

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF VIDALIA, GEORGIA, TO PROVIDE FOR ADOPTION OF OVERLAY DISTRICTS AND SUPPLEMENTAL ZONING STANDARDS FOR DEFINED AREAS; TO PROVIDE FOR SEVERABILITY, REPEALER, EFFECTIVE DATE, AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the Mayor and Council of the City of Vidalia desire to provide a procedure for the creation of overlay districts within the City where supplemental zoning standards may apply; and

WHEREAS, certain areas may have development patterns, lot arrangements, building scale, civic or cultural character, traffic conditions, or other characteristics warranting tailored zoning standards; and

WHEREAS, overlay districts may be used to supplement underlying zoning districts and to encourage compatible development, redevelopment, reinvestment, and preservation of a defined area; and

WHEREAS, the Planning and Zoning Commission has reviewed this proposed amendment and has made its recommendation to the Mayor and Council; and

WHEREAS, the Mayor and Council have conducted a public hearing after notice as required by law.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Vidalia, Georgia, and it is hereby ordained by authority of the same, as follows:

Section 1. Amendment to Zoning Ordinance.

The Zoning Ordinance of the City of Vidalia, Georgia, is hereby amended by adding a new Article/Section to read as follows:

ARTICLE ____ . SUPPLEMENTAL ZONING STANDARDS FOR DEFINED AREAS

Sec. ____ .01. Purpose.

The purpose of this Article is to provide a procedure for the adoption of overlay districts with supplemental zoning standards for defined areas within the City of Vidalia.

An overlay district may be established to apply additional zoning standards to a defined area while leaving the underlying zoning district in place. This Article is intended to allow area-specific zoning standards where the generally applicable zoning district regulations do not fully address local land use, dimensional, site development, parking, access, transition, or related zoning issues. Nothing herein shall be construed to affect a property owner's right to continue nonconforming uses to the extent otherwise authorized under the City's Zoning Ordinance.

Sec. ____ .02. Establishment of Overlay Districts.

Overlay districts may be established by ordinance adopted by the Mayor and Council after compliance with public notice and hearing procedures applicable to amendments to the Zoning Ordinance of the City of Vidalia. Each overlay district shall be listed and described in this Zoning Ordinance and shall be delineated on the Official Zoning Map. The adoption of this Article does not establish any overlay district and does not apply overlay standards to any property unless and until a specific overlay district is adopted by separate ordinance.

Sec. ____ .03. Initiation and Procedure.

An overlay district may be proposed, reviewed, adopted, amended, or repealed in the same manner as other amendments to the Zoning Ordinance.

Sec. ____ .04. Required Contents

Each ordinance establishing an overlay district shall include:

- (a) the name of the overlay district;
- (b) a statement of purpose;
- (c) the boundaries of the overlay district;
- (d) the relationship between the overlay district and the underlying zoning district or districts; and
- (e) any supplemental zoning standards applicable within the overlay district.

Sec. ____ .05. Relationship to Underlying Zoning.

The underlying zoning district applicable to each property shall remain in effect after adoption of an overlay district. The regulations of an overlay district shall be in addition to the regulations of the underlying zoning district. Where the regulations of the overlay district conflict with the regulations of the underlying zoning district, the regulations of the overlay district shall control unless the ordinance establishing the overlay district expressly provides otherwise. Uses permitted or prohibited in the underlying zoning district shall remain governed by the underlying zoning district unless the ordinance establishing the overlay district expressly provides otherwise and is adopted in compliance with the procedures applicable to zoning amendments.

Sec. ____ .06. Administration and Enforcement.

The Building Department shall be responsible for administration and enforcement of supplemental zoning standards in the same manner as otherwise provided for zoning enforcement and review in the City's Zoning Ordinance. The Planning and Zoning Commission shall perform any review or recommendation function assigned to it under the City's Zoning Ordinance or under an ordinance establishing a specific overlay district.

No separate overlay permit is created by this Article. Nothing in this Article or any ordinance adopted pursuant to this Article shall be construed to require a new permit or approval for work that is not otherwise required by the Vidalia Code of Ordinances or Zoning Ordinance.

Sec. ____ .07. Appeals, Conditional Uses, and Variances.

Appeals from administrative interpretations, orders, requirements, decisions, or determinations made in the administration or enforcement of an overlay district shall be handled in the same manner as appeals under the City's Zoning Ordinance.

Applications for variances, special exceptions, conditional uses, or other relief from the requirements of an overlay district shall be submitted, reviewed, heard, and decided in accordance with the procedures, standards, notice requirements, time limits, and appeal rights otherwise applicable under the City's Zoning Ordinance. No separate review board, commission, private association, private covenant, or private enforcement authority is created or authorized by this Article.

Sec. ____ .08. Amendment or Repeal.

An overlay district may be amended or repealed by ordinance in the same manner as authorized for other zoning amendments.

Section 2. Definitions.

The following definition shall be added to the Definitions section of the Zoning Code:

Overlay district means a geographically defined area established by ordinance and delineated on the Official Zoning Map, within which supplemental zoning standards apply in addition to the regulations of the underlying zoning district.

Section 3. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions of this Ordinance.

Section 4. Repealer.

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 5. Effective Date.

This Ordinance shall become effective immediately upon its adoption by the Mayor and Council of the City of Vidalia, Georgia.

SO ORDAINED this ____ day of _____, 2026.

CITY OF VIDALIA, GEORGIA

By: _____
Douglas P. Roper, III, Mayor

Attest: _____
Kellie Murray, Clerk