

City of Valdosta Land Development Regulations

Title 2 Land Use and Zoning

Chapter 202 General Provisions

Section 202-1 Purpose

Title 2 is intended to implement the purposes set forth in Section 102-2, and further is enacted for the purposes of promoting the proper density and distribution of population and the uses of buildings, structures, and land for trade, industry, residence, recreation, agriculture, forestry, conservation, sanitation, protection against floods, public activities and other purposes in accordance with the Comprehensive Plan so as to promote the health, safety, morals, convenience, order, prosperity and general welfare of the city; lessening congestion in the streets, securing safety from fire, panic and other dangers; providing adequate light and air; preventing the overcrowding of land; avoiding undue concentration of population; preventing urban sprawl, facilitating the adequate provision of transportation, sewerage, water, schools, parks and other public requirements; promoting desirable living conditions and the sustained stability of neighborhoods, protecting property against blight and depreciation, securing economy in governmental expenditures, conserving the value of buildings; and encouraging the most appropriate use of land and buildings throughout the City of Valdosta.

Section 202-2 Authority

Title 2 is enacted pursuant to the City of Valdosta's authority to adopt plans and exercise the power of zoning granted by the Constitution of the State of Georgia, Article 9, Section 2, Paragraph 4 and by Article 9, Section 2, Paragraphs 1 and 3; pursuant to Chapters 66 and 70 of Title 36 of the Official Code of Georgia Annotated; by the Georgia Planning Act of 1989; by the City of Valdosta's authority to enact regulations and exercise powers granted by local laws and by the City's general police powers; and by other powers and authority provided by federal, state, and local laws applicable hereto.

Section 202-3 Incorporation of Official Zoning Map

The "Official Zoning District Map for the City of Valdosta," hereinafter called Zoning Map, with all appendices, notations, references and other information shown thereon, shall be the official map and is incorporated by this reference and hereby made a part of Title 2 of the LDR. Said map shall show the date of its adoption, and shall be signed by the Mayor or City Clerk. Said map shall be made a public record and shall be maintained by the Community Development Department so as to show rezonings of property approved subsequent to the effective date of this ordinance, and kept permanently in the Community Development Department of the City of Valdosta, where the map or accurate reproductions thereof, will be accessible to the general public. Certified copies of said map shall be prepared by the City Clerk.

Section 202-4 Division of the City into Districts

For the purposes of these Land Development Regulations, the City is divided into the following districts:

E-R	Environmental Resource District
R-E	Estate Residential District
R-25	Single-family Residential District
R-15	Single-family Residential District
R-10	Single-family Residential District
R-6	Single-family Residential District
R-M	Multi-family Residential District

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R-P	Residential Professional District
O-P	Office Professional District
C-N	Neighborhood Commercial District
C-C	Community Commercial District
C-H	Highway Commercial District
C-D	Downtown Commercial District
C-A	Adult Commercial District
M-1	Wholesale/Office Industrial District
M-2	Manufacturing/Distribution District

Section 202-5 Interpretation of Zoning District Boundaries

Where uncertainty exists with respect to the boundaries of any of the districts as shown on the Zoning Map of the City of Valdosta, the following rules shall apply:

- (A) Unless otherwise specifically indicated, where district boundaries are indicated on the zoning map as approximately following the centerline of a street, highway, railroad right-of-way line, stream bed or river bed; such centerlines shall be construed to be such district boundaries. Streets and railroad rights-of-way or other areas on the Zoning Map which are not depicted as being part of a zoning district, shall be construed as being part of the same zoning district on both sides of said right-of-way or area. If different zoning districts are depicted on opposite sides of such right-of-way or area, then the boundary line between these zoning districts shall be construed as the centerline of such street or railroad right-of-way, or other area as applicable.
- (B) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- (C) Where district boundaries are indicated on the zoning map as approximately following the corporate limit line of the City of Valdosta, then such corporate limit lines shall be construed to be such district boundaries.
- (D) Where district boundaries are indicated on the zoning map as being set back from a street, road, highway, railroad, stream, or river, and parallel thereto, then such district boundaries unless otherwise specifically indicated, shall be construed as being at the scaled distance from the centerline of such street, road, highway, railroad, stream, or river and as being parallel thereto.
- (E) In case the exact location of a boundary cannot be determined by the foregoing methods, the Zoning Administrator shall make an interpretation as to the exact location of such boundary utilizing other means and best judgment. An aggrieved person or entity who disagrees with the Zoning Administrator's interpretation of a zoning district boundary, may appeal said interpretation to the Zoning Board of Appeals at a public hearing as prescribed in Section 242-8.
- (F) When a parcel is split by a zoning district boundary, each such portion of the parcel shall be used only for the uses authorized within the zoning district that each such portion is classified. However, at the discretion of the Zoning Administrator, a use may be extended across the zoning district boundary line onto a greater portion of said parcel by no more than 50 feet, provided that the encroaching use is in accordance with setbacks and buffer yard requirements of the more restrictive zoning district as applicable. Such encroachments beyond 50 feet or otherwise determined unacceptable by the Zoning Administrator, shall require an appropriate amendment to the Official Zoning Map (rezoning).

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Section 202-6 Relationship to Comprehensive Plan

(A) Land Use Role of the Comprehensive Plan. The Comprehensive Plan is hereby established as the official policy of the City concerning land development, under which the City of Valdosta is divided into the following Character Areas:

- (1) Park/Recreation/Conservation
- (2) Linear Greenspace/Trails
- (3) Established Residential
- (4) Transitional Neighborhood
- (5) Suburban Area
- (6) Neighborhood Activity Center
- (7) Community Activity Center
- (8) Regional Activity Center
- (9) Downtown
- (10) Institutional Activity Center
- (11) Industrial Activity Center
- (12) Transportation/Communications/Utilities

(B) Relationship between Character Areas and Zoning Districts.

- (1) The Comprehensive Plan does not change the existing zoning districts in the City, does not effectuate an amendment to the official zoning map, and does not itself permit or prohibit any existing land uses. Instead, the Comprehensive Plan establishes broad planning policy for current and future development and provides, among other things, designated categories within which only certain zoning districts may be authorized.
- (2) The zoning districts that are permitted within each Character Area shall be restricted to those shown in the Table of Zoning Districts Permitted in Each Character Area of the Comprehensive Plan in this Section.

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Table of Zoning Districts Permitted in Each Character Area of the Comprehensive Plan

Comprehensive Plan Character Area	Permitted Zoning Districts
Parks/Recreation/Conservation	E-R, R-E, R-25, R-15, R-10, R-6, R-M, R-P, C-N
Linear Greenspace/Trails	E-R, R-E, R-25, R-15, R-10, R-6, R-M
Established Residential	E-R, R-E, R-25, R-15, R-10, R-6, R-M
Transitional Neighborhood	E-R, R-25, R-15, R-10, R-6, R-M, R-P, O-P, C-N
Suburban Area	E-R, R-E, R-25, R-15, R-10, R-6, R-M, R-P, O-P, C-N, C-C
Neighborhood Activity Center	E-R, R-6, R-M, R-P, O-P, C-N, C-C (when property is located on a Collector or Arterial roadway)
Community Activity Center	E-R, R-6, R-M, R-P, O-P, C-N, C-C, C-H
Regional Activity Center	E-R, R-M, R-P, O-P, C-C, C-H, C-A, M-1
Downtown	E-R, R-6, R-M, R-P, O-P, C-N, C-C, C-D
Institutional Activity Center	E-R, R-10, R-6, R-M, R-P, O-P, C-N, C-C
Industrial Activity Center	E-R, C-C, C-H, C-A, M-1, M-2
Transportation/Communication/Utilities	E-R, C-C, C-H, M-1, M-2

(C) Conformity of the Zoning Maps with the Comprehensive Plan. Within the various character areas described in this chapter and shown on the Future Development Map of the Comprehensive Plan, no amendment to the official zoning map shall permit a zoning district except in accordance with the districts permitted in the Comprehensive Plan character area applicable to the property to which the proposed zoning map amendment applies.

(D) Amendments to Comprehensive Plan. See Section 242-4

Section 202-7 Zoning Verification

Upon request, the Planning and Zoning Administrator shall have authority to issue written zoning verifications stating the existing zoning of a particular parcel of property. Requests for verification shall be in writing, and accompanied by a fee as may be established by the Mayor and City Council

Section 202-8 Zoning Classification of Annexed Properties

(A) For property to be annexed by the City of Valdosta, the subject property shall be subject to rezoning procedures consistent with Chapter 242 of this LDR except that:

- (1) In addition to the public notice requirements of Section 242-4 of this LDR, the City shall publish a notice of the public hearing as required in Section 242-4 of this LDR in a newspaper of general circulation within Lowndes County; and
- (2) The public hearing required by Section 242-4 (Rezoning) of this LDR shall be conducted prior to the annexation of the subject property into the City; and
- (3) The final vote of the Mayor and City Council to rezone the property shall take place prior to adoption of the annexation ordinance or resolution or the effective date of the annexation, but

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no sooner than the date of notice of the proposed annexation is provided to Lowndes County as required by O.C.G.A. Section 36-36-6.

- (4) The zoning classification approved for the subject property shall become effective on the later of:
 - (a) The date the zoning is approved by the City;
 - (b) The date the annexation becomes effective;
 - (c) Where Lowndes County has interposed an objection pursuant to O.C.G.A. Section 36-36-11, the date provided for in paragraph (8) of subsection (b) of said Section 36-36-11, O.C.G.A.
- (B) The approval of zoning of an annexed parcel by the Mayor and City Council, as provided in subsection (a) of this section shall concurrently amend the Future Development Map of the Comprehensive Plan to the most appropriate Character Area designation with respect for the subject property. The designation of the appropriate Character Area for the annexed parcel shall be made by the Planning and Zoning Administrator.

Section 202-9 Enforcement and Penalties

The provisions of Title 2 of the LDR shall be administered and enforced by the Planning and Zoning Administrator, except as to those limited code enforcement duties assigned to the City Marshals. The Community Development Director shall have authority to revoke, suspend, or void any development permit, building permit, or certificate of occupancy and shall have authority to immediately suspend all work on a site or portion thereof that is in violation of Title 2 pursuant to LDR Chapter 110, or any related section of the LDR.