



EFFINGHAM COUNTY PLANNING BOARD
(TENTATIVE) WORKSHOP AGENDA
Effingham County Administrative Complex
Commission Meeting Chambers
 804 S. Laurel Street, Springfield, GA 31329
August 16, 2023 – 4PM

The Georgia Conflict of Interest in Zoning Actions Statute (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 applications. 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 the 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 knowingly failing to comply with these requirements shall be guilty of a misdemeanor

Item of Business	Action Requested of Planning Board	Previous Action of Board	Action Taken
I. Call To Order			
II. Invocation			
III. Pledge to the Flag			
IV. Agenda Approval	Consideration to approve the agenda		
VI. Agenda Topics	All items presented during this portion of the meeting will be presented at a future Board of Commissioners Meeting as a Public Hearing <i>(with the exception of pond and residential business approvals)</i>		
01	Discussion of a revision to the Code of Ordinances Appendix C – Zoning Ordinance, Article I - Introduction, Enactment, and Interpretation		
02	Discussion of a revision to the Code of Ordinances Appendix C – Zoning Ordinance, Article VIII – Administration and Enforcement		
03	Discussion of a revision to the Code of Ordinances Appendix C – Zoning Ordinance, Article XI – Signs		
VIII. Adjournment			

ARTICLE I. ~~INTRODUCTION, AND ENACTMENT~~ AND INTERPRETATION

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.

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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.

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~~ Georgia's Department of Natural Resources, "Georgia Outdoor Recreation Plan" ~~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.

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

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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.

1.4- Interpretation.

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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.

1.5 - 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.

1.6 - Repeal.

The Zoning Ordinance of Effingham County, Georgia, enacted and ordained on August 5, 1975, October 6, 1981 and April 6, 1999 are specifically repealed and all other ordinances or parts thereof which are in conflict with the provisions of this ordinance are hereby repealed.

Enacted and ordained by the Board of Commissioners of Effingham County on.

Wesley Corbitt
Chairman

ATTEST:

Stephanie Johnson
County Clerk

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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 review~~ permits for zoning compliance 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/she 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.

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8.2 - Permits and certificates of occupancy. - Need to have "plot plan" amendment inserted after approval.

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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 pursuant to the requirements of the Building Code.~~ Applications for building permit shall be submitted to Development Services 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~~ (? Plans are signed and distributed digitally.), 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 145 days from the date of application. ~~(Is this total time for issuance of a permit? Currently we have 30, 14 is a big change. I think, at minimum, the language should clarify "business days")~~ 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 ~~b~~Building Official 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~~ County Engineer, 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~~ County Engineer shall inspect the proposed location of said driveway or access road and shall review the proposed plan. The ~~public works director~~ County Engineer 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~~ County Engineer 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~~ County Engineer.

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~~ Building Official or designee.

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 ~~b~~Building inspector-Official 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 145 days after the ~~zoning administrator~~ Building Official or designee has been officially notified of (a) completion of construction, or (b) application to occupy and use land where no construction is involved.

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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.~~

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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/she shall acknowledge such complaint, immediately investigate, and take action thereon as provided in this ordinance.~~

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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~~ Building Official or designee 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.

8.8 - Development plan review. ~~(Ashley or Katie or Chelsie?????)~~ (I struck through title to keep it vague...I don't know that this particular process should have a designee as it is somewhat cooperative)

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1. All proposed development as defined by this title, unless expressly exempted below, shall be subject to development plan review (DPR) by ~~the Development Services Director~~ Official or designee. No building permit application shall be reviewed by the building official until a development plan approval has been granted.

2. - Development exempt from approval.

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The following activities or uses shall be exempt from a development plan review, although they may be reviewed under a separate procedure where noted.

A. *Maintenance.* Maintenance of any structure is exempt from development plan review.

B. *Agricultural.* The use or intended use of land, with or without accessory structures, for purposes of agriculture, raising of crops or animals, forestry, aquaculture and the like.

C. *Single-family residences on individual lots.* All structures located on single family residential lots, including factory built housing, which are built or placed on individual lots, are exempt from the development plan review process but shall comply with the provisions set forth in this title. Additional dwelling units on single family, where allowed in this title, are also exempt from DPR approval.

D. *Temporary uses, nonmaterial.* Those activities of short duration that do not affect the area's natural environment, parking requirements, transportation patterns, public health or economic values.

3. - Requirements for a complete application. (Is this the new plot plan info?????) (I think this is where the site or sketch plan comes in, plot plans should go under the permitting process)

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A development plan application shall be considered complete when the following items have been submitted.

A. *Application form and fee.* An application form as published by the Development Services Director/Official or designee and appropriate fee as required.

B. *Certification of owner consent.* Notarized certification, written and signed by the development site owner of record that, such owner formally consents to the proposed development.

C. *Property deed.* Copy of property deed to the lot of record or portions thereof which constitute the proposed development site.

D. *Boundary survey plat.* One copy of the boundary survey plat of the lot of record or portions thereof which constitute the proposed development site at a minimum scale of one inch equals 50 feet or other appropriate scale acceptable to the administrator. Upon such shall appear:

1. *Location of primary control points used in the survey, with ties to such control points to which all dimensions, angles, bearings, distances, block numbers and similar data shall be referred.*

2. *Computed acreage of the surveyed tract.* Where only a portion of any tract is proposed for development, there shall appear on the plat the acreage to be developed in addition to the overall tract acreage.

3. *Seal and signature of a Georgia registered land surveyor.*

4. *Date of survey and date of any revisions.*

5. *Notation of specific reference plats, if applicable.*

6. *Graphic scale and reference meridian.*

7. *Effingham County tax map and parcel number.*

E. *Written narrative.* A written narrative outlining:

1. *The nature and details of the proposed development.*

2. *If the proposed development plan is a phase of a previously approved multiphase plan or PD master plan, a description of how such phase related to such plan, in whole or in part.*

3. *The specifically contemplated form of ownership of the development (e.g. fee simple, horizontal property regime, property owners association, etc.) and detailed provisions for maintenance responsibility for all improvements including, but not limited to, parking areas, bikeways, pedestrian ways, storm drainage facilities, water and sewer systems, open spaces, private streets, etc.*

4. Any proposed dedication of improvements to any public agency, specifying such improvements and affected agencies.
 5. Any other information deemed necessary by the applicant to further clarify the proposed development.
- F. Site development plan. Plans shall be submitted digitally to the Development Services ~~Director~~Official or designee, showing the following.
1. Name of development.
 2. Graphic scale and reference meridian.
 3. Effingham County tax map and parcel number.
 4. Date of drawing and date of any revisions.
 5. Vicinity sketch showing the general site location and depicting vehicular access routes accurately referenced to the nearest public road.
 6. Topographic survey at one-foot contour intervals, or other topographic information acceptable to the county engineer, unless waived by the county engineer.
 7. All permanent structures and facilities within approximately 50 feet of the proposed development tract.
 8. All trees over six inches in diameter at breast height (dbh) within the required buffer area.
 9. Proposed site development, including land uses, any building or other structure locations, street, sidewalk, driveway, bike and pedestrian way and parking area layouts and interconnections with off-site facilities, if applicable. The plan view of buildings shall show limits of roofed areas, and indicate the exterior wall line dimensioned to property lines.
 10. Layout of all proposed lots.
 11. Location of proposed drainage system, including off-site areas of interconnection.
 12. Location of proposed water and sewer system, including off-site area of interconnection.
 13. Locations of other proposed waste disposal systems, including solid waste collection areas.
 14. Location and dimensions for parking and off-street loading areas, where applicable.
 15. Table calculating required parking.
 16. Location of other utilities such as electrical, telephone, gas line service and cable TV to the development.
 17. Location of required buffer areas.
 18. Delineation of zoning district boundary which traverses or is contiguous to the development site.
 19. Surveyed delineation of any wetland area.
 20. Fire hydrants and fire lanes.
 21. Location of outside trash receptacles and/or enclosures for use by the building occupants, if applicable.
- G. Landscape plan. A plan showing all tree planting as required by the buffer (section 3.4.5) ordinance.
- H. Site lighting plan. A plan showing all exterior lighting including type and lumens on commercial and industrial properties.
- I. Exterior elevations. Final building and other structure exterior elevations accurately showing the height, width and length of all proposed structures.

- J. Stormwater management. Stormwater management plans and calculations as required.
- K. Development phasing plan. A plan indicating the contemplated phasing of the proposed development.
- L. Wetlands alteration.
- M. Approvals, certifications and recommendations. Copies of all approvals, certifications and recommendations required by all appropriate county, state and federal regulations for the proposed development. These approvals are required to be turned in to the Development Services Director/Official or designee before the DPR can be approved. Failure of the Development Services staff to request an approval or certification required does not relieve the applicant of responsibility for compliance. This includes but is not limited to:
1. Effingham County for approval of water and sewer service.
 2. Proof of water supply if other than Effingham County.
 3. Effingham County Department of Environmental Health approval for septic system.
 4. Georgia Department of Transportation encroachment permits, if necessary.
 5. U.S. Army Corps of Engineers permits related to dredging, filling, wetlands or other elements of development.
 6. CLOMAR application to evaluate potential impact of a FEMA map change.
- N. Adherence to Agencies and Manuals. Development plan shall be compliant to local, state, and federal regulations. Below is a list of agencies and manuals that development plan should be compliant to. Any conflicts or issues that may arise pertaining to information contained in the manuals should be addressed at the onset of the project through correspondence with the appropriate Development Services Staff. This includes but is not limited to:
1. Georgia State Water Plan
 2. Regional Water Plan:
 - a. Coastal Regional Water Plan
 - b. Savannah-Upper Ogeechee Regional Water Plan
 3. Effingham County Health Department
 4. Georgia Stormwater Management Manual
 5. Coastal Supplement to the Georgia Management Manual
 6. Effingham County Stormwater Management Local Design Manual
 7. Chapter 34 Flood Damage Prevention
 8. Effingham County Traffic Impact Assessment Requirements
 9. Access Management and Encroachment Regulations for Effingham County Roads as amended.
- N. Legal documents. A statement of responsibility for common areas, easements, and other legal documents pertaining to the operation and management of the proposed development.

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8.9 Mobile homes

8.9.1 -Mobile home site plan review. Applications for a permit to construct a mobile home park where mobile homes are placed on individual parcels 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.

8.9.12 Development regulations specific to legal nonconforming mobile home parks and mobile home subdivisions.

8.9.24.1.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.

8.9.2.2 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.

8.9.2.3 Administrative Variance. The County Manager or designee shall have the authority to approve the administrative variances for lot dimensional requirements of up to 10% of the required regulation and sign dimensions for signage of permitted or conditional uses subject to the following criteria. If the County Manager or designee does not find that the variance meets this criteria, the applicant may apply for a general variance.

1. The granting of the variance will not negatively impact the neighboring properties; and
2. The granting of the variance is appropriate for the size and dimensions of the property; and
3. The granting of the variance meets the intent of the zoning district.

8.9.2 Mobile or Manufactured Homes Moving permits.

8.9.2.1 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. Development Services issues the moving permit, not the tax office.

8.9.2.2 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. Same as stated-Development Services

8.9.2.3 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 non-issuance of a moving permit provided a moving permit number was obtained. Same as stated Previously-Development Services

8.9.2.4 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.

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8.9.2.5 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.

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8.9.3 Mobile or Manufactured Homes Building permits.

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8.9.3.1 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 Building Official 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.

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8.9.3.2 The application for a building permit must be in compliance with section 8.2.1 of the Effingham County Zoning Ordinance.

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9 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 Building Official authorizing such relocation.

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10 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.

11 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.

12 Section 4. - Location permits and decals.

13 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.

14 ~~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. (The use of a mobile home as a storage building is currently and expressly prohibited).~~

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15 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.

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16 4.4 Homestead and non-homestead 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:

17 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.

18 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).

- 19 a. Owner's name and address;
- 20 b. Map and parcel number;
- 21 c. Physical location of mobile or manufactured home including the 911 street address, lot number and planned manufactured housing community name, when known;
- 22 d. Tax district; and
- 23 e. Any prior year decal numbers found on home including what county it was issued from.
- 24 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.
- 25 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.
- 26 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.
- 27 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.
- 28 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.
- 29 Section 5. - Certificates of occupancy. (we do not issue COs for mobile homes)
- 30 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.
- 31 Section 6. - Development of forms and procedures.
- 32 6.1 The county administrator (manager) or designee is authorized to develop, approve, and modify forms and procedures necessary to apply for and approve the required permits, decals, and certificates.

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ARTICLE XI SIGNS

~~3.38-11.1~~ Sign section purposes.

The purpose of this section is to:

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- 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.

~~3.38-11.2~~ *Sign permits.* All signs on ~~commercial or industrial non-residential~~ any property in Effingham County must have a sign permit issued by the Effingham County Zoning Development Services 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. Signs that do not meet the dimensional requirements in this Article may request an administrative variance. (duh)~~

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~~3.38-211.3~~ *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 of more than 50% ~~to or relocation from an existing parcel of record to a different parcel of record~~ 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 as stated in subsection A.

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~~3.38-311.4~~ *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.

~~3.38-411.5~~ *Signs exempt from ~~regulation~~ permitting.*

- A. ~~Public signs. Signs erected by or under the authorization of a governmental agency, including special events, legal notices, identification signs, and traffic, directional or regulatory signs. Governmental agency signs~~
- B. Property addresses up to 12 inches in height.
- C. ~~Incidental signs one square foot or less~~

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D. Temporary event signs

E. Real Estate for sale signs and directional signs under six (6) square feet of total area.

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~~3.38-511.6~~ *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.

M. Illuminated signage in residential or agricultural districts, unless otherwise permitted in this section.

3-38-611.7 Billboards.

- A. *Uniform size.* The outside measurements of all billboards shall be 12 feet in height, width 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 fifty (50) 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 (3) 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 (10) 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 billboardssigns.*
 - 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.

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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.

~~3-38-711.8~~ Signs in ~~commercial-non-residential zones~~ district.

- A. Each parcel in a ~~commercial-non-residential zone~~ district is entitled to one freestanding sign for up to 200 feet of street frontage.
- B. Each parcel in a ~~commercial-non-residential zone~~ district 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-non-residential~~ 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.

~~E. Signs may be illuminated. If illuminated, the source shall be internal illumination not exceeding one foot-candle at the property line.~~

~~3-38-811.9~~ 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.

~~13-38-914.10~~ Freestanding sign size. The maximum size of the signable area of a freestanding sign is as follows provided in the table below:

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- 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~~ Per Zoning District

	Single and	Multi-			Public, or	Planned
Agricultural	Two	Family	Commercial	Industrial	Community	Developm
Property	Family	Residential	Property	Property	or	PD
AR-1, AR-2	Residential	R-3, R-4,	B-1, B-2, B-3	I-1, I-2	Institutional	
	R-1	R-5, R-6			Use	
					Property	

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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	Sign regulation not provided in the PD ordinance text shall follow the
Maximum <u>Signable</u>	16 square feet	6 square feet	50 square feet	64 square feet for single	64 square feet for single	64 square feet for single	

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(Why not signable?)Area				tenant, 100 square feet for multiple tenants	tenant, 100 square feet for multiple tenants	tenant, 100 square feet for multiple tenants	<u>general sign standards.</u>
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.~~

~~3.38.1211.13 Projections. No sign shall project more than six feet from the wall of a building.~~

~~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.~~

~~Portable signs. Shall be made of wood, of an A-frame construction and shall not be illuminated. Portable signs shall be removed during the hours the establishment is closed and shall not impede the sidewalk by maintaining a minimum of four feet of clearance from the portable sign to the back of curb.~~

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~~3.38.1311.14 Event Temporary signs.~~

- A. ~~In the B-1, B-2, B-3, I-1, R-3, or R-4 non-residential zoning districts one temporary event signs not to exceed 24 square feet in size in total for all signage 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 other zoning districts not described in "A" of this section, each parcel is entitled to one temporary event signs not to exceed six square feet in size each. 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.~~
- F. ~~Signs shall only be placed on private property and not within the right-of-way. Signs within the right-of-way will be removed and destroyed. Repeat occurrences may result in code enforcement action.~~

~~3.38.1411.15 Flags. In the B1, B-2, B-3, and I-1 non-residential 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~~ 11.16 *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~~ 11.17 *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 determining legal conformity.

11.18 Sign Variances. Signs that do not meet the dimensional requirements in this Article may request an administrative variance. ~~3.38.17~~ *Sign definitions:*

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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.

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