

STATE OF GEORGIA
EFFINGHAM COUNTY

**An Ordinance to Amend Appendix C Zoning Ordinance, Article III of the
Official Code of Effingham County, Georgia**

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

Section 1. Amendment.

(a) The Official Code of the County of Effingham, GA, Appendix C Zoning Ordinance, Article III, 3.4 - Buffers, with the following:

Sec. 3.4.1 Buffer Design Standards:

A. Plant material: Existing plant materials including understory vegetation in buffers shall be maintained whenever possible. AH 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.

B. Structural elements: Structural elements such as fences, walls, and berms may be placed in buffers. When privacy fences or walls are located in a buffer, a minimum of two feet from the exterior property line will be maintained to allow for plant material to soften the effects of the structural element.

C. Encroachment: Buffer areas should remain natural. There shall be no encroachment of structures, including eaves or paving, in buffer areas.

	R-district or single-family subdivision on exterior boundary*	AR-1 or AR-2	Multifamily	Commercial, Institutional**	Light Industrial	Heavy Industrial**
R-district or single-family subdivision exterior boundary*	15 feet	15 feet	20 feet	30 feet	300 feet	300 feet
AR-1 or AR-2	15 feet	15 feet	20 feet	30 feet	150 feet	300 feet
Multifamily	20 feet	20 feet	15 feet	20 feet	150 feet	300 feet
Commercial, Institutional**	30 feet	30 feet	20 feet	15 feet	50 feet	150 feet
Light Industrial**	300 feet	150 feet	300 feet	50 feet	25 feet	25 feet
Heavy Industrial**	300 feet	300 feet	300 feet	150 feet	25 feet	25 feet

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

**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.

*****Industrial Surface Mines will follow the buffer requirements in Section 3.17.4**

(b) The Official Code of the County of Effingham, GA, Appendix C Zoning Ordinance, Article III, General Provisions, with the following:

(c) The Official Code of the County of Effingham, GA, Appendix C Zoning Ordinance, Article III, General Provisions, with the following:

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 and approval by the Effingham County Planning Board:

1. Excavation of land, or removal of earth that exceeds 1.0 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 any item above meets the project criteria, approval by the Planning Board 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 planning board and/or 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 staff review.

1. Application and checklist.

(a). Applications and checklist may be obtained from the zoning office.

(b). Application and checklist must be complete and submitted with the all required information.

(c). Fees in accordance with the Effingham 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 that requires a state mining permit must be located within the I-1 zoning district.

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 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.

3. 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 sunrise and

sunset Monday through Saturday. State permitted mining operations are exempt from this provision.

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. Excavations shall not be nearer than 100 feet to any school, church, dwelling, or highway right-of-way. **This section shall serve as the buffer for requirements surface mining operations in I-1 zoning districts.**
6. No pond shall be located less than ten feet from the nearest access or utility easements.
7. All wetland impacts must be approved by the USACE.

(d) The Official Code of the County of Effingham, GA, Appendix C Zoning Ordinance, Article III, General Provisions, with the following:

- 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.
- Unless a pond is to be shared by two or more parcels it shall be located at least 50 feet from the nearest property line.
- No pond shall be located less than ten feet from the nearest access or utility easements.
- The pond sides shall be sloped at a 3 to 1 run to rise ratio.
- All wetland impacts must be approved by the USACE.

All ordinances or parts of ordinances in conflict herewith are repealed.

This 2nd day of August, 2016.

BOARD OF COMMISSIONERS
EFFINGHAM COUNTY, GEORGIA

BY: 

WENDALL KESSLER

ATTEST:



STEPHANIE JOHNSON
EFFINGHAM COUNTY CLERK

FIRST READING 7/19/2016

SECOND READING 8/02/2016