

STATE OF GEORGIA

EFFINGHAM COUNTY

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

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, be, and the same hereby is, amended to include **Section 5.8, 5.9, 5.10 as follows:**

Any Use not expressly permitted or prohibited in a commercial district may be considered conditional upon approval of the Board of Commissioners after review by the Planning Board.

**5.8 B-1 Neighborhood commercial districts.** This district is designed for small scale retail and service businesses that primarily cater to the surrounding residential neighborhoods.

*5.8.1 Permitted uses.*

Personal and professional services (including clinics and studios).

Cafes and restaurants.

Private clubs, lodges, community centers.

Dry cleaning outlets.

Convenience stores (retail) without gas pumps.

Child care centers.

Libraries.

Residential units above commercial units.

Site-built single-family detached buildings.

Government-owned utilities.

*5.8.2 Conditional uses.* The following uses may be permitted in accordance with the provisions of section 7.1.6 in the neighborhood commercial (B-1) district on a conditional basis upon approval of the Board of Commissioners after review by the Planning Board.

Plant gardens and outdoor nurseries.

Automated bank tellers.

Cemeteries.

Drive through.

Offices.

Mobile offices.

Churches

Schools

*5.8.3 Prohibited uses.*

Mobile homes.

Gas stations.  
 Automotive sales, service, and/or storage.  
 Warehouses (including mini-warehouses).  
 Veterinary clinics and kennels.

*5.8.4 Lot and building requirements.*

TABLE INSET:

Minimum lot area (public water and sewer)	Must meet minimum site design requirements
Minimum lot area (public water only)	Must meet Health Dept. requirements
Minimum lot area (private water and sewer)	Must meet Health Dept. requirements
Minimum lot width at building line	N/A
Minimum front setback	N/A
Minimum rear setback	N/A
Minimum side setback (interior)	N/A
Minimum side setback (street)	N/A
Maximum building height	35 feet

(Amend. of 4-4-00(21); Amend. of 4-4-00(28); Amend. of 4-16-02; Amend. of 10-21-04, § 6)

**5.9 B-2 General commercial districts.**

*5.9.1 Permitted uses.*

All uses permitted or conditional in B-1 except single family detached buildings.  
 Fast food and all other restaurants, hotels, motels, and accessory structures.  
 Retail businesses.  
 Indoor entertainment facilities.  
 Offices and banks.  
 Libraries and public buildings.  
 Multifamily units up to 12 units per acre  
 Bus stations.  
 Movie theaters.

*5.9.2 Conditional uses.* The following uses may be permitted in accordance with the provisions of section 7.1.6 in the general commercial (B-2) district on a conditional basis upon approval by the county commission after review by the planning board.

Wholesale operations.  
 Commercial parking areas.  
 Funeral homes.  
 Telecommunications towers.  
 Crematoriums.  
 Automobile service  
 Mobile offices

Museums.  
Schools  
Churches  
Hospitals.  
Nursing homes.  
Cemeteries.

*5.9.3 Prohibited uses.*

Automotive sales (excluding storage of junked vehicles).  
Warehouses (including mini-warehouses).  
Lumberyards, retail.  
Motor freight terminals.  
Bulk fuel storage.  
Single-family detached dwellings.  
| Mobile homes

*5.9.4 Lot and building requirements.* Same as B-1 except sixty (60) foot limit to building height.

(Amend. of 4-4-00(21); Amend. of 10-3-00; Amend. of 7-3-01(2); Amend. of 4-16-02)

**5.10 B-3 Highway commercial districts.**

*5.10.1 Permitted uses.*

All uses permitted or conditional in B-1 and B-2 except detached single family buildings.  
Automotive sales, service, and storage.  
Wholesale operations.  
Lumberyards.  
Indoor amusement parks or privately owned recreation facilities.  
Hospitals.  
Screened outdoor storage.  
Nursing homes.  
Multifamily housing units with a maximum density of 12 units per acre.

*5.10.2 Conditional uses.* The following uses may be permitted in accordance with the provisions of section 7.1.6 in the highway commercial (B-3) district on a conditional basis upon approval of the county commission after review by the planning board.

Automotive paint and body shops.  
Junkyards (if properly screened (section 3.4) and meeting the requirements of section 3.16.)  
Motor freight terminals.  
Warehouse operations.  
Mobile offices.  
Outdoor amusement parks or privately owned recreational facilities.  
Lumberyard that includes processing.  
Cemeteries  
County jails.  
County correctional institutions.  
County detention facilities.

5.10.3 *Prohibited uses.*

Bulk fuel storage.

Mobile homes.

| Single-family detached dwellings.

5.10.4 *Lot and building requirements.* Same as B-1 except no limit to building height.

**Section 2. Severability.** If any sections, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not attest the validity of the remaining portions thereof.

**Section 3. Effective Date.** This Ordinance shall be effective upon its adoption by the County Commission of the County of Effingham, Georgia.

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

This 8th day of December, 2009.

BOARD OF COMMISSIONERS  
EFFINGHAM COUNTY, GEORGIA

BY: \_\_\_\_\_  
C. D. ZEIGLER

ATTEST:

\_\_\_\_\_  
NATALIE JENKINS  
EFFINGHAM COUNTY CLERK

FIRST READING \_\_\_\_\_

SECOND READING \_\_\_\_\_