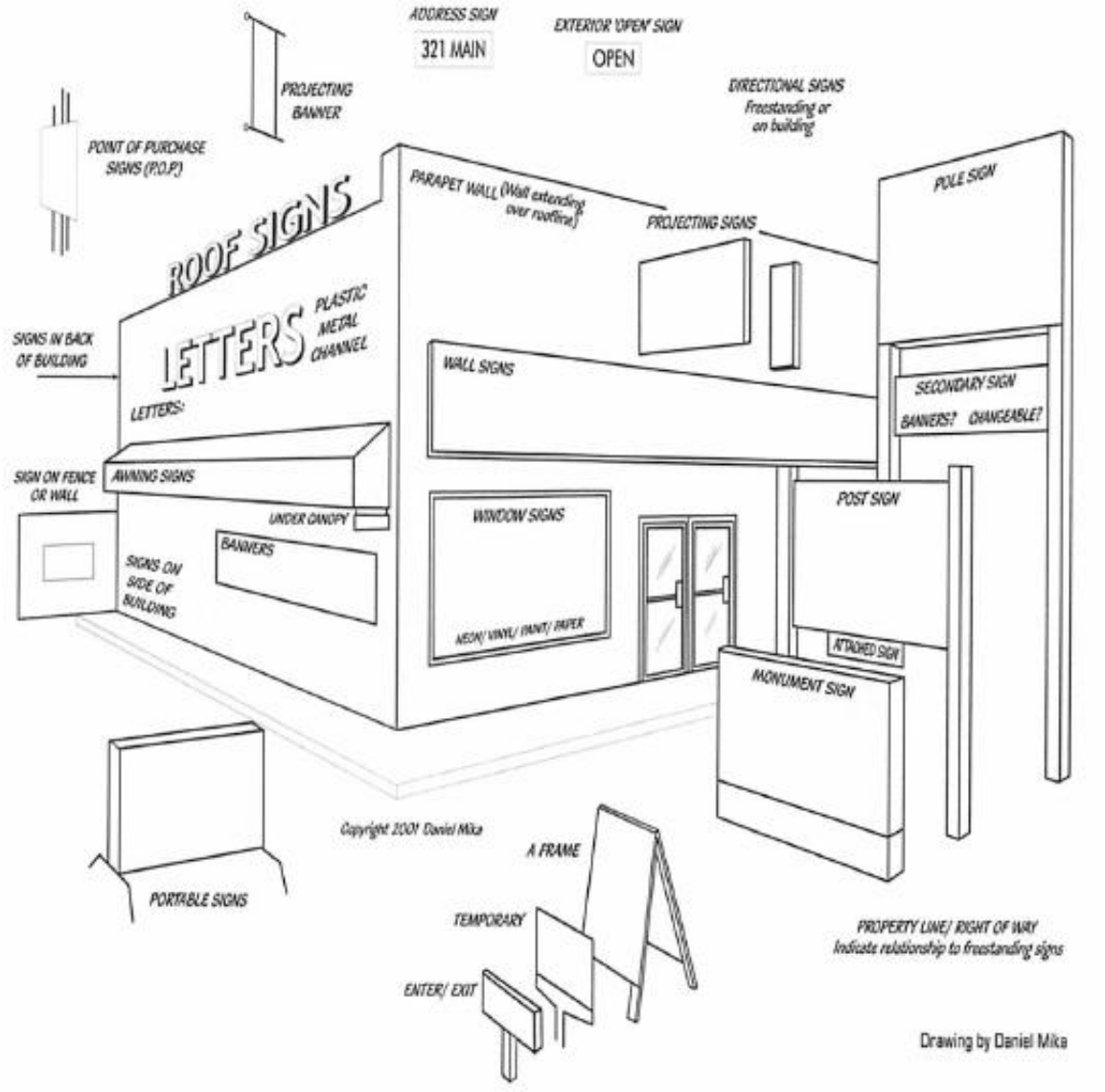
SIGN STRUCTURES



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.

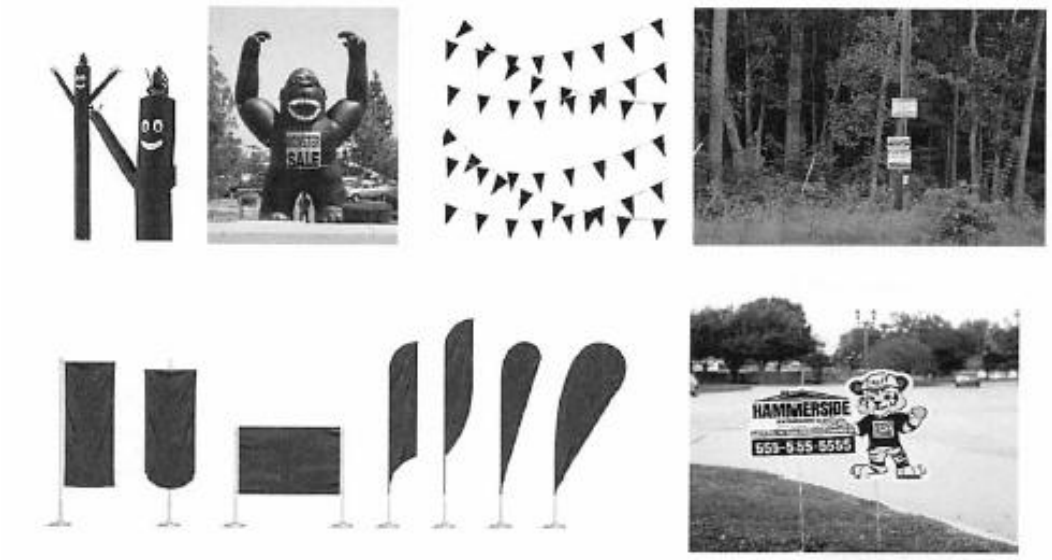
J. Any unpermitted sign attached to a permitted sign.

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.

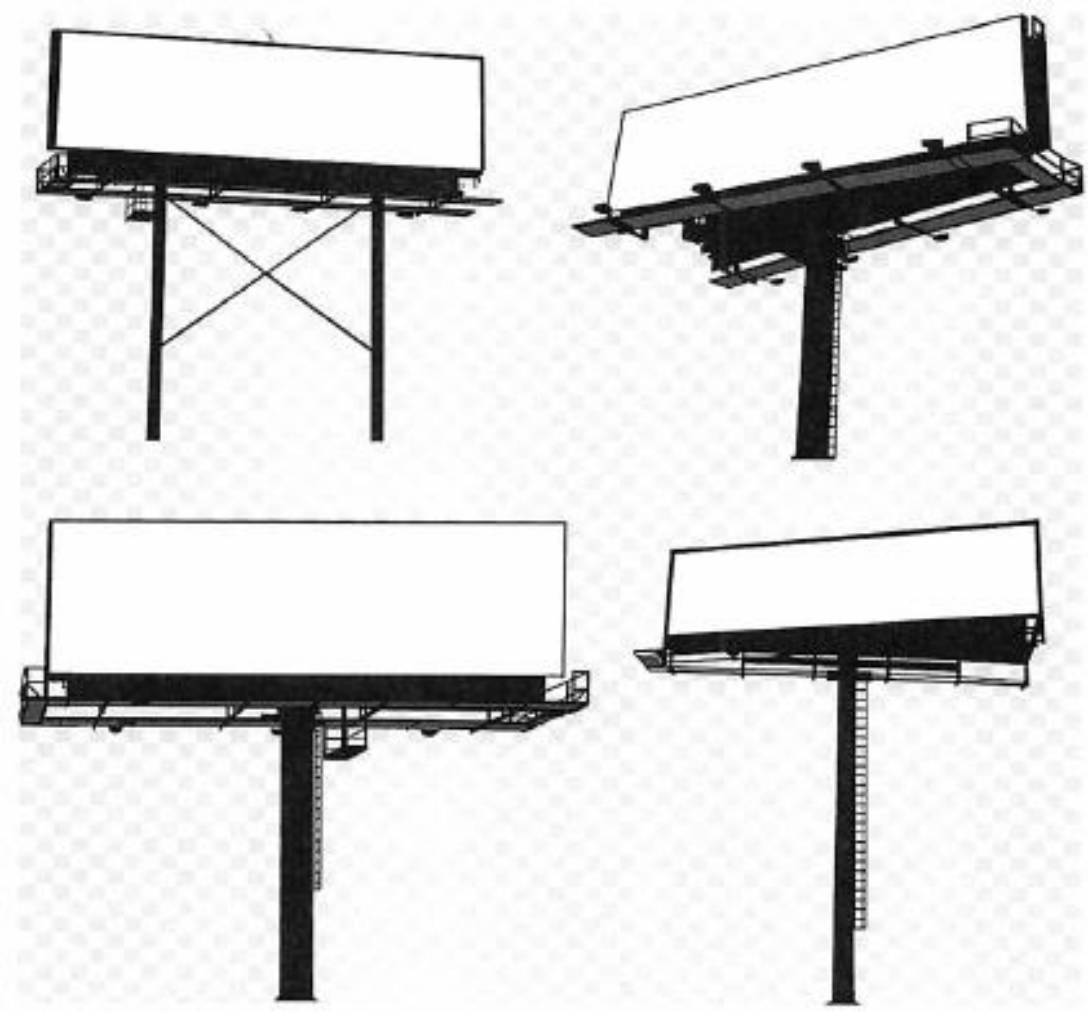
E. *Extrusions prohibited.* Extrusions beyond the face of the billboard, excluding aprons, are prohibited.

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 planning board upon application~~ may be granted by the Board of Commissioners, 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 planning board~~ the Board of Commissioners 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 planning board shall further consider~~ The Board of Commissioners 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 ~~Appeals~~. Exemptions by the Board of Commissioners.

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. ~~The applicant must file for appeal within 30 days of the decision of the planning board.~~

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 may refer the matter to the planning board for a final determination of applicability.~~ the zoning administrator shall issue a written determination, which may be appealed to the Board of Commissioners.

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 refer said application to the planning board which shall make a recommendation to the county commission on the basis of~~ The zoning administrator shall schedule said application for a public hearing before the Board of Commissioners in accordance with article IX of the zoning ordinance, and the Board of Commissioners 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 may refer the matter to the planning board for a final determination of applicability.~~ the zoning administrator shall issue a written determination, which may be appealed to the Board of Commissioners.

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~~ Board of Commissioners, ~~based on a recommendation from the planning board,~~ 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 planning board and county commission for review and approval~~ shall be submitted to the Board of Commissioners 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.

Official Zoning Map of Effingham County 2026

N

Legend
Railroads
Roads
Municipal Boundary
County Boundary

Zoning
AR-1
AR-2
AR-3
R-1-A
R-1
R-2
R-3
R-4
R-5
R-6
B-1
B-2
B-3
I-1
H-I
L-I
PD
PD-MR
PD-R
CP
FH
SPLIT

This map reflects zoning map amendments approved by the Board of Commissioners of Effingham County through September 15, 2026. This map does not reflect any special conditions of rezoning that may have been imposed by the Board of Commissioners in connection with such zoning map amendments. Such conditions, which are reflected in the minutes and ordinances of the Board of Commissioners, are adopted and incorporated by reference as if set forth fully herein.

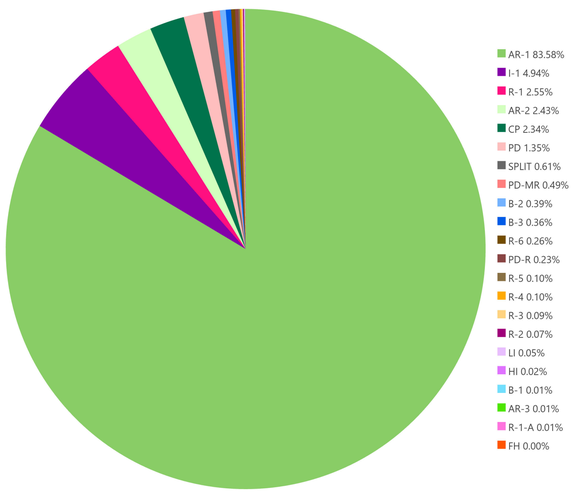
Future land use will be subject to the boundaries as depicted on this map as approved by the Effingham County Board of Commissioners. Any future changes to the zoning boundaries will be subject to the Code of Ordinances for Effingham County, Georgia.

APPENDIX C ZONING ORDINANCE
ARTICLE IV. ESTABLISHMENT OF DISTRICTS

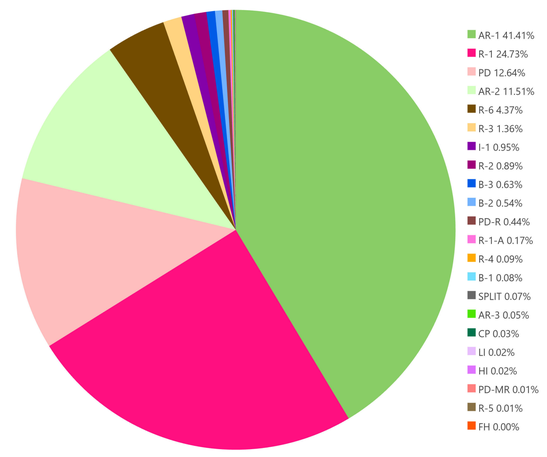
4.2.01 (a) & 4.2.02 (a) Zoning map.
The official zoning map of Effingham County, Georgia is hereby adopted and identified as that map or series of maps, adopted by the board of commissioners, that show the precise location and boundaries of the zoning districts and that is certified by the county clerk of Effingham County, Georgia. 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.

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.

Zoning % By Acreage



Zoning % By Parcel Count



County Effingham Georgia
Board of Commissioners

Miles
0 1 2 4 6 8 10

Effingham County assumes no responsibility for the legal accuracy contained herein.

APPROVED BY EFFINGHAM COUNTY BOARD OF COMMISSIONERS

FIRST READING DATE: _____

SECOND READING DATE: _____

_____ _____
DAMON RAHN, CHAIRMAN DATE

_____ _____
STEPHANIE JOHNSON, COUNTY CLERK DATE

P:\Maps\Zoning and Future Land Use Maps\Zoning Map 2025\Zoning Map 2025.aprx Map Revised: 10/9/2026 Author: dagbeko