

Article 8.0 Use Standards

Sec. 8.1 Residential Use Standards for Limited and Special Uses

The following use standards shall apply to limited and special uses, as set forth in Sec. 5.4, Principal Use Table.

8.1.1 Three-Four Family

In the TR-1 district, no more than two (2) doorways shall be visible from a public right-of-way, not including lanes.

8.1.2 Continuing Care Retirement Community

- a.** Such use requires Planning Commission development plan review (see Sec. 3.8).
- b.** Because such use contains a variety of housing types and institutional-type buildings within a campus setting, building standards shall be determined by the Planning Commission at the time of major site development plan review.
- c.** A perimeter buffer meeting the requirements of a Type C Use Buffer shall be provided except along the street right-of-way. A fence or wall shall not be required. When utility easements exist within this buffer area, an additional 10 feet of buffer width shall be provided outside of the easement to accommodate the required plantings of a Type A Use Buffer.

8.1.3 Manufactured Homes

Manufactured homes, Type A and Type B, shall meet all of the following requirements:

- a.** Manufactured homes shall have been constructed in accordance with the Manufactured Home Construction and Safety Standards, 42 USC §5401 *et seq.*
- b.** When a manufactured home is not located in a manufactured home park, no more than one (1) manufactured dwelling shall be permitted on a lot.
- c.** The manufactured home shall have a length not exceeding four (4) times its width, with length measured along the longest axis and width measured at the narrowest part of the other axis.
- d.** Exterior wall materials shall consist of brick, masonry or stone, or siding consisting of wood, hardboard, aluminum or vinyl, covered or painted. Corrugated materials are not permitted for exterior walls. Exterior wall materials shall be comparable in composition, appearance and durability to the exterior siding customarily used in site-built residential construction.
- e.** A skirting or a curtain wall shall be installed and maintained to enclose the entire foundation area and all area below the bottom of a unit, except in those specific

instances where prohibited by FEMA flood prevention regulations. The skirting or curtain wall shall be a continuous, complete, opaque and rigid surface that lends permanency to the appearance of the unit and completely screens the crawl space below the unit, except for ventilation and access.

- f. The towing assembly, wheels and axles, and transporting lights shall be removed prior to occupancy.

8.1.4 Reserved

8.1.5 Child Caring Institution

- a. In the B-L, TN- and TC- zoning districts, no more than 12 children shall be permitted per facility.
- b. Where the use is allowed as a special use, the Mayor and Aldermen shall determine the maximum number of children that may live in the home.

8.1.6 Rooming House

- a. An Administrative Permit shall be obtained and renewed yearly.
- b. Such use shall be located and accessed only from a road classified as a collector or arterial as identified in Appendix A-1.
- c. A rooming house shall not be located within 1,320 feet of another conforming rooming house. Legal rooming houses operating as of the Effective Date of this Ordinance this provision shall not apply unless such use has ceased operation for at least six (6) months.
- d. A bedroom shall be provided for each resident and shall provide at least 80 square feet per resident. No more than two (2) individuals are permitted to share a bedroom.
- e. At least 20 square feet of interior common living area other than kitchens, hallways, bathrooms and bedrooms shall be provided per bedroom.
- f. Preparation of food shall occur only within a single central kitchen that is accessible to all residents at all hours of the day. If meals are provided by the operator, they may be served only to registered residents.
- g. On-site management shall be on the premises on a 24-hour basis.

8.1.7 Single Room Occupancy

- a. The maximum number of residential units shall not exceed the maximum density permitted by the zoning district in which the single room occupancy residence is proposed. For the purpose of determining residential density, two (2) residential units are the equivalent of one dwelling unit. However, where the use is permitted only as a special use, the Mayor and Aldermen may limit the number of residential units.

- b.** Such use shall be located on a street classified as a collector or arterial as identified in Appendix A-1 and shall not be located within 1,320 feet of another single room occupancy residence.
- c.** At least 200 square feet of interior common area shall be provided for the single room occupancy residence. An additional 10 square feet of interior common area per unit shall be required for each residential unit exceeding 20 units.
- d.** On-site management shall be present on a 24-hour basis.
- e.** As of the Effective Date of this Ordinance, new single room occupancy residences shall comply with the following standards:
 - i.** Residential units shall be at least 200 square feet but no more than 400 square feet and include kitchen facilities, living space and a full bath.
 - ii.** On-site laundry facilities shall be provided.
 - iii.** The minimal rental period shall be for one (1) month.
 - iv.** A management plan shall be submitted to the City of Savannah. The management plan shall contain management policies, including a detailed description of applicant screening policies, criteria and residency requirements; rental procedures and a detailed description of supportive services that will be provided, including a list of service providers.

Sec. 8.2 Agriculture and Resource Extraction Use Standards for Limited and Special Uses

The following use standards shall apply to limited and special uses, as set forth in Sec. 5.4 Principal Use Table.

8.2.1 Livestock Sales/Auction

Such use shall be at least 100 feet from any residential use or Residential or Mixed-use district.

8.2.2 Surface Mine / Borrow Pit

a. Applicability

The requirements of this Section shall apply to all new, expanded or modified surface mining/borrow pit operations as of the Effective Date of this Ordinance and shall not affect the validity of any special use permit, site development plan or mining permit approved prior to the Effective Date of this Ordinance. For the purpose of this Ordinance, a mining or borrow site shall be the affected area subjected to surface mining, the area upon which overburden has been deposited and all other disturbed areas resulting from mining activities.

b. Compliance with Local, State and Federal Laws

Compliance is required but may not be limited to the following:

- i.** O.C.G.A. §12-4-1 (Conservation and Natural Resources, Mineral Resources and Caves);
- ii.** Georgia Department of Environmental Protection §391-3-3 (Rules and Regulations for Surface Mining);
- iii.** City of Savannah Code of Ordinances Part 8, Chapter 6 (Erosion and Sedimentation Control), as applicable and amended.

c. Exemptions

The activities provided below are exempt from the requirements of this Section.

i. Approved Development

Grading, land clearing, site development and related activities undertaken in accordance with an approved site development plan, building permit or similar permit.

ii. Minor Excavation

Excavation activity which involves the removal of less than one acre of soil from a single site to another site. For the purposes of this Section, a single

site is defined to be one lot or a group of contiguous lots under common ownership.

d. Limitation on Exemptions

Activities identified in Sec. 8.2.2.c. located within 100 feet of any waters of the State shall follow sound engineering and conservation measures to provide protective barriers, such as dams, berms, silt ponds or other similar structures between the land to be affected and waters or watersheds involved. In addition, all activities shall comply with any required permits from the Georgia Environmental Protection Division, U.S. Army Corps of Engineers or standards from the City of Savannah floodplain ordinance, as applicable.

e. Review Procedure

All applications for Special Use Permit approval of a surface mine / borrow pit shall proceed according to Sec. 3.10, Special Use Permit. An extension of time for an approved special use permit shall be processed as a major amendment according to Sec. 3.10.3.

f. Development Plan

A Development Plan shall be submitted in accordance with Sec. 3.8, Development Plan in conjunction with the Special Use Permit application. The Mayor and Aldermen may disapprove, approve or modify the plans so as to meet the purpose of this Section. In addition to the items required in the application checklist, the site development plan shall include:

- i.** A plat of the site;
- ii.** All property lines, existing structures and uses within 200 feet of the property lines;
- iii.** The location and condition of abutting roads and major drainage features;
- iv.** A description of truck or transportation routes to be used for transport of minerals, materials or fill, onsite and within 1,000 feet of the site. If a private road is proposed to be used, an authorization letter from the owner of the road;
- v.** Location of utility lines and easements on the site;
- vi.** Location of septic tanks and drain fields on the site;
- vii.** Existing potable water wells within 500 feet of the area to be disturbed.
- viii.** Required setbacks for all structures and operations;
- ix.** Location of all fences, walls, earth berms or vegetative buffers to be installed or existing on site;

- x.** Identification of all trees that might meet requirements for specimen or exceptional pursuant to City Code Part 4, Chapter 10, Landscape and Tree Protection Ordinance;
- xi.** An identification of the areas where surface mining/borrow pit activities, including all internal access roads, are proposed;
- xii.** Proposed days and hours of operation;
- xiii.** Estimated total area, in acres, to be mined;
- xiv.** Location of proposed and existing surface mining/borrow pit area located on the site including the types of minerals or materials to be mined or excavated on the site;
- xv.** Proposed method for onsite processing of minerals or materials;
- xvi.** Cross-sectional of the proposed depth of areas to be mined and relationship to the wet season high water table and geologic materials, based on test borings performed on the site;
- xvii.** Proposed location of groundwater monitoring wells on the site;
- xviii.** Proposed location of buildings and structures on site;
- xix.** Proposed location and height of milled asphalt storage piles, stockpiles and spoil or other excavated materials;
- xx.** Proposed location of tanks for liquids stored on the site;
- xxi.** Dimensions and total square feet of existing and planned impervious areas on the site;
- xxii.** The anticipated number of trips per day to or from the site.
- xxiii.** A description of how the minerals or materials are to be transported to and from the site, including all types and sizes of carriers to be utilized;
- xxiv.** Proposed method of dewatering.
- xxv.** Planned uses of the reclaimed area. The use or reuse of each excavated area shall be shown as one or more of the following:
 - (1)** A landfill in which the excavated property is filled, and no portion of the excavated property remains as a lake or pond;
 - (2)** A lake or pond consisting of the entirety of the excavated property within which no landfill material may be placed;
 - (3)** Forest land in which excavated property is filled and then seeded or planted with trees; or
 - (4)** Wetlands.

xxvi. The proposed time schedule for the beginning and ending of all surface mining/borrow pit activities. Information to be submitted as a basis for the schedule shall include the following:

- (1)** Calculations of the volume to be excavated expressed in total cubic yards determined by the dimensions of the excavation area;
- (2)** Identification of the volume of available fill material on a weekly or monthly basis;
- (3)** Description of the type of material to be used for fill; and
- (4)** Description of the proposed frequency of compaction and type of equipment to be used for compaction.

g. Construction Plans

Following special use approval of the proposed surface mine/borrow pit, construction plans shall be submitted to and approved by the City Manager or his or her designee. No activity shall take place, except for securing the property or continuing existing surface mining for which a permit was previously granted, until the construction plans have been approved by the City Manager or his or her designee. Such plans shall include but not necessarily be limited to the following:

- i.** A scale drawing of the site including adjacent property and location of all buildings within 200 feet of the property lines.
- ii.** Location and condition of abutting roads and proposed principal route to and from the site and the location of on-site roads to serve areas of activity and points of ingress and egress at the site.
- iii.** Topography of the area including contours, easements and major drainage features.
- iv.** Existing and proposed land use plan approved as part of the Special Use Permit.
- v.** A time schedule for start and completion of surface mining activities for each area designated for such use within the time frame set by the Mayor and Aldermen upon approval of the Site Development Plan.
- vi.** Provisions for erosion and sedimentation control.
- vii.** Reclamation Plan

A reclamation plan, prepared and sealed by a professional engineer registered in the state of Georgia. The plan shall describe the proposed mining and land reclamation operations and procedures to be followed. The plan shall include the following information:

(1) Areas to be Reclaimed

The total area of the entire mined, excavated or otherwise disturbed area that is to be reclaimed, in both percent of site area and total acres, as well as an annual schedule for the areas to be reclaimed.

(2) Reclamation Methods

A description of the manner in which restructuring, reshaping and revegetation will be accomplished.

(3) Reclamation Timetable

A timetable detailing the estimated time periods for stages of reclamation and reuse after the mining, excavation and fill activity has been completed. A time limit for completion of reclamation shall not be placed on areas reserved for slime ponds or settling ponds in mining operations.

(4) Potential Future Uses of Site

The potential and/or planned uses of the reclaimed area. Areas utilized for mining operations shall not be reused for residential purposes, except where engineering data is submitted showing that there has been adequate compaction to allow the type of residential construction proposed.

(5) Proposed Erosion Control

Proposed erosion control measures, including final site grading, final slopes and the locations and types of trees, grasses or other plant materials to be utilized.

(6) Water Bodies and Stormwater Facilities

The location, size and water elevations of any water bodies or stormwater facilities proposed as a permanent feature following mining operations. The proposed method for retaining water levels in permanent lakes.

h. Site Development Standards

i. Screening and Buffering

A natural or landscaped buffer of at least 75 feet in width shall be provided along the entire boundary of the property. Where the site is adjacent to or within 300 feet of a residential use or zoning district, the buffer shall be at least 100 feet in width. Points of access shall be given exception from these minimum buffer requirements. To the greatest extent possible, natural vegetation and foliage existing on the site shall be retained to establish buffers. If the natural vegetation and foliage does not provide adequate visual buffer or noise attenuation, additional plantings, fences, earth berms or similar materials may be required by the City Manager or his or her designee.

ii. Maximum Heights

(1) Buildings and Structures

All buildings and structures shall comply with the height limit of the zoning district in which the mining or excavation and fill operation is located and may be further limited by the conditions of the special use permit.

(2) Stockpiles, Spoil Piles and Storage of Materials

Spoil piles, stockpiles or storage of excavated materials shall not exceed 50 feet in height and may be limited further by the conditions of the special use permit.

i. General Operation Standards

The following standards shall apply to surface mining operations as shown in the approved Construction Plans. The standards shall be in addition to control measures imposed by the Georgia EPD.

i. Prohibited Activities

Unless permitted by the special use permit, the activities listed below are prohibited in association with a surface mining/borrow pit operation.

(1) Surface Waters and Wetlands

Mining shall not be permitted in surface waters or wetlands, except as provided in the applicable requirements of this ULDC. Water shall not be diverted from natural stream channels and drainage ways shall not be interrupted or relocated except as provided in the approved development plan and as approved by GA EPD.

(2) Operations in Groundwater

Mining shall not be permitted in groundwater of the Floridian or intermediate aquifer systems, except as provided in the applicable requirements of the City Soil Erosion and Sedimentation Control Ordinance (Chapter 6). Groundwater withdrawals permitted as part of an approved mining operation shall not result in a lowering of the potentiometric levels of an aquifer beyond the boundaries of the approved mining or excavation and fill operation.

(3) Vibration

Vibration resulting from any mining operation sufficient to cause damage of any kind to persons or property not included within the approved area of operation.

(4) Blasting

Where specifically permitted by the conditions of a special use permit, blasting or other use of explosives shall comply with all applicable federal, state and local standards.

(5) Degradation of Water Quality

No trash or other materials shall be deposited into water-filled pits or low areas with standing water. For such water-filled areas, a 24-hour per day pumping operation shall be required to have an approved drainage structure. Drainage shall be conducted in a manner which shall not have an adverse effect on the environment or cause any damage or problem to other properties.

ii. Hours of Operation

Mining activities shall occur only from 7 a.m. to 7 p.m., as permitted by the City Noise Ordinance, Monday through Saturday. More limited hours of operation may be imposed at the time of special use permit approval.

iii. Access

Access to the site shall be controlled and monitored by a responsible agent of the operator. Signs shall be posted at the site to forbid trespass. Access shall be limited to authorized entrances which shall be closed when the site is not in operation.

iv. Access Routes

Mining operations shall be permitted only at sites served by roads adequate to accommodate the projected truck traffic. Access shall not be permitted from an interior road through a platted subdivision unless the excavation is specifically designed to facilitate the completion of the subdivision in which the haul route is located. Haul roads through platted subdivisions must be closed prior to the issuance of the first Certificate of Occupancy along the haul road. If access to a site is over an unpaved segment of public road, the operator shall be responsible for maintenance of the unpaved segment in a satisfactory operating condition.

v. Temporary Road Stabilization

On the site of mining operations, the use of milled or crushed asphalt is permitted for road stabilization. Asphalt used for this purpose may be stored temporarily within an unexcavated area or a reclaimed area of the site. The material shall be removed from a roadway when it is no longer in use. On-site disposal or burial of asphalt is prohibited. The development plan shall include an identification of all areas proposed as asphalt or material storage areas and a procedure for the disposal of material utilized for temporary road stabilization.

vi. Dust Controls

Mining activities shall be operated in a manner that shall minimize dust emissions. Dirt roads within the site and unpaved public roads in the vicinity used for access to and circulation within the project may require dust retardant treatment at the expense of the operator. The use of suppressants as a dust retardant technique shall be evaluated by the City Manager or his or her designee and receive approval before their use is permitted.

- vii.** No trash or other materials shall be deposited into water-filled pits or low areas with standing water. For such water-filled areas, a 24-hour per day pumping operation shall be required to have an approved drainage structure. Drainage shall be conducted in a manner which shall not have an adverse effect on the environment or cause any damage or problem to other properties.
- viii.** The operator shall be responsible for the control and proper disposal of incidental litter by providing fencing or other physical barriers as necessary and by policing the site. The operator shall be responsible for prompt cleanup of any waste dumped within 500 feet of the premises.
- ix.** Rodents and insects shall be controlled.

x. Test Borings

For proposed new or expanded mining operations, test borings shall be required to delineate geologic conditions, and to determine the interface between the surficial and Floridian aquifers and the locations of groundwater tables on a site. In existing operations, new test borings shall be performed prior to development of new excavation or mining areas. At a minimum, the test borings shall comply with the standards listed below.

(1) Minimum Depth

All borings shall be conducted to a depth of not less than 10 feet below the deepest proposed mining or excavation.

(2) Maximum Spacing

All borings shall be spaced at a minimum of 500-foot intervals in two transverse directions.

(3) Log Content

The boring log shall indicate the geologic description and thickness of all strata encountered, including topsoil, overburden, mineral deposit or material to be mined or excavated and material immediately underlying the mineral deposit or material, and the position of the groundwater in relating to individual boring.

xi. Method of Excavation

All excavation of overburden shall be accomplished in a manner conducive to segregated stockpiling of differing geologic materials. Topsoil, clean sands and clayey soils shall each be stockpiled separately or layered in stockpiles in such a manner as to avoid commingling of differing geologic materials, and in all cases, care shall be taken to avoid contaminating topsoil with clayey materials.

j. Reclamation Standards for Surface Mining / Borrow Pit Sites

The following standards shall apply to the reclamation of surface mining sites upon the completion of operations. These standards shall be in addition to control measures imposed by the Georgia Environmental Protection Division, including those measures specified in the Division's Rules and Regulations for Land Reclamation relating to control of erosion and siltation and to the protection of public roads and public waters from the adverse effects of surface mining. In addition to the state-imposed controls mentioned above, the following local standards shall apply:

- i.** Reclamation shall be done to the extent possible concurrent with excavation on an annual basis as lands become available, and in any case shall be completed within 12 months from the cessation of operations and shall be carried on in a manner that will achieve the objectives of the approved land use plan.
- ii.** Abandoned or worn-out equipment shall not be permitted to remain on the site and large rocks and debris such as stumps, logs, and timber shall be removed from the site or buried.
- iii.** All structures, buildings and foundations associated with operations shall be removed from the site or buried unless they are compatible with reclamation objectives.
- iv.** The perimeter of any lake or pond shall be graded and sloped so as to achieve the following standards:
 - (1)** The water depth around the perimeter of the lake as measured 12 feet from the shoreline shall not be less than three (3) feet or more than four (4) feet so as to provide for safety and aquatic weed control at the shoreline.
 - (2)** Beyond the 12-foot mark as measured from the shoreline, the slope shall not exceed a horizontal to vertical ratio of 3:2 in the City to a water depth of seven (7) feet.
 - (3)** Beyond the seven (7) foot depth, the slope shall not exceed a horizontal to vertical ratio of 1:1.
 - (4)** The primary water body shall provide a minimum depth of four (4) feet including seasonal variations in water levels.

- v. The water within any lake or pond shall be free of underwater hazards including poles, pilings, abandoned equipment, etc.
- vi. If a lake or pond is included as a permanent feature of the reclaimed site, access to the lake shall be controlled by means of a wire or chain link fence to be constructed to a minimum height of six (6) feet. Provided, however, this provision maybe waived by the Planning Commission when such lake or pond is designed to provide an amenity to an adjoining residential development or is open to the general public for recreational purposes.

vii. Soil Restoration

Upon completion of the mining operation, restoration of the ground surface shall be accomplished by replacement of each of the differing soil types in reverse sequence from that in which they were removed. Each separate layer, horizon or geologic strata shall be replaced and consolidated before the succeeding layer is replaced. Topsoil uncontaminated with clay-like materials shall be placed as the final surface cover on all mining operations.

viii. Final Contours

Contours shall be regraded as closely as possible to those existing originally on the site unless the reclamation plan has established an alternate set of contours as being more desirable for the final intended use of the reclaimed land. If the nature of mining operations is such that quantities of available spoil material are not adequate for restoration to original contours, then the site shall be reclaimed so that no slope is steeper than one (1) foot of vertical run to six (6) feet of horizontal run, except in the case of lime rock cuts, which shall be left at a stable slope.

k. Enforcement of Operation and Reclamation Standards

The City Manager or his or her designee shall be responsible for regular inspections of surface mining sites and for the enforcement of standards set forth within this Section. Failure of the operator to comply with any of these regulations shall be grounds for closure of the site or other legal action as deemed appropriate.

l. Certification of Approved Plans

Site development plans approved by the Planning Commission, as certified by the Planning Director, shall be submitted to the City Manager or his or her designee for the issuance of applicable permits and for monitoring and enforcement of the provisions of these regulations and approved development plans.

A certified copy of the approved development plans including a land use plan and any protective covenants on the property, permitted uses and development standards, protecting buffer easements, permanent open spaces, and other easements, shall be forwarded by the Planning Director to the Clerk of Superior

Court of Chatham County, Georgia, to be recorded. The MPC shall provide the developer and the City Manager or his or her designee with the subdivision map book number and page number in which the development plan and covenants have been recorded by the Clerk of Superior Court. The cost of such recording shall be paid by the developer and shall be deposited with the MPC prior to such recording.

m. Variances

The City Manager or his or her designee may approve variances to this Section as deemed necessary.

Sec. 8.3 Civic Use Standards for Limited and Special Uses

The following use standards shall apply to limited and special uses, as set forth in Sec. 5.4, Principal Use Table.

8.3.1 Cemetery (Mausoleum, Columbarium, Memorial Park)

- a.** Vehicular access shall be from a collector or arterial street as identified in Appendix A-1.
- b.** Burial plots, mausoleums and columbaria shall not be located within the required front yard setback nor be located less than 100 feet from the property line of any residential use or Residential zoning district.
- c.** Burial plots shall set back at least 100 feet from a potable well or water source. The Chatham County Health Department may decrease or increase this setback based on possible contamination of the water source.

8.3.2 Cemetery, Private Family

- a.** Burial plots shall not be located within the required front yard setback nor be located less than 50 feet of any property line.
- b.** Burial plots shall set back at least 100 feet from a potable well or water source. The Chatham County Health Department may decrease or increase this setback based on possible contamination of the water source.
- c.** Such burial ground shall be located on a lot or tract of land of not less than one (1) acre in size.
- d.** The sale, lease or transfer of ownership of individual burial plots within a family burial ground to non-family members is prohibited.
- e.** A plat designating the approved site as a private family burial ground shall be submitted and recorded in accordance with the applicable subdivision review procedures for minor subdivision plats as a condition of approval.

8.3.3 Cemetery, Pet

- a.** Burial plots shall not be located within the required front yard setback nor be located less than 100 feet from the property line of any residential use or Residential zoning district.
- b.** Burial plots shall set back at least 100 feet from a potable well or water source. The Chatham County Health Department may decrease or increase this setback based on possible contamination of the water source.

8.3.4 Wildlife Refuge

Any area used for animal enclosures shall be set back at least 100 feet from the property line of any residential use or Residential district.

8.3.5 Emergency Medical Services (EMS) Substation / Ambulance Service

- a.** Vehicular access shall be limited to a street classified as a collector or arterial as identified in Appendix A-1.
- b.** No greater than three (3) emergency vehicles shall be stored or parked on the premises at any given time.

8.3.6 Shelter, emergency

- a.** The maximum number of persons housed at the shelter shall be determined by the Fire Marshal.
- b.** There shall be at least 25 square feet of space in the building for each occupant.
- c.** The Mayor and Aldermen shall approve additional social services and/or medical services as a condition of the Special Use Permit.
- d.** Meals may be provided only for individuals temporarily housed within the shelter.
- e.** At least one (1) full-time on-site manager shall be provided for every 25 persons housed in the facility.
- f.** Such use shall not be permitted within 1,000 feet, as measured in any direction from property line to property line, of another emergency shelter or transitional shelter.

8.3.7 Shelter, transitional

- a.** The maximum number of persons housed at the shelter shall be determined by the Fire Marshal.
- b.** There shall be at least 50 square feet of space in the building for each occupant, including staff.
- c.** The Mayor and Aldermen shall approve additional social services and/or medical services as a condition of the Special Use Permit.
- d.** Meals may be provided only for the individuals temporarily housed within the shelter.
- e.** At least one (1) manager shall be onsite at all times for every 25 persons housed in the facility.

- f. Such use shall not be permitted within 1,000 feet, as measured in any direction from property line to property line, of another transitional shelter or emergency shelter.

8.3.8 Soup Kitchen

- a. The hours of operation shall be limited to between 7:00 a.m. and 8:00 p.m.
- b. Unless operated as an accessory use by a place of worship or other non-profit organization, and on the same property as the principal use, the following conditions shall apply:
 - i. The use shall not be located within 500 feet of any Residential zoning district.
 - ii. The use shall be located on a street classified as a collector or arterial as identified in Appendix A-1.

8.3.9 Child/Adult Day Care Home

- a. In any Residential zoning district and any TN- zoning district, the use shall be located on a street classified as a collector or arterial as identified in Appendix A-1.
- b. The hours of operation shall be limited to between 6:30 a.m. and 7:00 p.m.
- c. Signage for such use shall be in accordance with Sec. 8.7.11.b. xi.
- d. Additional child day care home standards:
 - i. The outdoor play area for a child day care home shall be screened by an opaque fence that is at least six (6) feet in height.
 - ii. A license for the operation such use shall be obtained pursuant to Article M of the City of Savannah Code of Ordinances, as amended. The home shall also comply with all the regulations established by and be licensed by the State of Georgia.

e. Additional adult day care home standards:

An adult day care home shall comply with the Georgia Department of Human Resources "Standards for Adult Day Care", as amended.

8.3.10 Child/Adult Day Care Center

a. Child day care center standards:

- i. The outdoor play area for a child day care center shall be screened by an opaque fence that is at least six (6) feet in height.
- ii. A license for the operation of such use shall be obtained pursuant to Article M of the City of Savannah Code of Ordinances. The center shall also

comply with all the regulations established by and be licensed by the State of Georgia.

b. Adult day care center standards:

An adult day care center shall comply with the Department of Human Resources “Standards for Adult Day Care”, as amended.

c. Within any district requiring special use approval, the following standards shall apply:

- i.** Such use shall be located on a street classified as a collector or arterial as identified in Appendix A-1.
- ii.** The number of enrollees shall be determined by the Mayor and Aldermen.
- iii.** The hours of operation shall be limited to between 6:30 a.m. and 7:00 p.m.

8.3.11 Child/Adult Care Home, 24 hour

a. Such use shall be located on a street classified as a collector or arterial as identified in Appendix A-1.

b. Signage for such use shall be in accordance with Sec. 8.7.11.b. xi.

c. Additional child day care home standards:

- i.** The outdoor play area for a child day care home shall be screened by an opaque fence that is at least six (6) feet in height.
- ii.** Outdoor activities shall be limited to between the hours of 7 a. m. and 7 p.m.
- iii.** A license for the operation of such use shall be obtained pursuant to Article M of the City of Savannah Code of Ordinances. The home shall also comply with all the regulations established by and be licensed by the State of Georgia.

d. Additional adult day care home standards

An adult day care home shall comply with the Georgia Department of Human Resources “Standards for Adult Day Care”, as amended.

8.3.12 Child/Adult Care Center, 24 hour

a. The outdoor play area for a child day care center shall be screened by an opaque fence that is at least six (6) feet in height.

b. Outdoor activities shall be limited to between the hours of 7:00 a. m. and 7:00 p.m.

c. A license for the operation of such use shall be obtained pursuant to Article M of the City of Savannah Code of Ordinances, as amended. The center shall also

comply with all the regulations established by and be licensed by of the State of Georgia.

- d. An adult day care center shall comply with the Georgia Department of Human Resources “Standards for Adult Day Care”, as amended.
- e. Within any district requiring special use approval, the following standards shall apply:
 - i. Such use shall be located on a street classified as a collector or arterial as identified in Appendix A-1.
 - ii. The number of enrollees shall be determined by the Mayor and Aldermen.

8.3.13 College, University, Seminary; Educational building used by a college, university or seminary

- a. Such use shall be located on a street classified as a collector or arterial as identified in Appendix A-1 as of the Effective Date of this Ordinance. This section 8.3.13.a. shall not apply to existing buildings or structures located within any local historic district.
- b. In the D-R district, such use shall be located on a corner lot unless a special use permit is approved subject to Sec. 3.10 to allow such use on an interior lot.

8.3.14 School, public or private (K-12)

Such use shall be located on a street classified as a collector or arterial as identified in Appendix A-1 as of the Effective Date of this Ordinance.

8.3.15 Place of Worship

The following use conditions do not apply within the TN-2 zoning district:

- a. Such use shall be located on a street classified as a collector or arterial as identified in Appendix A-1 unless a special use permit is approved subject to Sec. 3.10 to allow such use on any other street classification.
- b. Any building shall be set back at least 50 feet from any residential property.

8.3.16 Private Club, Lodge

Such use shall be located on a street classified as a collector or arterial as identified in Appendix A-1.

8.3.17 All Detention and Correctional Facilities except Correctional Transition Facility

As of the Effective Date of this Ordinance, such use shall not be located with 1,320 feet of any Residential or Mixed-use zoning district, or adjacent to a residential use in any other zoning district.

8.3.18 Correctional Transition Facility

- a. As of the Effective Date of this Ordinance, such use shall not be located with 1,320 feet of any Residential or Mixed-use zoning district, or adjacent to a residential use in any other zoning district.
- b. Applicants applying for a special use permit to locate or relocate such use shall comply with the special notice and public hearing requirements as required by O.C.G.A. §36-66-4.
- c. The approval and/or issuance of a special use permit for operation of such use may precede the issuance of permits or licenses from the State of Georgia, provided however that any special use permit granted under the terms of this Ordinance shall be conditioned on the issuance of the appropriate permits, licenses or registrations required by the State of Georgia.

8.3.19 Personal Care Homes

- a. Such use shall not be permitted within 500 feet, as measured in any direction from property line to property line, of the same use.

8.3.20 Substance Recovery Facilities

- a. Applicants applying for a special use permit to locate or relocate a substance recovery facility for the treatment of drugs or narcotics, not to include alcohol, shall comply with the special notice and public hearing requirements as required by O.C.G.A. §36-66-4. The application for a special use permit shall identify the specific type of substance recovery facility proposed.
- b. The approval and/or issuance of a special use permit for operation of a substance recovery facility may precede the issuance of permits or licenses from the State of Georgia, provided however that any special use permit granted under the terms of this Ordinance shall be conditioned on the issuance of the appropriate permits, licenses or registrations required by the State of Georgia.
- c. A substance recovery facility shall not be located within 2,640 feet of another substance recovery facility or a correctional transition facility, or within 1,320 feet of a Residential zoning district.
- d. Within the TC- districts, a residential substance recovery facility shall be limited to no more than 12 residents.

Commentary: *As identified in O.C.G.A. §36-66-4, the notice and public hearing requirements are only for drug rehabilitation centers and other facilities for the treatment of drug dependency. Alcohol is not a drug.*

Sec. 8.4 Commercial Use Standards for Limited and Special Uses

The following use standards shall apply to limited and special uses, as set forth in Sec. 5.4, Principal Use Table.

8.4.1 Office, general

Such use shall be limited to not more than 25% of the total building square footage, not including building area used solely for boat storage or repair, unless additional square footage is permitted subject to approval of a special use permit in accordance with Sec. 3.10.

8.4.2 Day Labor Employment Center

- a. Such use shall be located on a street classified as a collector or arterial as identified in Appendix A-1.
- b. All activities shall occur within a fully-enclosed building.

8.4.3 Office, Medical

In the D-R district, such use shall be located on a corner lot.

8.4.4 Office, Utility/Contractor

With the exception of vehicle parking, all activities shall be conducted entirely within a fully-enclosed building.

8.4.5 Studio/Multimedia Production Facility

- a. Only one (1) accessory satellite dish or accessory fixed-point microwave transmission tower shall be permitted. If additional broadcasting equipment is proposed, such equipment shall be subject to use approval by the Mayor and Aldermen in compliance with Sec. 3.10, Special Use Permit.
- b. The building shall be designed with a STC (Sound Transmission Class) rate of 52 as set forth in the most recent version of *Architectural Graphics Standards*. This shall not apply to uses existing as of the Effective Date of this Ordinance.

8.4.6 Indoor Firearm Range

- a. Such use shall be within a fully-enclosed building.
- b. The facility shall be designed with a STC (Sound Transmission Class) rate of 70 as set forth in the most recent version of *Architectural Graphics Standards*.

8.4.7 Teen Club

- a.** The hours of operation shall be limited to the hours between 7:00 a.m. and 11:00 p.m.
- b.** All activities shall occur indoors.

8.4.8 Campground, Recreational Vehicle Park

- a.** Such use shall only be used for temporary lodging purposes not to exceed 90 days.
- b.** Such use shall be no less than five (5) acres in size.
- c.** Recreational vehicles shall not be permanently affixed to the ground in a manner that would prevent removal.
- d.** The outdoor storage of non-occupied recreational vehicles, watercraft, and trailers shall not exceed five percent (5%) of the size of the site and shall be for transient use only. This shall not be variable. Such storage shall not be permitted in the C zoning district.
- e.** Any outdoor storage shall not be located in the front or side yard, except for a period not to exceed 24 consecutive hours for the purpose of (un)loading or cleaning.
- f.** Permanent structures shall not be permitted in the C zoning district. This does not include a caretaker's quarters.
- g.** When such use is adjacent to any conforming residential use, then a landscaped buffer meeting the planting requirements of the Type B Use Buffer (Sec. 9.5, Screening and Buffers) is required.

8.4.9 Drive-in Theater

- a.** The theater screen shall be set back not less than 50 feet from any property line. The projection side of the screen shall not be visible from adjacent roads.
- b.** Driving and parking areas shall be treated with a suitable material(s) to prevent dust as approved by the City Manager or his or her designee.
- c.** Loud speakers shall be prohibited.
- d.** The theater screen may exceed the maximum height limit of the zoning district in which it is located.

8.4.10 Outdoor Amusement

- a.** Such uses shall be located on a roadway classified as a collector or arterial as identified in Appendix A-1.

- b.** Outdoor amusement uses such as the following are permitted: paintball facility, outdoor archery, skateboarding, BMX facilities, golf driving ranges not associated with a golf course and similar uses as determined by the City Manager or his or her designee.
- c.** No more than 25% of the office area or 500 square feet, whichever is less, shall be used for the sale of products. This shall not include the rental of items used onsite.
- d.** Such use shall provide a minimum 50-foot-wide landscaped buffer meeting the planting requirements of the Type E Use Buffer (Sec. 9.5, Screening and Buffers).

8.4.11 Outdoor Firearm Range

- a.** Such use shall be no less than five (5) acres in size unless a reduced amount is approved by the Mayor and Aldermen in compliance with Sec. 3.10, Special Use Permit.
- b.** Where such use is located adjacent to a conforming residential use or any Residential zoning district, a minimum 50-foot-wide landscaped buffer meeting the planting requirements of the Type E Use Buffer (Sec. 9.5, Screening and Buffers) shall be provided.
- c.** The hours of operation shall be determined by the Mayor and Aldermen with Sec. 3.10, Special Use Permit.

8.4.12 Racetrack / Drag Strip / Motocross Facility

The track shall be set back at least 200 feet from any property line.

8.4.13 Stadium or Outdoor Arena; Commercial Amphitheater; Outdoor Sports Facility or complex

When more than 250 seats are proposed, such use shall be subject to use approval by the Mayor and Aldermen in compliance with Sec. 3.10, Special Use Permit.

8.4.14 Convenience Store with or without Fuel/Gas Sales; Fuel/Gas Station

a. Fuel Canopies

- i.** The canopy shall conform to the setback requirement of the zoning district. However, the canopy shall be located no closer than 15 feet to any side or rear property line.
- ii.** Lighting standards will be approved as part of the development site plan.

b. The following standards shall apply in any TC- or D- zoning district:

- i.** Such use shall be located on a street classified as a collector or arterial as identified in Appendix A-1.
 - ii.** A maximum of six (6) multiproduct dispensers (serving up to twelve (12) vehicles simultaneously) shall be permitted by right for sites developed or expanded after the Effective Date of this Ordinance. Additional multiproduct dispensers may be requested as a special use according to Sec. 3.10 Special Use Permit. Within the D-X zoning district, this standard shall only apply to properties located within a local historic district as identified in Article 7.0 Overlay Districts.
 - iii.** Freestanding vents shall be concealed.
- c. Within any TC- district not located in a local historic district, the following standards apply:**
 - i.** The entire canopy, including columns and roof, shall be architecturally compatible with the design of the principal building.
 - ii.** The entire canopy, including columns and roof, shall be constructed of building materials consistent with the principal building.
 - iii.** A canopy may be counted toward the building frontage requirements, if applicable to the district, only where the spacing of columns along the frontage is no greater than 30 feet and where the columns are placed at the edge of the canopy.
- d. The following use standards shall apply to any B-N and I-L zoning district:**
 - i.** Such use shall be located on a street classified as an arterial or collector as identified in A-1.
 - ii.** If such use is located on a street classified as a collector as identified in A-1:
 - (1)** It shall be 500 yards from the same use measured by a straight line from the nearest point on the property line of the use to the nearest point of the same use; and
 - (2)** It shall close from 10:00 **ap**.m. to 5:00 **pa**.m.;
 - (3)** These conditions shall not apply where a property abuts or is adjacent to the intersection of a collector and arterial street.
- e. The following use standards shall apply to any B-N and I-L zoning district:**
 - i.** Such use shall be located on a street classified as an arterial or collector as identified in A-1.

f. Accessory Automatic Car Wash

An automatic car wash shall be subject to the following:

- i.** The structure shall be completely enclosed except for vehicle ingress and egress.
- ii.** The structure shall not exceed a height of 20 feet or exceed an overall building dimension of 25 feet in width and 50 feet in length.
- iii.** The structure shall be constructed of building materials consistent with that of the principal building, including the roof.
- iv.** The hours of operation shall be limited to between 7:00 a.m. and 10:00 p.m., when located adjacent to any Residential zoning district or any conforming residential use.

8.4.15 Flea Market; Farmer’s Market; Open- Air Market

- a.** Such use shall be located under a permanent roof.
- b.** Any new flea market, farmer’s market or open- air market established after the Effective Date of this Ordinance shall be accessed from a street classified as a collector or arterial as identified in Appendix A-1.

Commentary: These standards apply only to permanent markets on private property. Temporary markets on private property must comply with the temporary use permit requirements of this Ordinance. The City has permitting requirements separate from this Ordinance for public property.

8.4.16 Food-oriented Retail

In the D-R district, the following standards apply:

- a.** Such use shall be located on a corner lot.
- b.** The hours of operation shall be limited to the hours between 7:00 a.m. and 10:00 p.m.

8.4.17 Manufactured/Modular Home

Display areas for the sale of manufactured or modular homes shall comply with the following standards:

- a.** Such use shall also comply with Sec. 9.7 Principal Use Outdoor Storage Areas.
- b.** All required drive aisles and parking spaces shall be designed in accordance with Sec. 9.3, Off-street Parking and Loading.
- c.** Repair activities and the storage of replacement and/or discarded parts and accessories shall be completely screened from all adjacent property lines by an

opaque wall or fence. The screening wall/fence shall be constructed of wood, brick, stone, masonry units, or other similar material and shall be eight (8) feet in height.

- d.** All manufactured or modular homes shall be located in the display area shown on the approved site development plan.

- e. Manufactured or Modular Home Display Areas**

- i.** A minimum separation of at least 10 feet shall be maintained between structures/display pads.
- ii.** The space between the foundation supports for such homes that are visible from the right-of-way shall be screened with skirting or landscaping.
- iii.** The installation of such homes shall comply with the International Building Code.
- iv.** Homes that are open for public display shall comply with the Americans with Disabilities Act (ADA). The access to the home shall have a permanent appearance. Where display homes are utilized for office purposes, the entire structure shall comply with ADA standards for commercial structures.
- v.** Portions of any display area not included in individual display pads shall be grassed or mulched.
- vi.** In addition to the landscaping requirements in Sec. 9.5, Screening and Buffers, the display area for manufactured and modular home sales shall include the installation of one (1) ornamental tree or shade tree, two (2) medium shrubs and six (6) small shrubs per display pad to be included in the display area. The location of the plantings shall be such that the area has a permanent, residential appearance.

8.4.18 Outdoor Sales

- a.** Items to be sold may be displayed in the front yard of the principal structure on the site. The area used for outdoor display shall be limited to no more than 50% of the front yard. All other items to be sold shall meet the screening requirements of Sec. 9.7.4.
- b.** Such use shall also comply with Sec. 9.7 Principal Use Outdoor Storage Areas.
- c. Storage Building, Vehicle/Watercraft Carport and Cover Display Areas**

A minimum separation of at least five (5) feet shall be maintained between structures/display pads.

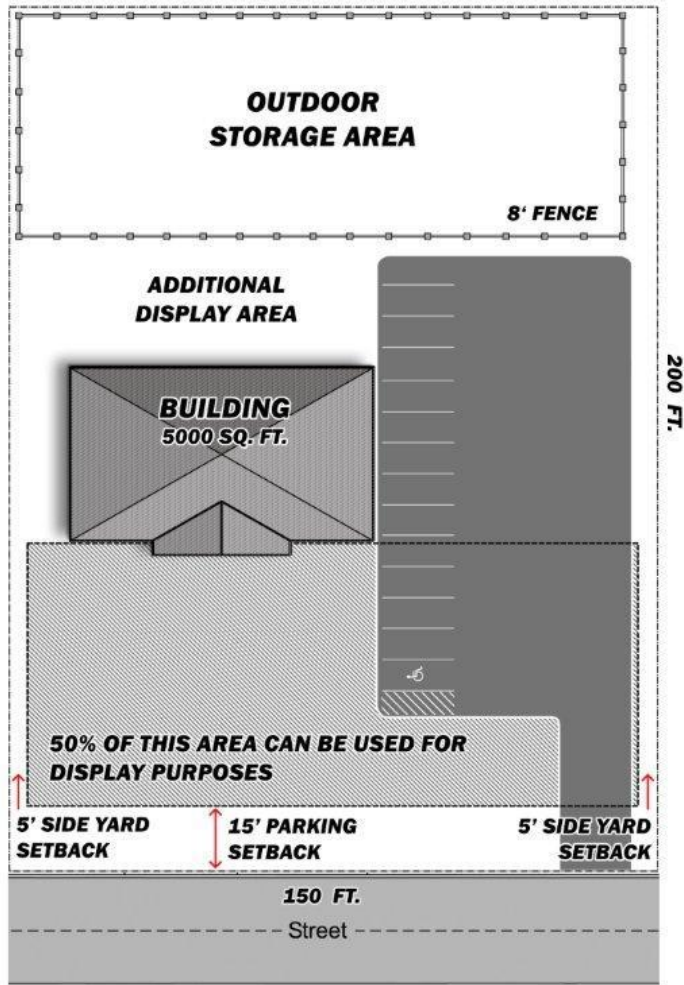


Figure 8.4-1
Permitted Front Yard Display Area

8.4.19 Reserved

8.4.20 Pawnshop

- a. Such use shall be located a minimum of 500 feet, as measured in any direction from property line to property line, from any existing pawnshop.
- b. Such use shall be subject to City of Savannah Code of Ordinances, Chapter 1, Article A.

8.4.21 Pharmacy

In the OI and OI-E zoning districts, such use shall not exceed 2,500 square feet.

8.4.22 Garden Center

In the TC-2 and D-X zoning districts, outdoor storage and display is limited to plants, shrubs and trees.

8.4.23 Warehouse or Office Showroom/Flex Space

- a. Such use shall be located on a street classified as an arterial as identified in Appendix A-1.
- b. Loading docks and bays shall not face a street right-of-way.
- c. Ratio of storage/warehouse area to showroom/retail area shall not exceed 3 to 1.
- d. The storage/warehouse shall not exceed 25,000 square feet.
- e. Outdoor storage shall not be permitted.

8.4.24 Animal Services, Indoor

- a. The facility shall be designed with a Sound Transmission Class (STC) rate of 52 as set forth in the most recent version of *Architectural Graphics Standards*.
- b. In the D-R zoning district, only those facilities operating as of the Effective Date of this Ordinance shall be permitted.

8.4.25 Animal Services, Outdoor

Outdoor runs and play areas shall be at least 200 feet from the property line of any conforming residential use or Residential zoning district.

8.4.26 Check Cashing, Title Pawn

A check cashing or title pawn establishment shall be located at least 1,000 feet, as measured in any direction from property line to property line from any other check cashing or title pawn establishment.

8.4.27 Crematorium

Such use shall be located at least 300 feet from any Residential zoning district or the property line of any residential use.

8.4.28 Personal Service Shop

In the B-M district, such use shall be limited to not more than 25% of the total building square footage, not including building area used solely for boat storage or repair.

8.4.29 Self-service Storage Facility

- a. Such use shall be contained within a fully-enclosed building. However, outdoor storage of watercraft, travel trailers, recreational vehicles and vehicles may be

permitted in accordance with Sec. 9.7, Principal Use Outdoor Display and Sec. 8.4.29.c.i. unless otherwise stated.

- b.** The following activities shall be prohibited for such use:
- i.** Commercial, wholesale or retail sales; flea markets; peddling; or garage sales. However, the management of the self-storage mini-warehouse complex may conduct a one-day auction or sale of abandoned or stored materials once per month to settle unpaid storage bills in accordance with State of Georgia regulations;
 - ii.** Servicing, repair or fabrication of motor vehicles, watercraft, trailers, lawn mowers, appliances or other similar equipment.
 - iii.** The operation of a transfer-and-storage business;
 - iv.** The operation of power tools, spray painting equipment, table saws, lathes, compressors, welding equipment, kilns or other similar equipment except when needed for maintenance of the use;
 - v.** Any activity that is noxious or offensive because of odors, dust, noise, fumes or vibrations;
 - vi.** The storage of hazardous chemicals, flammable liquids or combustible and explosive materials; and
 - vii.** The habitation of storage units by humans or animals.
- c.** The following standards shall apply to storage with internally accessed units:
- i.** All storage units shall be accessed internally. External doors to individual units shall not be permitted.
 - ii.** No more than two (2) consolidated loading areas are permitted to the rear or side of the building.
- d.** The following standards shall apply to storage with externally accessed units (also referred to as mini-storage) within the B-N and B-C zoning districts:
- i.** Such use shall be located on a street classified as a collector or arterial as identified in Appendix A-1.
 - ii.** A Type C Use Buffer in accordance with Sec. 9.5, Screening and Buffers shall be established along any side of the property where such use abuts any Residential zoning district or conforming residential use. The wall of such use may be used to meet the fencing requirement of such buffer if the following conditions are met:
 - (1)** The surface material of the wall shall comply with Sec. 9.5.4(v)(1)(a). However, wood shall not be permitted.
 - (2)** There shall be no doors or other openings in the wall.

- (3) There shall be no drive aisles or outside storage areas between the wall and the property line.
 - (4) Where there is no building wall, a wall of the same color and surface material the same as the wall of the buildings.
- iii. Where the end wall of the self-service storage facility is visible from a public right-of-way, the wall shall be screened by a vine or shrubs meeting the following standards:
 - (1) No more than 30% of the plant material may be deciduous.
 - (2) The number of shrubs to be planted shall be calculated at a ratio of one (1) shrub per five (5) linear feet of wall.
 - (3) Shrubs shall be a minimum of two (2) feet tall at the time of installation and shall be of a variety that under normal circumstances will grow to be at least four (4) feet tall within three (3) years of erection of the structure.
 - (4) Shrubs may be installed in a linear fashion or in a staggered, clustered or grouped fashion with no more than 10 linear feet of blank wall resulting at any given location.
- e. Within the D-C, D-X and OI zoning districts, the following shall apply in addition to a. through c. above:
 - i. Externally accessed units are prohibited; and
 - ii. Any storage of watercraft, RVs or other similar vehicles shall occur within a fully-enclosed building.

8.4.30 Bar, Tavern

In the D-N zoning district, the hours of operation shall be limited to between 6:00 a.m. to 12:00 a.m.

8.4.31 Nightclub

- a. Such use shall not be located adjacent to any Residential zoning district.
- b. The following condition shall apply as of Effective Date of this Ordinance.
 - i. Such use shall not be located on a floor directly below an existing and conforming residential use.

8.4.32 Restaurant

- a. In the D-R zoning district, the hours of operation shall be limited to between 7:00 a.m. and 11:00 p.m.

- b.** the D-N zoning district, the hours of operation shall be limited to between 6:00 a.m. to 12:00 a.m.
- c.** The restaurant must be located on a street classified as a collector or arterial (as identified in Appendix A-1), unless such use existed prior to the Effective Date of this Ordinance.

8.4.33 Bed and Breakfast Homestay

Reserved

8.4.34 Bed and Breakfast

- a.** The number of occupants shall not exceed the Fire Code as determined by the City Manager or his or her designee.
- b.** Meals shall only be provided to registered guests.
- c.** In the TN-2 district, no more than four (4) guestrooms may be provided. However, with an approved special use permit, up to six (6) guestrooms may be provided.

8.4.35 Inn

- a.** Except within the D-C, D-CBD, D-W, D-X and B-M districts, such use shall front a street classified as a collector or arterial (as identified in Appendix A-1), unless such use existed prior to the Effective Date of this Ordinance.
- b.** The number of occupants shall not exceed the Fire Code as determined by the City Manager or his or her designee.
- c.** Meals shall only be provided to registered guests.

8.4.36 Reserved

8.4.37 Short-term Vacation Rental

- a.** For parcels of land that are not owner-occupied and that have a Conservation or Residential zoning district, the short-term vacation rental use is limited to no more than 20% of parcels in the Conservation and Residential districts within the ward where the property is located. This limitation applies only to wards within the boundaries of the Savannah Historic District and Victorian District. Owner-occupied is defined in the City of Savannah Code of Ordinances Division II, Part 8, Chapter 11 ("Short-term Vacation Rentals"). A ward is a small geographic area within the Savannah Historic District that is identified on the ward map maintained by the City Manager or his or her designee.
- b.** The number of occupants shall not exceed four (4) adults for dwelling units with no more than two bedrooms; for dwelling units with three or more bedrooms, the number shall not exceed two (2) adults per bedroom. Bedrooms are subject to

verification of building code compliance by the City Manager or his or her designee.

- c. There shall be no change to the exterior appearance of the dwelling and premises, or other visible evidence of the conduct of short-term vacation rental.
- d. The short-term vacation rental use requires a short-term vacation rental certificate. See City of Savannah Code of Ordinances Division II, Part 8, Chapter 11 ("Short-term Vacation Rentals").
- e. In the TN-2 district, a short-term vacation rental use is limited to one dwelling per parcel and only when the principal dwelling unit is owner-occupied. Owner-occupied is defined in City of Savannah Code of Ordinances Division II, Part 8, Chapter 11 ("Short-term Vacation Rentals")

8.4.38 Heavy Equipment/Heavy Vehicle Sales, Rentals and Leasing

As of the Effective Date of this Ordinance any new such use or the area of expansion of an existing such use, as applicable, shall comply with the following:

- a. Such use shall be located at least 100 feet from any Residential zoning district or residential property.
- b. Heavy equipment and heavy vehicles for sale, rental or lease may be displayed in the front yard of the principal structure on the site. The area used for outdoor display shall be limited to no more than 50% of the front yard. See Figure 8.4-1.
- c. Such use shall comply with Sec. 9.7, Principal Use Outdoor Storage Areas.

8.4.39 Vehicle Sales, Rentals and Leasing

- a. All vehicles shall be parked on the premises, not to include rights-of-way unless such encroachment has been approved by the City of Savannah ~~or Chatham County, as applicable~~. Vehicles for sale, rental, lease or in the process of service or repair shall not be parked in any space required by Sec. 9.3, Off-street Parking and Loading.
- b. Damaged or inoperable vehicles may be stored on the premises only if undergoing repair. Salvage is not permitted.
- c. In the D-N zoning district, the following shall apply:
 - i. As of the Effective Date of this Ordinance, any new such use shall not include on-site service or repair.
 - ii. For uses existing as of the Effective Date of this Ordinance, the following conditions shall apply:
 - (1) An opaque buffer, which may be a fence, wall, landscaping or a combination thereof, shall be erected and maintained along a lane

when the adjacent use is residential. Such buffer shall be six (6) feet in height at the time of erection or planting and shall be in addition to any buffer requirements provided elsewhere in this Ordinance.

- (2) With the exception of cleaning and washing, service and repair activities are not permitted on the site.
 - (3) The building area for the site shall not exceed 750 square feet.
- d. In addition to the above, as of the Effective Date of this Ordinance, any new such use or the area of expansion of an existing such use, as applicable, shall comply with the following:
 - i. Reserved.
 - ii. In the B-N district, the maximum lot size for such use shall be 0.5 acre.
 - iii. Such use shall comply with the requirements of Sec. 9.5, Screening and Buffers; however, such use is exempt from the off-street parking lot buffer requirements.
 - iv. Such use shall comply with Sec. 9.7, Principal Use Outdoor Display Areas, including the following:
 - (1) Outdoor display areas shall conform to the design standards of Sec. 9.3, Off-street Parking and Loading; however, such use is exempt for the parking design standards (Sec. 9.3.5).
 - (2) Roads are limited to collector and arterial roadways as identified in Appendix A-1. The display area is limited to not more than one (1) vehicle and may be elevated to not more than three (3) feet in height as measured from grade to the highest point.
 - (3) Outdoor display areas shall comply with the requirements of Sec. 9.5, Screening and Buffers and the Landscape and Tree Protection Ordinance.
 - (4) Outdoor storage areas shall be screened by an opaque wall or fence at least six (6) feet in height in accordance with Sec. 9.6, Fences and Walls.
- e. For sales or rental operations within a combined development, the maximum number of vehicles permitted shall be restricted by the available spaces on site that are in excess of the required parking spaces established in Sec. 9.3, Off-street Parking and Loading and shall not exceed 10% of the total number of parking spaces in the combined development.

8.4.40 Moped/motor scooter sales, rentals and leasing

- a. All vehicles shall be parked on the premises, not to include rights-of-way unless such encroachment has been approved by the City Manager or his or her

designee. Vehicles for sale, rental, lease or in the process of service or repair shall not be parked in any space required by Sec. 9.3, Off-street Parking and Loading.

- b.** In the D-N and D-CBD district, on-site service and repair is not permitted when the use shares a wall with or is within the same building as a residential use.
- c.** In addition to the above, as of the Effective Date of this Ordinance, any new such use or the area of expansion of an existing use, as applicable, shall comply with the following:
 - i.** Such use shall be located at least 100 feet from any Residential district or residence.
 - ii.** In the B-N district, the maximum lot size for such use shall be 0.5 acres.
 - iii.** Such use shall comply with the requirements of Sec. 9.5, Screening and Buffers; however, such use is exempt from the off-street parking lot buffer requirements.
 - iv.** Such use shall comply with Sec. 9.7, Principal Use Outdoor Display Areas, including the following:
 - (1)** Outdoor display areas shall conform to the design standards of Sec. 9.3, Off-street Parking and Loading; however, such use is exempt from the parking design standards (Sec. 9.3.5).
 - (2)** For each 150 linear feet of road frontage, no more than one (1) vehicle display area is permitted within the front yard setback. Roads are limited to collector and arterial roadways as identified in Appendix A-1. The display area is limited to not more than two mopeds or scooters and may be elevated to not more than three (3) feet in height as measured from grade to the highest point.

8.4.41 Heavy equipment/Heavy vehicle service

- a.** All associated equipment and vehicles shall be parked on the premises, not to include rights-of-way unless such encroachment has been approved by the City Manager or his or her designee.
- b.** Damaged or inoperable equipment or vehicles may be stored on the premises only if undergoing repair. Salvage is not permitted.
- c.** In addition to the above, as of the Effective Date of this Ordinance, any new such use or the area of expansion of an existing such use, as applicable, shall comply with the following:
 - i.** Such use shall be located at least 100 feet from any Residential district or residential property.

- ii. Such use shall comply with Sec. 9.7, Principal Use Outdoor Display. In addition, outdoor storage areas shall be screened by an opaque wall or fence at least six (6) feet in height in accordance with Sec. 9.6, Fences and Walls.

8.4.42 Vehicle Service, minor

- a. All vehicles shall be parked on the premises, not to include rights-of-way unless such encroachment has been approved by the City Manager or his or her designee.
- b. Damaged or inoperable vehicles or equipment may be stored on the premises only if undergoing repair. Salvage is not permitted.
- c. Repair and maintenance service, not to include washing and detailing, shall be conducted only within an enclosed building; however, service bay doors are permitted and may be open only during hours of operation.
- d. Service bay doors shall be limited as follows:
 - i. Within the D-C, D-X and TC-districts, only three (3) service bay doors are permitted and shall only be located on a side or rear façade.
 - ii. In all other zoning districts, except in the I-L district, no more than four (4) service bay doors shall front a street right-of-way, a Residential zoning district or an existing residence.

8.4.43 Vehicle Service, major

- a. All vehicles shall be parked on the premises, not to include rights-of-way unless such encroachment has been approved by the City Manager or his or her designee.
- b. Damaged and inoperable vehicles or equipment may be stored on the premises only if undergoing repair. Storage shall comply with Sec. 9.7, Principal Use Outdoor Storage Areas. Salvage is not permitted.
- c. Repair and maintenance service, not to include washing and detailing, shall be conducted only within an enclosed building; however, service bay doors are permitted and may be open only during hours of operation.
- d. Service bay doors shall be limited as follows:
 - i. Within the D-C, D-X and TC-districts, only three (3) service bay doors are permitted and shall only be located on a side or rear façade.

- ii. In all other districts, except in the I-L district, no more than four (4) service bay door shall front a street right-of-way, a Residential zoning district or an existing residential property.
- e. Vehicle service not associated with a licensed auto dealer shall be located no closer than 200 feet from a Residential zoning district or an existing residence.

8.4.44 Vehicle Towing and Impound Facility

- a. As of the Effective Date of this Ordinance any new such use or the area of expansion of an existing such use, as applicable, shall comply with the following:
 - i. Such use shall be located at least 200 feet from any Residential district or existing residence.
 - ii. Facility only shall mean indoor storage of vehicles only. No outdoor storage. Indoor storage only in the B-N, B-C and I-L-R districts.
 - iii. Yard shall mean facility with outdoor storage of vehicles. Only permitted in the I-L-T, I-L and I-H districts.
 - iv. Such use shall comply with Sec. 9.7, Principal Use Outdoor Display Areas. In addition, outdoor storage areas shall be screened by an opaque wall or fence at least six (6) feet in height in accordance with Sec. 9.6, Fences and Walls.

8.4.45 Vehicle Wash, Full or Self-service

- a. Within any TC-, D-X or B-N zoning district, such use shall be located on a corner lot.
- b. In addition to the above, as of the Effective Date of this Ordinance, any new such use or the area of expansion of an existing such use, as applicable, shall comply with the following:
 - i. Such use shall be located no closer than 100 feet from a Residential zoning district or existing residence.
 - ii. Equipment used in the operation, including vacuums, shall not be located within a required front yard setback.

8.4.46 Watercraft Sales, Repair and Services

- a. All watercraft shall be parked on the premises, not to include rights-of-way unless such encroachment has been approved by the City Manager or his or her designee. Watercraft shall not be parked in any space required by Sec. 9.3, Off-street Parking and Loading.
- b. In addition to the above, as of the Effective Date of this Ordinance any new such use or the area of expansion of an existing use, as applicable, shall comply with the following:

- i. Any repair area shall be located at least 100 feet from any Residential district or existing residence.
- ii. Such use shall comply with Sec. 9.7, Principal Use Outdoor Display Areas, including the following:
 - (1) Outdoor display areas shall conform to the design standards of Sec. 9.3, Off-street Parking and Loading; however, such use is exempt for the parking design standards (Sec. 9.3.5).
 - (2) For each 150 linear feet of road frontage, no more than one (1) watercraft display area is permitted within the front yard setback. Roads are limited to collector and arterial roadways as identified in Appendix A-1. The display area is limited to not more than one (1) watercraft and may be elevated to not more than three (3) feet in height as measured from grade to the highest point.

8.4.47 Adult-Oriented Business

- a. Such use shall be located on an arterial street, except within the I-H zoning district.
- b. Such use shall be located a minimum of 1,000 feet, as measured in any direction from property line to property line, from another adult-oriented business.
- c. Such use shall be located a minimum of 1,500 feet, as measured in any direction from property line to property line, of any Residential zoning district, existing residential use, place of worship, pre-K-12 school, park or library.
- d. An adult-oriented business operating lawfully is not rendered in violation of this Ordinance by the subsequent location of a conforming residential use, place of worship, pre-K-12 school, park or library or a rezoning to a Residential district within 1,500 feet of the adult-oriented business

8.4.48 Boat Yard

As of the Effective Date of this Ordinance such use requires approval of a Special Use Permit when adjacent to a Residential district.

8.4.49 Consumer Fireworks Retail Sales Facility

In addition to the licensing requirements of O.C.G.A. § 25-10-2, as amended, the following shall be required:

- a. Such use shall maintain a separation of not less than 1,000 feet from any residential use, as measured from property line to property line. This requirement is not variable.

8.4.50 Food Truck Court

- a.** Such use shall comply with Mobile Food Service Ordinance Article II
- b.** Such use shall obtain site plan approval through the City of Savannah Site Plan Review process.
- c.** Such use shall provide permanent restroom facilities.
- d.** Each Mobile Food Service Unit shall be located on a surface paved with concrete, asphalt or other dust-free material.

Sec. 8.5 Industrial Use Standards for Limited and Special Uses

The following use standards shall apply to limited and special uses, as set forth in Sec. 5.4 Principal Use Table.

8.5.1 Container Storage Yard

- a.** Container stacking may be permitted, where appropriate, pursuant to an approved container stacking plan. Such plan shall, at a minimum, include a site development plan showing the location of all abutting streets and sidewalks, all internal travel-ways, and the proposed maximum stacking height to ensure compliance with the maximum wind load requirements. A suitable stacking plan shall feature a slope not exceeding a rise to run ratio of 1:2 and indicate how the stacking plan meets all other requirements of this Ordinance.
- b.** Containers shall be set back at least 30 feet from any property line.
- c.** Container and chassis storage is not permitted within 350 feet of the boundary adjacent to any Residential zoning district and within 50 feet of a boundary adjacent to a non-residential district. Structures may be allowed in the area beyond the required buffer where container and chassis storage is prohibited, provided that the proposed structures meet all requirements of this Section and receive site development plan approval.

8.5.2 Outdoor Storage Yard

- a.** The maximum height of items stored shall be limited as follows:
 - i.** Twelve (12) feet in height if adjacent to a Residential zoning district or conforming residential use;
 - ii.** Twenty (20) feet in height if adjacent to a Nonresidential zoning district, other than Industrial; or
 - iii.** The maximum height permitted in the zoning district in which the use is located if adjacent to an industrial-zoned property.

8.5.3 Salvage Yard; Recycling Facility

a. General Standards

All facilities shall comply with O.C.G.A. §12-8-20 Georgia Solid Waste Management Act and all other pertinent local, state and federal regulations, as amended. In the City of Savannah, a salvage yard or recycling facility shall comply with City of Savannah Code of Ordinances Part 6, Chapter 1, Article F Junk and Secondhand Goods.

b. Application Requirements

All applications shall include the following:

- i.** An Environmental Site Assessment (ESA) shall be prepared by an engineer, landscape architect or environmental professional meeting standards set forth in the City of Savannah Engineering Department Design Directives. The ESA shall include a hydro-geologic evaluation and shall meet all applicable standards for protection of water, air and other natural resources.
- ii.** A proposed plan of operation for the facility shall include the following:
 - (1)** Days and hours of operation; and
 - (2)** Manner of disposal or sale of waste products or recycled materials.

c. General Conditions of Approval

In its consideration of an application for a Special Use Permit, the Mayor and Aldermen shall include conditions that address the following:

- i.** Containment structures and procedures to protect groundwater resources;
- ii.** Dust and emission control;
- iii.** Screening of processing, storage and shipping areas;
- iv.** Height of stockpiles of processed and unprocessed materials;
- v.** Hours of operation;
- vi.** Lighting;
- vii.** Monitoring program for protection of air, natural and water resources;
- viii.** Litter control;
- ix.** Noise; and
- x.** Traffic impacts, including any truck traffic on local streets.

b. Scrap Yard Conditions of Approval

All materials to be recycled shall be located within an enclosed weather resistant container on a dry impervious surface. No storage of materials outside the approved container or sorting or processing of materials shall be allowed, and the site shall be kept litter free.

c. Salvage Yard Conditions of Approval

- i.** No use or development shall be allowed on the site that is not shown on the approved site development plan. Such plans shall include: gross acreage, number, type and location of the buildings, parking and loading areas, service drives, building heights, open space, setbacks, buffer strips

location and design of fences and construction materials, and such other information as may be reasonably required by the reviewing agencies;

- ii. There shall be no on-site burning of material except within a furnace or incinerator approved by the City Manager or his or her designee and appropriate State regulatory agencies;
- iii. Access to salvage yards shall be only from a street classified as a collector or greater; and
- iv. Any dismantling, shredding and crushing operations shall be set back at least 500 feet from a Residential zoning district or residential use property line, and at least 200 feet from all other zoning districts with the exception of I-L and I-H zoning districts.

8.5.4 Industry, Manufacturing and Processing (Artisan/Craft)

- a. Except in the IL zoning district, all activity shall be conducted entirely within a fully-enclosed building.
- b. Manufacturing operations that are adjacent to a Residential zoning district or residential use shall conform to Sec. 8.5.5 Industry, Manufacturing and Processing (Limited/Light).

8.5.5 Industry, Manufacturing and Processing (Limited/Light)

Operations that are within the IL-T zoning district and/or adjacent to a Residential zoning district or a residential use shall comply with the following:

- a. Such activity shall be conducted entirely within a fully-enclosed building;
- b. No vibration transmitted through the ground discernible without the aid of instruments shall be produced at or beyond the property line;
- c. No direct glare from high temperature processes such as combustion or welding visible from the street shall be permitted.

8.5.6 Industry, Manufacturing and Processing (General)

- a. Manufacturing operations that are adjacent to a Residential zoning district or residential use shall conform to Sec. 8.5.5 Industry, Manufacturing and Processing (Limited/Light).
- b. Prior to the approval of plans for the installation of above-ground storage facilities of a capacity greater than 660 gallons and within one (1) mile of a non-industrial zoneproperty, all plans shall be reviewed and approved by the Fire Marshal for minimum safe separation and/or protection measures as defined by the National Fire Protection Association (NFPA) and all applicable state ordinances. No permits shall be issued without approval of the Fire Marshall.

8.5.7 Industry, Manufacturing and Processing (Intensive)

- a.** Manufacturing operations that are adjacent to a Residential zoning district or residential use shall conform to Sec. 8.5.5 Industry, Manufacturing and Processing (Limited/Light).
- b.** Prior to the approval of plans for the installation of above-ground storage facilities of a capacity greater than 660 gallons and within one (1) mile of a non-industrial zoned property, all plans shall be reviewed and approved by the Fire Marshall for minimum safe separation and/or protection measures as defined by the National Fire Protection Association (NFPA) and all applicable state ordinances. No permits shall be issued without approval of the Fire Marshal.

8.5.8 Research, Testing and Development Laboratory

When such use is adjacent to a Residential zoning district or any residential use, the following conditions shall apply:

- a.** Such activity shall be conducted entirely within a fully-enclosed building.
- b.** No vibration transmitted through the ground discernible without the aid of instruments shall be produced at or beyond the property line.
- c.** No direct glare from high temperature processes visible from a street shall be permitted.

8.5.9 Solid Waste and Industrial Landfill Facility

a. Compliance with Applicable Local, State and Federal Law

Compliance is required but may not be limited to the following:

- i.** O.C.G.A. §12-8-20 (Conservation and Natural Resources, Solid Waste Management), as applicable and as amended;
- ii.** Georgia Department of Environmental Protection §391-3-4 (Solid Waste Management), as applicable and as amended;
- iii.** City of Savannah Code Part 4 Chapter 2 (Refuse Collection and Disposal) as applicable and as amended.

b. General Standards

- i.** No facility shall be located within an area of high pollution susceptibility, as defined by Hydrologic Atlas #20, A Pollution Susceptibility Map of Georgia, as amended.
- ii.** Landfill excavation or filling when located within the approach zones of any airport or airfield, shall be subject to FAA standards. This shall not apply to construction and debris landfills.

- iii.** No fill shall be located within the 100-year floodplain and no excavation except as expressly authorized by the Mayor and Aldermen shall be located within the 100- year floodplain.
- iv.** Provisions shall be made for the proper drainage of stormwater falling on or crossing the site at all times during and after completion of the operations. The operations shall not obstruct the normal flow of any public drain or abrogate the riparian rights of any other party to a stream or drain.
- v.** The depth of excavation and the materials to be used for fill shall not have any adverse effect on the supply, quality or purity of ground water or wells.
- vi.** A layer of clean earth at least two (2) feet thick shall be deposited and thoroughly compacted over all final fill to bring the surface to the finished surface grade as shown on the topographic plan filed with the application for a Special Use Permit. The final fill and finished grade shall be stabilized, seeded and sodded or appropriately planted after completion and closure of each stage of landfill operations.
- vii.** The operation shall be conducted so as not to create a nuisance or cause undue noise, vibration, dust, odor or incandescence to adjacent properties. The premises shall be kept in a neat and clean condition at all times. Daily operations shall include the clean-up of loose debris from adjacent roadways. Dusty conditions shall be corrected by sprinkling with water or by use of calcium chloride or some other method approved by the City Manager or his or her designee. No fires shall be permitted.

c. Application Requirements

- i.** The application shall be accompanied by an affidavit by the applicant that the proposed landfill operation will comply with all pertinent local, state and federal laws of regulations applicable to such landfill operations and that all required permits and approval have been or will be secured. Furthermore, in any case in which these rules are in conflict with state or federal law or regulation, the more restrictive rule, law or regulation shall take precedence.
- ii.** A development plan in accordance with Sec. 3.8, Development Plan Review shall be submitted in conjunction with the application for a Special Use Permit (See Sec. 3.10). The development plan shall include:
 - (1)** A map of all water bodies, as defined by the State of Georgia Department of Natural Resources Integrated 305(b)/303(d) Report (latest edition), located within two (2) miles of the proposed facility boundaries.
 - (2)** Contours of not less than one (1) foot intervals;
 - (3)** The ultimate depth elevations of the area to be excavated and/or the ultimate height of areas to be filled;

- (4) Locations where excavation and filling operations will commence and the procedural sequence of operations;
- (5) Cross-sections at critical points to illustrate the methods to be employed in the process of excavation and fill;
- (6) The existing surface of the site and the surrounding properties within 200 feet from its boundaries;
- (7) Methods to be employed for surface drainage during and after completion of operations;
- (8) The ultimate finished surface of the site after all excavation and filling operations are completed;
- (9) If an industrial solid waste landfill, the type of waste to be received;
- (10) The volumes of materials to be excavated and filled on the site where operations are to take place, and the expected duration of landfill operations;
- (11) Improvements, such as new roads and pavements to be installed on and off the site to enable the operation to be carried out; and
- (12) An Environmental Site Assessment, including a hydro-geologic evaluation, shall be prepared by an engineer, landscape architect or environmental professional meeting standards set forth in the City of Savannah Engineering Department Design Directives.

8.5.10 Mulch or Compost Processing Facility

All mulch or compost processing facilities shall meet the standards of Georgia Department of Environmental Protection O.C.G.A. §391-3-4-.16 Composting, as applicable and as amended, unless a more restrictive standard is listed below.

- a. Feedstocks A, B, D and D as defined in Sec. 13.2, Defined Terms, are permitted.
- b. Prohibited feedstocks include asbestos containing materials, biomedical wastes and any other prohibited wastes defined in O.C.G.A. §391-3-4-.04(6).
- c. **Class 2 and 3 Composting Facilities**

Facilities composting, grinding, chipping, and/or mulching of Feedstock Categories A, B, C, or D that operate under Permit-by-Rule or require a State of Georgia Solid Waste Permit.

- i. No storage pile or windrow shall be located within the 100-year floodplain or within 75 feet of any watercourse.
- ii. A 50-foot undisturbed buffer shall be maintained between the facility and the property line or jurisdictional wetland. The United States Army Corps of Engineers may approve a reduced buffer from such wetland.

- iii. Such facility shall be at least 200 feet from any Residential zoning district, any residential use and any drinking water supply.
- iv. Such facility shall be located on a roadway classified as a collector or greater.

d. Class 4, 5 and 6 Composting Facilities

Facilities composting, grinding, chipping and/or mulching of Feedstock Categories A, B, C or D that operate under Permit-by-Rule or require a State of Georgia Solid Waste Permit. Also includes in-vessel composting producing more than 1000 cubic yards of finished compost per year.

- i. No storage pile or windrow shall be located within the 100-year floodplain or within 75 feet of any watercourse. A minimum 50-foot vegetated area shall be provided adjacent to any watercourse to prevent unfiltered runoff of organics into the watercourse.
- ii. A 100-foot undisturbed buffer shall be maintained between the facility and the property line
- iii. A 50-foot undisturbed buffer shall be maintained between the facility and any jurisdictional wetland unless otherwise permitted by the United States Army Corps of Engineers.
- iv. Such facility shall be at least 500 feet from any Residential zoning district, any residential use and any drinking water supply.
- v. Such facility shall be located on a roadway classified as a collector or greater.

8.5.11 Recycling Collection Facility

- a. Such activity shall be conducted entirely within a fully-enclosed building.
- b. Such use shall be located on a roadway classified as a collector or greater

8.5.12 Waste Incinerator

- a. Such use shall conform to Air Quality Standards for particulate matter.
- b. Such use cannot be located adjacent to a Residential zoning district or a residential use.
- c. Such use shall conform to the Georgia Comprehensive Solid Waste Management Act of 1990 (O.C.G.A. §12-8-20 to §12-8-40) and the applicable Solid Waste Management Plan (latest edition) of the City of Savannah.

8.5.13 Solid Waste Transfer Station

- a. **Compliance with Applicable Local, State and Federal Law**

Compliance is required but may not be limited to the following:

- i.** O.C.G.A. §12-8-20 (Conservation and Natural Resources, Solid Waste Management), as applicable and as amended;
- ii.** Chatham County Health Department requirements where applicable;
- iii.** Georgia Department of Environmental Protection §391-3-4 (Permit by Rule for Collection, Transportation, Processing and Disposal), as applicable and as amended;
- iv. City of Savannah:**
 - (1)** The City of Savannah Solid Waste Management Plan (latest edition)
 - (2)** City of Savannah Code Part 8 Chapter 6 (Erosion and Sedimentation Control) as applicable and as amended; and
 - (3)** City of Savannah Code Part 4 Chapter 2 (Refuse Collection and Disposal) as applicable and as amended.

b. General Standards

- i.** Based upon the hazardous nature of material or substances to be treated, disposed, stored or recycled on the site, the Planning Commission and Mayor and Aldermen shall consider and may set conditions on or prohibit particular material and substances based upon:
 - (1)** The location of the site relative to public or quasi-public facilities where considerable public assembly is anticipated including, but not limited to, schools, hospitals, parks and institutions;
 - (2)** The location of the site relative to existing or expected employment intensities;
 - (3)** The location of the site relative to Residential zoning districts and/or residential properties, and existing or proposed population densities;
 - (4)** The relationship of the site to major transportation corridors and routing of truck traffic and the site's proximity to other modes of transportation; or
 - (5)** The adequacy of sewage treatment facilities to accommodate waste matter.
- ii.** If required by the City Manager or his or her designee, a ground water and surface monitoring system shall be established and maintained by the applicant.
- iii.** Screening of such use shall be installed, as required by Sec. 9.5, Screening and Buffers. Screening may include a permanent building or structure constructed as part of the transfer station.

- iv.** Material prohibited at the transfer station shall include hazardous waste, asbestos waste, biomedical waste, human and animal biological waste, radioactive waste, sludge and liquid waste.

Sec. 8.6 Transportation, Communication and Utilities Use Standards for Limited and Special Uses

The following use standards shall apply to limited and special uses, as set forth in Sec. 5.4, Principal Use Table.

8.6.1 Airport/Airfield

- a.** An application for a new or expanded airport or airfield shall be accompanied by the written recommendation(s) of the Federal Aviation Administration.
- b.** The construction of any new runway or the expansion of any existing runway shall require an amendment to the Airport, Airfield Overlay District to include the affected area.

8.6.2 Parking Facility

In Downtown districts, surface parking facilities approved after the Effective Date of this Ordinance shall be screened from streets (excluding lanes) with a combination of masonry wall, decorative fencing, and/or landscaping, as deemed appropriate by the Planning Director. Pre-existing (nonconforming) parking facilities in existence as of the Effective Date of this Ordinance shall not be required to comply with the requirements of this Section unless substantial modifications are proposed.

8.6.3 Transportation Dispatch and Storage

- a.** All vehicles shall be parked on the premises, not to include rights-of-way unless such encroachment has been approved by the City Manager or his or her designee.
- b.** Storage shall comply with Sec. 9.7, Principal Use Outdoor Display Areas. Salvage is not permitted.

Sec. 8.7 Accessory Structures and Uses

8.7.1 Purpose

This Section authorizes the establishment of accessory structures and uses that are incidental and customarily subordinate to principal uses. Additional performance criteria are set forth in this Section for particular uses and structures in order to reduce potentially adverse impacts on surrounding properties.

8.7.2 Generally

All accessory structures and uses shall be consistent with all standards of the base zoning district (Article 5.0), any applicable overlay district (Article 7.0) and any applicable use standards (Article 8.0), except as expressly set forth below. Accessory structures and uses shall:

- a.** Be accessory and clearly incidental and subordinate to a permitted principal use. No accessory use may be established on a site prior to the establishment of a permitted principal use.
- b.** Be located on the same property as the principal use or structure.
- c.** Not involve uses or structures not in keeping with the character of the principal use or principal structure served.
- d.** Be located within a district that permits the principal use.
- e.** Not be erected in any required setback area, except as expressly set forth in this Ordinance.
- f.** Shipping containers and tractor trailers shall be prohibited as storage buildings or structures except as permitted on an active construction site or in Industrial zoning districts (see Article 8.8, Temporary Uses).

8.7.3 Accessory Structures

Accessory structures, not to include accessory dwelling units, are allowed in all zoning districts and shall be subject to the following requirements, except as expressly provided elsewhere in this Section:

a. Building Permit

Accessory structures having a gross floor area of more than 120 square feet shall require a building permit.

b. Location

Accessory structures shall be located in the side (interior) yard or rear yard of the principal building, with the exception of the following:

- i.** guard or gate house;

- ii. gazebo;
- iii. pump or well house; and
- iv. other similar structures.

c. Setbacks

- i. An accessory building or structure shall not be located within five (5) feet of the side (interior) or rear property lines, except where no setback is required by the zoning district. Provided however, when the building or structure is located within the side yard, such building or structure shall not encroach into the side yard setback except as provided for in Article 4.3, Exceptions and Modifications.
- ii. Docks shall be exempt from any setback requirement.
- iii. Any building that is used to house vehicles or watercraft, and that is accessed from a lane, shall be located at least five (5) feet from such right-of-way. The City Manager or his or her designee may reduce the setback to three (3) feet.
- iv. Where Residential property is located adjacent to a river or marsh, accessory buildings and structures may be permitted in the front yard if all of the following requirements can be met:
 - (1) The accessory building or structure is set back a minimum of 50 feet from any vehicular right-of-way and is at least 10 feet from adjoining property lines;
 - (2) The floor area of the accessory building or structure does not exceed 1,200 square feet or 40% of the floor area of the principal building, whichever is less; and
 - (3) The accessory building or structure is constructed of the same or compatible material and color as the principal building, as approved by the City Manager or his or her designee.

d. Height

The height of an accessory building shall not exceed the height of the principal building in a Residential district or where otherwise prohibited by this Ordinance.

e. Building Coverage and Size

- i. Building Coverage. Within all zoning districts, accessory structures shall be included in the calculations for maximum building coverage.
- ii. Size. Residential Districts. Within residential zoning districts, the floor area of an accessory structure shall not exceed 40% of the floor area of the principal building.
- iii. Size. Nonresidential. Subject to maximum building coverage standards

8.7.4 Accessory Dwelling Units (not including Caretaker's Dwelling Unit)

One (1) accessory dwelling unit shall be permitted as an accessory use to a principal dwelling located in the A-1, RSF-, RTF-, RMF-1, TR-, TN-, TC-, D- and PD districts. Such use is not required to be included in the gross residential density calculations. Manufactured homes, recreational vehicles and travel trailers shall not be used as accessory dwelling units, except that manufactured homes may be used as an accessory dwelling unit in the A-1 and Manufactured Home Overlay districts. For such use, the following shall apply:

a. Location

- i. The unit may be attached to or detached from the principal dwelling.
- ii. When the unit is attached, it shall share a common wall with and have a separate entrance from the principal dwelling or be connected by a covered walkway. When the unit shares a common wall with the principal dwelling, the entrance to the unit shall be located along the side or rear façade of the dwelling. An attached accessory dwelling unit shall meet the setback standards for the principal dwelling.
- iii. ~~When the accessory dwelling is detached from the principal dwelling, it shall be separated from the principal building by at least 10 feet.~~ Detached accessory dwelling units shall meet the same side-yard setback requirement as the principal structure. Such units shall be separated from the principal structure by at least 10 feet. Detached accessory dwelling units shall have a rear-yard setback requirement of at least five (5) feet, provided that if the accessory dwelling is located on a lot that abuts a lane the rear-yard setback requirement shall be at least three (3) feet. Within zoning districts that have no rear-yard setback requirement for the principal structure there shall be no rear-yard setback requirement for an accessory dwelling.
- iv. Any portion of an accessory dwelling unit over 25 feet in height shall be located at least 20 feet from a rear property line that does not abut a lane.

b. Lot Area

For A-1, RSF-, RTF, RMF-1 and TR- districts, the minimum lot size for such use shall be at least 200% of the minimum lot area required by the zoning district. This standard shall not be variable.

c. Building Coverage

Accessory dwelling units shall be included in the calculations for maximum building coverage permitted in the zoning district.

d. Building Size

- i. The footprint of the accessory dwelling unit shall be a maximum of 40% of the habitable floor area of the principal dwelling. In the A-1, RSF-E, RSF-30 and RSF-20 districts, the maximum footprint shall be 40% of the habitable floor area of the principal dwelling or 1,000 square feet, whichever is less.
- ii. The unit shall contain a minimum of 400 square feet of heated area.
- iii. The unit shall contain no more than one (1) bedroom.

e. Architectural Style

Such use shall be designed in a similar architectural style as the principal dwelling. If the site is located within an overlay district, the standards of the overlay district shall apply.

f. Parking and Access

- i. If parking is provided for the accessory dwelling, it shall be provided on the same lot on which the principal dwelling is located.
- ii. Where there is no lane and parking is provided, the parking space shall be served by the same driveway as the principal dwelling.

g. Water and Wastewater Services, Electrical Meter

- i. An accessory dwelling may be required to connect to the water and sewer system of the principal dwelling.
- ii. A shared electrical meter between the principal dwelling and the accessory dwelling unit may be required.

8.7.5 Caretaker Residential Unit (does not include Accessory Dwelling Unit)

A single residential unit is allowed as an accessory use to any nonresidential use in any zoning district and is not required to be included in the gross residential density calculations. For such use, the following shall apply:

- a. Where there is a principal building, such use may be attached or detached from the principal building.
- b. An attached caretaker residential unit shall meet the setback standards for the principal building.

8.7.6 Residential Amenity Area, Clubhouse

The grounds of the amenity area/clubhouse for a residential development may contain a swimming pool, tennis courts, basketball courts, playground equipment, dock/boat slips and other similar amenities for use by residents and their guests. Such use shall:

- a. Be permitted only in conjunction with a residential development; and

- b. Be owned and maintained by the developer or any private association of persons that reside in the residential development which it serves.
- c.. Swimming pools shall be completely enclosed by a fence or wall in accordance with Sec. 9.6, Fences and Walls. The exterior wall of the residence or accessory buildings may be incorporated as a portion of the fence to create a fully enclosed area around the pool. All fence openings into the pool area shall be equipped with self-closing and self-latching gates.
- d. Docks shall be compliant with the latest version of the Department of Natural Resources' Programmatic General Permit (PGP) for Private Single-Family Docks within Georgia.

8.7.7 Employee and Guest Services

Employee and guest services may include a restaurant, laundry and dry cleaning (pick up only), flower shop, gift shop, newsstand and/or any similar use that is not otherwise allowed in the zoning district. Such use is permitted in the OI, OI-E, IL and IH districts, but shall not be considered as an accessory use to a place of worship or private club or lodge in those districts. In all other zoning districts, such use shall be reviewed as a separate principal use. All of the following standards shall apply:

- a. Such use shall be located in a building with a minimum of 30,000 square feet gross floor area. However, such use can locate in a smaller building, if all the buildings on the same property contain a minimum total floor area gross of 30,000 square feet.
- b. The area of all employee and guest services shall occupy an area no more than 10% of any building that is 30,000 square feet or more. The area of all employee and guest services allowed to locate in building less than 30,000 square feet, shall be no more than 10% of the area of all buildings on the same property and no more than 20% of the area of the building within which it is located.

Commentary: *In any multi-tenant building, one (1) tenant may use the full 10% of the building floor area permitted for the employee and guest service use.*

- c. No more than 3,000 square feet shall be permitted for any one (1) use, unless the property is zoned IL or IH.
- d. The public entrance to such use shall be located within the building.
- e. Signage shall be internal to the building and not visible outside of the building.
- f. The principal use(s) and the employee and guest service use shall each provide the amount of parking required by Sec. 9.3, Off-Street Parking and Loading. The parking requirement for each shall be computed separately.

However, where such use is only available to employees of the principal use(s), additional parking shall not be required.

- g.** The display of products and activity of the use shall not be visible from outside the building.

8.7.8 Flagpoles, Vertical and Mast Arm

Flagpoles, whether vertical or mast arm, shall be allowed in all zoning districts and shall be subject to the following conditions:

- a.** The term flag in this subsection shall mean the current, official flag of the United States of America, the State of Georgia, Chatham County, the City of Savannah or any other political jurisdiction. All other flags shall conform to the standards found in Sec. 9.9, Signs. References to flagpole height in this subsection refer to vertical flagpoles. References to the number of flag poles and flags refer to both vertical flagpoles and mast arm flagpoles (i.e., staffs extending at an angle from a building).
- b. Height**
 - i.** Vertical flagpoles in the Conservation, Residential, TN-, TC-, OI-T and B-L zoning districts shall not exceed 30 feet provided, however, the height of vertical flagpoles associated with monumental buildings shall not exceed 60 feet.
 - ii.** Vertical flagpoles in the D- and Nonresidential zoning districts, except those districts listed above, shall not exceed 60 feet.
 - iii.** Supporting bases of up to five (5) feet in height for vertical flagpoles shall not be counted as pole height.
- c.** The maximum dimensions of any flag shall be proportional to the flagpole height. The hoist side of the flag shall not exceed 20% of the vertical height of the pole. In addition, flags are subject to the following size limitations:

Table 8.7-1 Permitted Size of Flags

Pole Height (ft.)	Single Flag: Flag Size per Pole (max. total sq. ft.)	Multiple Flags: Combined Area per Pole (max. total sq. ft.)
Up to 30 ft.	24 sq. ft.	48 sq. ft.
30 up to 40 ft.	40 sq. ft.	80 sq. ft.
40 up to 50 ft.	60 sq. ft.	120 sq. ft.

50 to 60 ft.	96 sq. ft.	192 sq. ft.
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- d.** Properties that are less than five (5) acres are allowed a maximum of three (3) flagpoles. Properties that are five (5) acres or more in size are allowed a maximum of five (5) flagpoles.
- e.** A maximum of three (3) flags shall be allowed per flagpole.
- f.** Except for the Mixed-use zoning districts, vertical flagpoles shall be a minimum of ten (10) feet behind the street right-of-way.
- g.** Lighting of the flagpole shall comply with Sec. 9.8, Lighting.

8.7.9 Outdoor Storage Units and Freezers

Enclosures for outdoor storage units and freezers associated with any nonresidential use, whether attached to or detached from the principal building, shall incorporate only those primary exterior materials as used for the walls of the principal building.

8.7.10 Helipads

- a.** Such use is permitted only in the OI-E, B-C, D-W, IL-T, I-L and I-H districts as a Special Use in accordance with Sec. 3.10, Special Use Permit.
- b.** A written recommendation of the Federal Aviation Administration shall be provided at the time of application.
- c.** The helipad shall comply with additional conditions of the governing jurisdiction. See City Code, Part 6: Licensing and Regulation; Article V: Helicopter Landing Facilities, as amended.

8.7.11 Home Occupations

The intent of a home occupation use is to permit very limited nonresidential activity within a residential dwelling or any building accessory to the dwelling, provided that such activity does not detract from nor is incompatible with the surrounding residential uses. The following standards shall apply:

a. Permit Required

- i.** A Home Occupation Permit shall be required prior to the establishment of a home occupation use. A permit shall be issued in accordance with Sec. 3.13, Home Occupation Permit, only after a determination by the City Manager or his or her designee that the proposed home occupation use complies with this Section.
- ii.** A signed, notarized letter of authorization shall be required from the property owner when the applicant is not the owner of the property for

which the home occupation use is proposed. Such letter shall be provided at the time of application for a Home Occupation Permit.

b. General Standards

All home occupation uses that comply with the following standards shall be permitted. Some home occupations uses, as specified in Sec. 8.7.11.c. below, have additional standards.

- i.** The use of a residential dwelling and any accessory buildings for a home occupation use shall be clearly incidental and subordinate to its use for residential purposes and shall under no circumstances change the residential character of the dwelling or premises.
- ii.** If operated inside a residential dwelling, such use shall not have an external entrance serving only such use.
- iii.** In Residential zoning districts, only persons residing on the premises shall work onsite. In all other zoning districts, no more than one (1) person not residing on the premises shall be permitted to work onsite.
- iv.** If more than one home occupation operates from a residence, clients and non-resident workers shall be limited to only one home occupation
- v.** The operation and storage space for such use shall not exceed 25% of the total floor area of the dwelling or 500 square feet, whichever is less. This limitation shall not apply to child/adult day care homes or child/adult care, 24-hour care.
- vi.** Sales shall be limited to off-site sales of any product or service, whether produced onsite or off-site.
- vii.** In Residential zoning districts, clients and employees shall not be permitted when the home occupation is a group living use residence.
- viii.** Clients and employees shall not be permitted to visit or work at any home occupation conducted in an accessory dwelling unit.
- ix.** Clients coming to the dwelling to conduct business shall not be permitted except as provided in Sec. 8.7.11.c. below.
- x.** Where clients are permitted, clients may patronize the use only between the hours of 8:00 a.m. and 8:00 p.m. unless otherwise specified in Sec. 8.7.11.c. below.
- xi.** There shall be no visible evidence of the conduct of such use from the exterior of the dwelling or premises, including the storage or display of equipment, appliances, materials or supplies. However, a Residential Sign in compliance with Sec. 9.9, Signs.

- xii.** No equipment or process shall be used that creates external noise, vibration, smoke, dust, odor, heat, glare, fumes or electrical interference detectable at or beyond the property line of the use.
- xiii.** Any internal or external alterations inconsistent with the residential use of the dwelling and the premises shall not be permitted.
- xiv.** Equipment, materials, supplies and other goods used in such use shall not be picked up from or delivered to the residence by tractor-trailer.
- xv.** Where clients and/or employees are permitted, one (1) additional off-street parking space shall be provided. Tandem parking shall be permitted. Where an area is exempt from providing off-street parking in Sec. 9.3, Off-Street Parking and Loading, no additional parking shall be required.

c. Specific Standards

The uses listed below shall comply with the following specific use standards in addition to the standards provided in Sec. 8.7.11.b. above.

i. Child/Adult Day Care

- (1)** Such use shall not provide care for more than six (6) individuals, not including the caregiver's own family.
- (2)** Such use shall be operated only between the hours of 7:00 a.m. and 7:00 p.m.

ii. Child/Adult Care, 24-hour Care

- (1)** Such use shall not provide care for more than six (6) individuals, not including the caregiver's own family.
- (2)** Such use shall not be permitted in Residential districts.

iii. Instruction

In Residential zoning districts, no more than two (2) pupils can receive instruction at one time. In all other zoning districts, no more than four (4) pupils can receive instruction at one time.

iv. Internet Sales / Mail Order Sales

If sales include firearms, firearms may only be sold by firearms collectors licensed by the Bureau of Alcohol, Tobacco and Firearms as a firearms collector.

v. Hair Styling

For hair styling, such use shall be limited to one (1) hair station and one (1) shampoo station, and no more than two clients (2) shall be permitted on the premises at one time.

vi. Photography Studio

No more than one (1) client shall be permitted on the premises at one time. For the purposes of this use, a client shall be an individual, couple or family.

vii. Professional Advising Services

No more than one (1) client shall be permitted on the premises at one time. For the purposes of this use, a client shall be an individual, couple or business partners.

Commentary: For the purposes of this Section, professional advising services shall mean legal, accounting, financial, engineering, architectural, interior design or similar uses as determined by the City Manager or his or her designee.

viii. Professional Counseling Services

- (1)** Such use is permitted in all zoning districts except Residential districts.
- (2)** Counseling services shall be provided only by a medical doctor (MD), psychologist, clinical social worker (LCSW), professional counselor (LPC) or marriage and family therapist who maintains a valid license in the state of Georgia.
- (3)** Counseling shall not include counseling for substance abuse, including alcohol and drugs.
- (4)** No more than one (1) client shall be permitted on the premises at one time. For the purposes of this use, client shall be an individual, couple or family, but not a group.

8.7.12 Outdoor Display Areas

The following standards apply to outdoor display areas that are not a principal use (see Sec. 9.7, Principal Use Outdoor Storage Areas), or temporary use (Sec. 8.8, Temporary Uses). A permanent and enclosed component of a retail use that shares a common wall with the principal building is not considered an outdoor display area.

a. General

- i.** The outdoor display area shall be located on an improved surface such as the sidewalk or pavement.
- ii.** Outdoor display areas shall not include hazardous and/or flammable materials, such as gasoline, oil, antifreeze and kerosene. Such areas may include propane tanks. Fertilizers must be contained to prevent run-off and shall be stored no less than 25 feet from a stormwater detention pond or a stormwater inlet (drain).

b. Outdoor Display Areas Adjacent to Building

Outdoor display areas shall be permitted adjacent to the building façade provided that such display area:

- i.** At least four (4) feet along the parking lot side of the display area shall be maintained free of obstruction to allow for pedestrian and handicap movement, such that pedestrians do not have to enter the parking lot or drive aisle to walk around the display.
- ii.** Shall be located at least three (3) feet from any public entrance.
- iii.** Shall only occur along building façades with a public entrance.

c. Outdoor Display Areas away from Building

Outdoor display areas not adjacent to the façade shall be permitted according to the following standards:

- i.** The display area shall not exceed more than 10% of the yard in which it is located or 20,000 square feet, whichever is less; and
- ii.** A designated display area shall be shown on the site plan. At least two (2) sides of the display area shall have a fence, planters or similar physical barrier.

8.7.13 Accessory Uses for Places of Worship

The following uses and activities are considered accessory to a place of worship. Additional buffering may be required where the proposed accessory use requires a greater use buffer than the principal use. The uses listed below shall comply with the following specific use standards in addition to the standards provided in Sec. 8.7.2 above.

- a.** Office for the place of worship;
- b.** Rooms for religious instruction or counseling;
- c.** Temporary child and adult care during religious services and events;
- d.** Fellowship hall;
- e.** Kitchen facilities (not to include restaurants);
- f.** Outdoor play area (including ball fields);
- g.** Community food programs using the kitchen facilities but delivering food elsewhere;
- h.** Accessory dwelling unit (no more than one unit);
- i.** Caretaker's dwelling unit (no more than one unit); and
- j.** Gymnasium/multi-purpose building.

8.7.14 Accessory Uses at Public or Private Schools (K thru 12)

The following facilities are considered accessory to a public or private school. Additional buffering may be required where the proposed accessory use requires a greater use buffer than the principal use. The uses listed below shall comply with the following specific use standards in addition to the standards provided in Sec. 8.7.2 above.

- a.** Administrative offices;
- b.** Auditorium, theater;
- c.** Pre-K classes;
- d.** Before and after school day care;
- e.** Child day care services only for staff and students;
- f.** Cafeteria and other food services (excluding restaurants);
- g.** Health facility;
- h.** Laboratory;
- i.** Library;
- j.** Maintenance facility; and
- k.** Stadium, Outdoor arena, Athletic fields, playgrounds.

8.7.15 College, University, Seminary

The following facilities are considered support buildings which are permitted uses for a college, university or seminary. Additional buffering may be required where the proposed use requires a greater use buffer than the principal use. The uses listed below shall comply with the following specific use standards in addition to the standards provided in Sec. 8.7.2 above.

- a.** Administrative offices;
- b.** Auditorium; theater/cinema/performing arts; museum; art/photo studio, gallery; event venue;
- c.** Child day care services only for staff and students;
- d.** Cafeteria and other eating and drinking establishments;
- e.** Dormitory laundromat; dry-cleaning/laundry/drop-off facilities;
- f.** General retail; convenience store;
- g.** Health facility;

- h.** Laboratory; studio/multimedia production facility;
- i.** Library; places of worship;
- j.** Maintenance facility; and
- k.** Stadium, arena, indoor and outdoor athletic facilities.
- l.** Uses not specifically listed:
 - i.** Any use not specifically listed may be permitted by the City Manager if the City Manager determines that the use is similar to a permitted use listed in this Ordinance using the criteria in 8.7.15.l.ii. below. Where the similar permitted use is subject to any use standard contained in Article 8.0, Use Standards, or special use review, the proposed use shall also be subject to such standards and/or approval. The City Manager or his or her designee shall not amend this Ordinance by adding to or eliminating any use standard for the proposed use.
 - ii.** Treatment of a use not specifically listed shall be determined by the City Manager or his or her designee applying the following criteria:
 - (1)** The actual or projected characteristics of the activity in relationship to the stated characteristics of each group of uses.
 - (2)** The relative amount of site area or floor space and equipment devoted to the activity.
 - (3)** Relative amounts of sales from each activity.
 - (4)** The relative number of employees in each activity.
 - (5)** Hours of operation.
 - (6)** Building and site arrangement.
 - (7)** Types of vehicles used and their parking requirements.
 - (8)** The relative number of vehicle trips generated.
 - (9)** The likely impact on surrounding properties.
 - (10)** Whether the activity is likely to be found independent of the other activities on the site.
 - iii.** Where a use not listed is found by the City Manager or his or her designee not to be like any other permitted use, the use shall be permitted only following a text amendment to this Ordinance provided in Sec. 8.7, Zoning Text Amendment.

8.7.16 Outdoor Storage of Personal Recreational Vehicles, Watercraft and Trailers

Outdoor storage of personal recreational vehicles, watercraft and trailers in Residential and Mixed-use districts shall comply with the following:

a. Number and Size Permitted

- i. No more than one (1) recreational vehicle, watercraft or trailer per lot is permitted within all Residential zoning districts, except RSF-E, RSF-30 and RSF-20, and within all Mixed-Use zoning districts. Recreational vehicles and watercraft shall not exceed 22 feet in length nor 10 feet in height.
- ii. Within the RSF-E, RSF-30 and RSF-20 zoning districts, no more than two (2) such recreational vehicles, watercraft or trailers are permitted per lot.

Commentary: Two (2) personal watercraft on a single trailer shall be considered one (1) watercraft. When watercraft is stored on a trailer, the trailer shall not be counted against the number permitted.

- iii. Recreational vehicles, watercraft and trailers of any size and number may be kept within an enclosed accessory structure.

b. Storage Location

- i. The outdoor storage area for recreational vehicles, watercraft and trailers shall not be located in the front or side yard, except for a period not to exceed 24 consecutive hours for the purpose of (un)loading or cleaning.
- ii. All watercraft and recreational vehicles shall be stored or parked in a secure and safe manner that does not inhibit emergency access to any property.
- iii. The storage and use of recreational vehicles and watercraft shall comply with City of Savannah Code of Ordinances, Part 9, Chapter 1, Sec. 9-1022, Storing or sleeping in vehicular recreational equipment on public thoroughfare, as amended and Sec. 7-1016, Parking of specified motor vehicles, motor homes, trailers, semitrailers or truck tractors in residential zone—Prohibited, as amended.

iv. Designated Storage Area for Residential Developments

Residential developments may provide a designated area within the subdivision for the purpose of storing recreational vehicles, watercraft and/or trailers. Only residents of the development may use such storage area. The storage area shall be shown on a site development plan and shall be screened with a Type B use buffer when adjacent to any street or property not internal to the development.

c. Other

- i. Recreational vehicles, watercraft and trailers shall not be used permanently or temporarily for living, sleeping or household purposes.

Such uses shall not be connected to sewer, water or other utility for any period of time.

- ii. No recreational vehicles, watercraft or trailers shall be permitted on a vacant lot without a primary structure except as provided in 8.7.16.b above.
- iii. Recreational vehicles shall not be permanently affixed to the ground in a manner that would prevent removal.
- iv. All recreational vehicles and watercraft shall be currently registered and operable at all times while being stored.

8.7.17 Recycling and Collection Units (Outdoor - Temporary or Permanent)

Recycling and collection units located outdoors that are either temporary or permanent in nature shall comply with the following standards:

- a. Recycling and collection units (e.g., units for clothing and household goods) that are located outdoors shall be subject to an approved City of Savannah development plan (Sec. 3.8, Development Plan Review), whether the unit is permanent or temporary.
- b. Within the local historic districts, such units shall meet the refuse screening standards of the overlay district.
- c. **Size**
The total area encompassed by such units shall not exceed 500 square feet and occupy no more than five (5) non-required parking spaces not including space needed for removal or transfer of the unit.
- d. **Acceptable Materials**
Such units shall accept only glass, metals, plastics, papers, clothing and such other non-hazardous materials suitable for recycling that can be placed in the unit.
- e. **Parking**
No additional parking spaces for units located in an established parking lot of a primary use shall be required.
- f. **Setbacks**
Such units shall conform to the setback and development standards of the zoning district in which the facility is located and shall not obstruct pedestrian or vehicular traffic. However, such facilities shall be set back at least 10 feet from any property line.

g. Storage

- i.** Such units shall be securable and constructed of waterproof and rustproof materials.
- ii.** Storage of recyclable materials outside of containers when an attendant is not present is prohibited.
- iii.** Containers shall be clearly marked to indicate the type of material acceptable for collection. The unit shall identify the operator and hours of operation.
- iv.** Distribution or sorting of items collected shall not occur onsite.

h. Signs

- i.** Signs shall comply with the provisions of wall signs in Sec. 9.9, Signs.
- ii.** Directional signs may be installed, as approved, if necessary to facilitate traffic circulation.
- iii.** A sign shall be affixed to the unit prohibiting the deposit of hazardous or toxic materials after hours. For containers requiring an attendant, a sign shall be affixed to the unit prohibiting the deposit of any materials when an attendant is not present.

i. Maintenance

Containers shall be maintained in a safe and litter free condition.

8.7.18 Satellite Dish

The following standards apply only to satellite dishes within Nonresidential districts that are two (2) meters in diameter or greater.

- a.** All satellite dishes shall be screened from view from any public right-of-way. Such screening may consist of a parapet wall (if located on the roof), fence or wall, hedge, natural vegetation or building or structures on the lot.
- b.** Open mesh satellite dishes shall be painted or finished in a dark neutral color. Solid satellite dishes shall be painted or finished in a light or dark neutral color.

- c.** A solid satellite dish that is adjacent to a public right-of-way, Residential zoning district or conforming residential use shall be screened by a six (6) foot high opaque fence or a hedge meeting the standards in Sec. 9.5.4.e.v.(5).
- d.** No form of advertising or identification shall be permitted upon a satellite dish except for the manufacturer's small identification plate.

8.7.19 Solar Energy Systems

The following standards shall apply to all systems utilizing solar energy systems for the heating and cooling of buildings, heating of hot water and generation of electricity.

a. General

- i.** No form of advertising or identification shall be permitted except for the manufacturer's small identification plate.

***Commentary:** It is recommended that prospective owners of solar energy systems seek a solar access easement, where necessary, to preserve access to solar energy. A solar access easement sets limits on the amount of shading permitted by construction and vegetation on adjacent property where shading would adversely affect the efficiency of systems that depend of access to solar energy.*

b. Attached Systems

Solar energy systems attached to a structure shall meet the following standards:

- i.** Systems may extend no more than seven (7) feet above the roofline of the building and may exceed base zoning district height limitations.
- ii.** Systems which exceed the height limit shall be placed so as not to shade an existing solar energy system or property to the north on December 21st at noon, any more than would a structure built to the maximum permitted height and bulk.

c. Stand Alone Systems

Stand-alone solar energy systems shall meet the following standards:

- i.** Systems shall not exceed the allowed height of the base zoning district.
- ii.** Systems servicing the principal use shall not be counted in lot coverage calculations.
- iii.** The following setbacks shall apply:
 - (1)** Systems located in side or rear yards shall be no closer than three (3) feet from the property line;

- (2) Systems located in a front yard of any Residential zoning districts must be architecturally integrated with the principal structure; and
- (3) Systems located in the front yard in all zoning districts excluding Residential districts shall be no closer than five (5) feet from the front property line.

8.7.20 Reserved

8.7.21 Vehicle Sales

Vehicle sales shall be prohibited within Residential districts or on property devoted to a residential use, except that the sale of a private vehicle registered to an occupant of the residence shall be allowed. No more than one operable vehicle may be displayed for sale at the same time and no more than six (6) vehicles may be sold per year.

8.7.22 Outdoor Vending Machines, Freestanding Automatic Teller Machines (Less than 25 square feet)

Outdoor vending machines and freestanding automatic teller machines shall comply with the standards below.

Commentary: For the purpose of this Section, outdoor vending machines shall include newspaper/magazine racks, whether or not a fee is charged for the product, LP gas storage racks, ice boxes and machines that offer for sale or rent DVDs, drinks, snacks, candy, toys and similar items.

a. Location

- i. Outdoor vending machines and freestanding automatic teller machines may only be established in conjunction with a principal building and shall be located without impeding pedestrian or vehicular traffic, or occupying parking spaces, drive aisles, greenspace, buffers or landscaped areas required for the principal building. Outdoor vending machines shall be located immediately adjacent to the principal building as allowed by applicable building codes and ordinances.
- ii. Outdoor vending machines and freestanding automatic teller machines more than four (4) feet tall shall not block any window.
- iii. Within any local historic district, outdoor vending machines, not including newspaper/magazine racks, shall not be visible from any right-of-way, except for lanes. Vending machines that are within a building yet are visible due to an open door or wall shall not be considered outdoor vending machines.

iv. Vending machines shall maintain at least four (4) feet of walkway free of obstruction to allow for pedestrian movement around such use.

b. Size

Outdoor vending machines and freestanding automatic teller machines shall occupy no more than 25 square feet of ground area per machine and shall be no more than eight (8) feet in height. The total width of all vending machines along a façade shall not be more than 10% of the length of such façade or 15 linear feet, whichever is less.

c. Signs

Signage on outdoor vending machines shall be limited to four (4) square feet on each side. Signage on automatic teller machines shall be limited to 12 square feet or two (2) square feet per linear foot of the machine, whichever is less, per side.

d. Lighting

A lighting plan shall be required if outdoor lighting is proposed.

e. Maintenance

Outdoor vending machines and freestanding automatic teller machines shall be maintained in a clean and litter free condition. For automatic teller machines, a waste receptacle shall be integrated into the structure housing the automatic teller machine.

f. Design

Outdoor vending machines and freestanding automatic teller machines shall be constructed and maintained with durable waterproof and rustproof material and shall identify the telephone number of the operator or responsible person to contact in the event of machine malfunction or if the machine is inoperative.

8.7.23 Outdoor Vending Unit (25 square feet or greater)

a. Location

- i.** Such units shall be allowed only within the B-C, B-M, IL-T, IL and IH zoning districts.
- ii.** The use shall be located on a road classified as a collector or arterial as identified in Appendix A-1.
- iii.** Such units shall only be allowed on a site occupied by another principal building; and further, such units shall be located immediately adjacent to the other principal building as allowed by applicable building codes and ordinances.

iv. Such use shall not be allowed within the boundaries of any local historic overlay district.

v. Ice Vending Units

(1) An ice vending unit shall not be located within a 300-foot radius of an existing ice vending unit.

(2) Only one (1) ice vending unit shall be allowed on any single parcel.

b. Development Standards

i. A site plan shall be submitted for review according to Sec. 3.8, Development Plan Review.

ii. Such units shall be not less than 25 nor more than 250 square feet in size.

iii. Such use shall not be located on or in any parking spaces required for a principal use.

iv. Such use shall provide a minimum of two (2) off-street parking spaces.

v. A trash receptacle with a minimum capacity of at least 30 gallons shall be placed adjacent to an ice vending unit. Such receptacles shall be properly maintained and emptied by the ice vending unit owner or his designee at least once every two (2) days.

c. Signage

Signage shall be permitted on any two (2) sides of the unit only and shall not exceed one (1) square foot for each linear foot of unit wall as measured along the longest wall. In no case shall permitted signage exceed 20 square feet per side.

8.7.24 Accessory Alcohol Sales

a. Accessory Sales of Beer and Wine by the Package

Such use shall only be permitted in the TC-1, TC-2, D-C, D-CBD, D-W, D-X, B-N, B-C, B-M, IL-T and I-L zoning districts, except where prohibited by Section 7.14, Alcohol Density Overlay District.

b. Accessory Alcohol Sales by the Drink in Association with a Restaurant

- i.** Such use shall be permitted by right in the TC-2, D-N, D-C, D-CBD, D-W, D-X, B-N, B-C, B-M and IL-T zoning districts, except where prohibited by Section 7.14, Alcohol Density Overlay District.
- ii.** Such use shall be permitted in the TN-2 (corner lot), TC-1, D-R zoning districts only with a Special Use Permit.
- iii.** Alcohol sales are limited to on-premises consumption only.

Sec. 8.8 Temporary Uses

8.8.1 Purpose

Certain uses and structures are temporary in nature. They vary in type and intensity, as well as length of time. Such uses may have little impact on surrounding and nearby properties, or they may present concerns involving potential incompatibility of such use or structure with existing permanent uses and structures. For this reason, certain temporary uses require a Temporary Use Permit (see Sec. 3.11). Unless otherwise specified by this Ordinance, the following standards shall govern.

8.8.2 Exempted Temporary Uses

The following temporary uses are exempt from the requirement of a temporary use permit but shall comply with the requirements provided below.

a. Community Garden Sales

Commentary: Community garden sales do not include sales from produce stands or farm stands.

- i.** When located in a Residential zoning district, sales at community gardens shall be limited to produce and other agricultural products that were grown at the site.
- ii.** When located in a Residential district, such sales shall be limited to the hours between 7:00 a.m. and 7:00 p.m.

b. Construction Dumpster

Such use may be established within the area of an approved development project for which a building permit has been issued for the collection of construction debris that will be removed from the site.

- i.** One construction dumpster is permitted on a site in association with a valid building permit. Additional dumpsters may be approved by the City Manager or his or her designee for large construction projects requiring multiple dumpsters.
- ii.** Such dumpsters shall be placed completely on-site, on a surface approved by the City Manager or his or her designee and cannot be placed in a public right-of-way without a valid right-of-way permit or equivalent permit.
- iii.** Construction dumpsters shall be limited to the time of active construction.

c. Construction Office

A temporary construction office may be established within the area of an approved development project for which a valid building permit has been issued.

- i. Such offices shall not be used as a residence.
- ii. Such offices are permitted in all zoning districts.
- iii. Construction offices shall be limited to the time of active construction.

d. Construction Storage Unit

Such use may be established within the area of an approved development project for which a valid building permit has been issued to store construction materials and tools.

- i. One (1) storage unit is permitted on-site in association with a valid building permit. Additional storage units may be approved by the City Manager or his or her designee for large construction projects requiring multiple storage units.
- ii. Such units shall be placed completely on-site, on a surface approved by the City Manager or his or her designee and cannot be placed in a public right-of-way without an approved right-of-way permit or equivalent permit.
- iii. Such units shall be no longer than 20 feet.
- iv. Such units shall be limited to the time of active construction.

e. Emergency Facilities

Such facilities provide emergency public health and safety assistance. Emergency residences shall comply with the standards of Sec. 8.8.3.f

f. Emergency Residence

A Temporary Use Permit for a manufactured home or recreational vehicle may be issued for the purposes of providing emergency residence on a site where the existing living unit has become uninhabitable due only to fire, structural damage, adverse weather damage or other natural calamity, while the damaged living unit is being repaired or a replacement unit is being constructed.

i. Location

An emergency residence is permitted in all zoning districts that allow residential uses.

ii. Time Limitations

The temporary use permit for an emergency residence may be issued for a period not to exceed 18 months and may be renewed by the City Manager or his or her designee provided that the permanent residence is under active construction and has a valid building permit.

g. Fund-raising Events

On-site fund-raising activities in association with educational, fraternal, religious, service and other non-profit organizations directly engaged in civic or charitable efforts and that are registered as a 501(c)(3) organization with the Internal Revenue Service. Such activities shall not include the categories of Sec. 8.8.3.

h. Garage or Yard Sales

Such sales shall not occur on a property more than six (6) times in a 12-month period and may operate only between the hours of 7:00 a.m. and 7:00 p.m. for not more than three (3) consecutive days.

i. Portable Storage Unit

Commentary: For the storage of construction materials, see construction storage units, see Sec. 8.8.2.d.

- i.** A portable storage unit may be permitted to allow the loading or unloading of household or other goods for a period of not more than 30 consecutive days within a 180-day period.
- ii.** No more than one (1) storage unit per dwelling unit or nonresidential use is permitted in a Residential or Mixed-use zoning district.
- iii.** The storage unit shall be placed completely on-site, on a surface approved by the City Manager or his or her designee and cannot be placed in a public right-of-way without an approved right-of-way permit or equivalent.
- iv.** The storage unit shall be no longer than 20 feet.
- v.** Portable storage units that are shipping containers (i.e., designed for the intermodal transport of cargo) and tractor-trailers are not permitted to be used as portable storage units except within Industrial districts, provided that such containers are located at least 100 feet from any conforming residential use and any Residential or Mixed-use district.

j. Sales and Leasing Office

Such use may be established within the area of an approved residential development project for which a building permit has been issued.

- i.** Such use is permitted in all zoning districts in which residential uses are permitted.
- ii.** Such use shall be limited to the time of a valid construction plan.

k. Temporary Use of Public Property, including Rights-of-way

Temporary use of public property may be governed by other sections of the City Code of Ordinances, as applicable. Temporary use of a public right-of-way by a private entity is not allowed without an approved right-of-way permit or equivalent.

8.8.3 Permitted Temporary Uses

Certain temporary uses as indicated below may be permitted provided that an approved Temporary Use Permit is issued in accordance with Sec. 3.11, Temporary Use Permit. Any use that is not listed within the categories below shall comply with the requirements provided elsewhere in this Ordinance. Any temporary use that exceeds the maximum time limits established shall be regulated as a principal use as determined by the City Manager or his or her designee.

a. Consumer Fireworks Retail Sales Stand

Such use is permitted in the B-C, I-L-T, I-L and I-H zoning districts and shall comply with the licensing requirements of O.C.G.A. § 25-10-2, as amended, and meet the following distance requirements:

- i.** A separation of not less than 500 feet from another consumer fireworks retail sale stand, as measured from property line to property line.
- ii.** A separation of not less 1,000 feet from any residential use, as measured from property line to property line. This requirement is not variable.

b. Mobile Farmers' Market

- i.** In Residential zoning districts, such use shall only be located on public and private K-12 schools, places of worship, colleges and universities, and on government property.
- ii.** Such use shall only use overflow/excess parking. It is preferable to have this use an establishment on a day that it is not in use by the principal use (e.g. a church on a Tuesday or an office building on a Saturday).
- iii.** Hours of operation shall be limited to 7:00 am to 9:00 pm.
- iv.** Hours of operation shall be limited to 7:00 am to 7:00 pm in residential zoning districts.

- v. Two temporary signs not to exceed 15 square feet may be placed adjacent to the right of way of the parcel where the farmers market is located during farmers' market hours only.
- vi. Such use shall not be located in any required setback, sight distance triangle, or required buffer.
- vii. Any associated lighting shall be downcast and shall not extend beyond the property boundaries of the site.
- viii. Such use requires a Georgia Department of Agriculture license, which shall be provided at the time of application for a temporary use permit. The approved permit or certificate must be visibly displayed for patron view.
- ix. Such use requires a City of Savannah Business Tax Certificate.

b. Mobile Food Service Unit (MFSU)

- i. MFSU that is part of a special event (see g below) shall be required to comply only with iii. and iv. below.
- ii. An approved Food Service Permit or equivalent permit or certificate shall be provided at the time of application for a temporary use permit. The approved permit or certificate must be visibly displayed for patron view.
- iii. In residential zoning districts, such use shall only be located on public and private K-12 schools, places of worship, colleges and universities, and government property.
- iv. Such activity on public and private K-12 schools and places of worship shall be limited to one (1) monthly event per site of four (4) consecutive days or less. Vending on consecutive days is considered one (1) event. Hours of operation shall be limited to 7:00 am to 9:00 pm.
- v. Such use shall only use overflow/excess parking. It is preferable to have this use an establishment on a day that it is not in use by the principal use (e.g. a church on a Tuesday or an office building on a Saturday).
- vi. Such use shall not be located in any required setback, sight distance triangle, or required buffer.
- vii. Such use shall also comply with the Mobile Food Service regulations as set forth in Part 6- Licensing and Regulations- Article HH.

c. Outdoor Display and/or Sales of Merchandise

Commentary: The temporary outdoor display and/or sales of merchandise should not be confused with permanent outdoor storage and display (see

Sec. 9.7, Outdoor Storage Areas) and accessory outdoor storage and display (see Sec. 8.7, Accessory Structures and Uses).

The outdoor display and/or sales of merchandise (e.g., parking lot sales or sidewalk sales) are permitted only by merchants permanently occupying the premises and subject to the following conditions:

- i.** Such activities shall be limited to Mixed-use and Nonresidential districts.
- ii.** Such activities shall be limited to one (1) monthly event per site of four (4) consecutive days or less. Sales on consecutive days are considered one (1) event.
- iii.** If such activities are located in a parking area, such area shall not exceed 10% of the total parking area for the site and shall not be located in any required parking spaces.
- iv.** Merchandise can be displayed only during the merchant's hours of operation.

d. Outdoor Religious or Revival Activities

- i.** Such activities shall be in association with a place of worship and shall be permitted for no more than 12 days within a 180-day period.
- ii.** In Residential zoning districts, such use shall be located on the same property as a place of worship.

e. Promotional Lighting

Promotional beacons, searchlights or any similar high-intensity narrow-beam lighting are limited to three (3) days per 12-month period per property. Such lighting shall not be permitted within any Residential zoning district or the Airport, Airfield Overlay District

f. Seasonal Sales

Includes the sale of Valentine Day flowers, Halloween pumpkins, and Christmas trees.

- i. Such use may be established for 45 consecutive days or less, twice per 12-month period.
- ii. Such use may be established for a total of 100 days per 12-month period; if for 45 consecutive days, twice per 12-month period.
- iii. In residential zoning districts, such use shall only be located on public and private K-12 schools, places of worship, colleges and universities, and on government property.
- iv. Hours of operation shall be limited to 7:00 am to 9:00 pm.
- v. Such use requires a City of Savannah Business Tax Certificate.
- vi. Such use shall not be located in any required setback, sight distance triangle, or required buffer.
- vii. Such use shall only use overflow/excess parking. It is preferable to have this use an establishment on a day that it is not in use by the principal use (e.g. a church on a Tuesday or an office building on a Saturday).

g. Special Events on Private Property

Amusement rides, animal shows, arts and crafts exhibits, auctions, carnivals, circuses, concerts, fairs, festivals, flea markets, food events, outdoor entertainment/sporting events, rodeos, rummage sales, second-hand sales and swap meets, vehicle shows or sales shall be limited to 14 consecutive days or less, or five (5) weekends (Friday through Sunday), within a 12-month period per property.

- i. In residential zoning districts, such use shall only be located on public and private K-12 schools, places of worship, and colleges and universities.
- ii. Such use shall not be located in any required setback, sight distance triangle, or required buffer.
- iii. Such use requires a City of Savannah Business Tax Certificate.
- iv. Such use shall only use overflow/excess parking. It is preferable to have this use an establishment on a day that it is not in use by the principal use (e.g. a church on a Tuesday or an office building on a Saturday)

Temporary Vendor with Off-site Promotional Sales

- i. Such use shall be limited to 14 consecutive days or less, or five (5) weekends (Friday through Sunday), within a 12-month period per property.

- ii. In residential zoning districts, such use shall only be located on public and private K-12 schools, places of worship, and colleges and universities.
- iii. Hours of operation shall be limited to 7:00 am to 9:00 pm.
- iv. Such use shall not be located in any required setback, sight distance triangle, or required buffer.
- v. Such use requires a City of Savannah Business Tax Certificate.
- vi. Such use shall only use overflow/excess parking. It is preferable to have this use an establishment on a day that it is not in use by the principal use (e.g. a church on a Tuesday or an office building on a Saturday)

8.8.4 Temporary Uses Not Listed

Temporary uses not listed which are compatible with the zoning district in which the use is proposed and the surrounding land uses, and that are necessary because of unusual or unique circumstances may also be permitted. The City Manager or his or her designee shall apply the criteria in Sec. 5.3.1.b.ii (2-10) to make such a determination and shall also set a maximum duration for the use.

Sec. 8.9 Wireless Communications Facilities

8.9.1 Purpose

The purpose of this Section is to provide standards for the development of Wireless Communications Facilities (WCFs) for personal wireless services and to:

- a.** Promote the health, safety and general welfare of the public by regulating the siting of and establishing development standards for WCFs and related equipment and infrastructure.
- b.** Minimize the impacts of WCFs on surrounding areas by recognizing the variety of facilities and establishing standards for location, aesthetics, structural integrity and compatibility.
- c.** Encourage the location and collocation of wireless communication equipment on existing structures thereby minimizing new visual, aesthetic and public safety impacts, effects upon the natural environment and to reduce the need for additional WCFs.
- d.** Encourage coordination between suppliers and providers of personal wireless services in the City.
- e.** Follow and promote the policies embodied in Section 704 of the Federal Telecommunications Act of 1996 in such a manner as to not unreasonably discriminate between providers of functionally equivalent personal wireless services or to prohibit or have the effect of prohibiting personal wireless services in the City.
- f.** Promote the orderly development of communications infrastructure through coordination of master plans among the County, City and participating personal wireless service providers.
- g.** Protect the beauty and character of the City, particularly Residential districts, recognized historic areas, and scenic vistas and landscapes, while meeting the needs of its citizens to enjoy the benefits of personal wireless services.
- h.** Encourage the use of public lands, buildings and structures as locations for WCFs as a method to establish a precedence of quality concealment products that will minimize the aesthetic impact of related infrastructure.
- i.** Ensure that applicable goals and objectives of the Chatham County-City of Savannah Comprehensive Plan are addressed.

8.9.2 Applicability and Exemptions

a. Applicability

This Section shall apply to the installation, construction or modification of the following WCFs:

- i.** Existing antenna support structures.
- ii.** Proposed antenna support structures.
- iii.** Replacement and modification of existing antenna support structures.
- iv.** Collocation or combining on existing antenna support structures.
- v.** Attached WCFs.
- vi.** Concealed WCFs.
- vii.** Temporary WCFs.

- viii.** Distributive antenna systems.
- ix.** Small cell installations.

b. Exemptions

The following uses are exempt from the requirements of this Section notwithstanding any other provision of this Ordinance, and are subject to all applicable building code compliance and building permit reviews:

- i.** Non-commercial, amateur radio antennas.
- ii.** Single-use local radio dispatch.
- iii.** Television antennas for home reception use.
- iv.** Satellite dishes that are one (1) meter (39.37 inches) or less in diameter in all Residential districts and two (2) meters or less in all other zoning districts.
- v.** Antenna support structures, antennas and/or antenna arrays for AM/FM/TV/HDTV broadcasting transmission facilities that are licensed by the FCC.
- vi.** A temporary, commercial WCF, upon the declaration of emergency by Federal, State or local government, or determination of public necessity by the City, and approval by the City Manager; except that such WCF must comply with all Federal and State requirements. The exemption may continue up to 180 days after the duration of the state of emergency with the approval of the City Manager.
- vii.** A temporary commercial WCF for the purposes of providing coverage of a special event such as news coverage or sporting event, subject to approval of the City Manager, except that such WCF must comply with all federal and state requirements. The exemption may continue up to seven (7) days after the duration of the special event.
- viii.** Any modification not described in described in Sec. 8.9.6.

8.9.3 Wireless Communications Facilities Master Plan

Reserved

8.9.4 Submittal Requirements

An application for a WCF shall include the applicable items listed in this section, in addition to other requirements within this Section.

a. Authorization from Co-Applicants

For all facilities, all parties with an ownership interest, including the land owner, support structure owner, and facility owner shall be co-applicants and be bound by and comply with all terms, limitations, requirements and conditions that are part of this Section and of any permit issued. The WCF applicant shall provide signed authorization from co-applicants allowing the application.

b. Address

All applicants and co-applicants shall keep the MPC notified of their current mailing address and shall advise the MPC of any change in mailing address within 30 days of such change.

c. Evidence of Need Report

For all WCFs, a report certified by a radio frequency engineer shall be provided that demonstrates that no existing WCF can accommodate the applicant's proposed facility due to technical or physical circumstances, or that existing facilities would prohibit personal wireless services in the area to be served by the proposed WCF. The following information shall be provided with the report:

- i.** Identification of efforts to comply with the facility and location hierarchy in Sec. 8.9.5.a. If the highest-ranking facility type (concealed attached) is not proposed, the applicant must demonstrate that existing facilities or the mitigation of existing facilities within the applicant's Geographic Search Area (GSA) cannot be reasonably made to accommodate the applicant's need because:
 - (1)** There are no existing WCFs in the GSA that meet the applicant's engineering requirements, and why.
 - (2)** The existing WCFs, buildings and structures in the GSA are not of sufficient height and cannot be increased in height to meet the applicant's engineering requirements.
 - (3)** The existing WCFs, buildings and structures in the GSA do not have sufficient structural strength and cannot be structurally improved to support the applicant's proposed WCF and related equipment. Such

information shall be certified by a Georgia-licensed professional engineer.

(4) There are other limiting factors that render existing WCFs in the GSA unsuitable.

ii. Graphics to be provided shall include:

(1) A map of the GSA to include the location of the proposed WCF and all existing WCFs (including those not owned by the applicant). The exact location of the facility (in longitude and latitude, to degrees, minutes and seconds to the nearest tenth) including the height of the antenna support structure and height, type and number of antennas shall be provided.

(2) A color plot demonstrating the existing coverage of all WCFs owned by the applicant within the GSA.

(3) A color plot demonstrating the existing coverage of all WCFs owned and proposed by the applicant within the GSA.

(4) Additional maps and calculations as may be deemed necessary by the Planning Director.

iii. Any additional information that may be requested of the applicant or provided by the applicant to prove need for the proposed WCF.

d. Site Development Plan

For freestanding WCFs and when a proposed WCF will create a site modification, a site plan (no larger than 24 inches by 36 inches with an 8.5 inch by 11 inch reduced copy) prepared and certified by a Georgia-licensed professional engineer shall include all information listed on the WCF application checklist. Other site plan related information shall include:

i. Existing and Proposed Access

Existing or proposed public rights-of-ways, private roads and/or access easements through, on, or adjacent to the subject property. The proposed access driveway or roadway and parking area at the WCF site shall be shown, to include grading, drainage and traveled width and type of surface materials proposed. Parking shall also be shown.

ii. Landscape Plan

Landscaping is to be provided in accordance with Sec. 8.9.5.d. The method of irrigation and any proposed removal of vegetation shall be identified.

iii. Drainage

Plans for drainage of surface and sub-surface water to control erosion and sedimentation both during construction and as a permanent measure.

iv. Utilities

Proposed utilities, including distance from power source, sizes of service available and required, locations of any proposed utility or communications lines and whether utilities will be above ground or underground.

e. WCF Plan

For all WCFs, a plan (no larger than 24 inches by 36 inches with an 8.5 inch by 11 inch reduced copy) shall include a diagram of the proposed facility and antenna(s), including:

- i.** Elevation of the antenna and/or antenna support structure to include the following proposed dimensions: height, width and breadth. Height shall include the base, the antenna support structure, and lightning rod.
- ii.** Elevation views of security barrier or equipment compound, indicating architectural design, exterior appearance and materials, including color. Equipment enclosures shall be consistent with one of the alternatives identified in Sec. 8.9.5.e.
- iii.** Mounting location on antenna support structure on building, including height.
- iv.** If a concealed or non-concealed attached WCF is proposed, identification of all mounting frames, arms, brackets or other devices or equipment used to hold antennas and other equipment in place.
- v.** Equipment brochures or drawings for the proposed facility shall be provided for antennas, support structures/mounts, equipment shelters, feed lines and security barrier, if any.
- vi.** If a freestanding WCF is proposed, it shall be demonstrated that the structure will be able to accommodate additional facilities as identified in Sec. 8.9.5.i.

f. Visual Impact Analysis

For all freestanding non-concealed WCFs, a visual impact analysis shall be performed. All or a portion of the analysis shall be performed for other WCFs when, in the opinion of the Planning Director, the proposed type of WCF and its location requires additional assessment (i.e., within a Residential district, recognized historic area, or scenic vista/landscape). The analysis shall include the following:

i. Line-of-Sight Analysis

The applicant shall provide a line-of-sight analysis, including elevation views of the proposed facility. The analysis shall include a description of natural and man-made features that affect the buffering of the potential visual impact of the structure.

ii. Photo Simulations

The applicant shall provide photo-simulated post-construction renderings of the completed proposed antenna support structure, equipment compound and/or equipment cabinets, ancillary structures, and landscaping, if any, from locations determined at the pre-application conference. The views shall incorporate before and after scenarios, a scaled color image of the proposed type of facility, an aerial map with the location of the selected views, and a description of the technical approach used to create the photo simulations. The simulations shall include a minimum of four (4) vantage points (north, south, east and west).

iii. Balloon Test

A balloon test may be required subsequent to the receipt of the photo simulations in order to demonstrate the proposed height of the WCF. The applicant shall arrange to raise a colored balloon (no less than three (3) feet in diameter) at the maximum height of the proposed WCF and within 50 horizontal feet of the center of the proposed antenna support structure.

The date, time and location of the balloon test shall be advertised by the applicant at least seven (7) but no more than 14 days in advance of the test date in the official legal organ for the City of Savannah. The applicant shall inform the Planning Director and abutting property owners in writing of the date and times of the test at least 14 days in advance. The balloon shall be flown for at least two (2) consecutive hours during daylight hours on the date chosen. The applicant shall record the weather during the balloon test.

g. Documentation from Applicable Regulatory Agencies

For all WCFs, copies of all applicable licenses or approvals, if available, as required by the FCC and any other agency of the government with authority to regulate WCFs to include the following at the time of submission:

- i.** A letter from the FAA establishing the maximum antenna support structure height or a written statement prepared a professional airspace safety consultant predicting the maximum height likely to be approved by the FAA.

- ii. A copy of Form 600 on file with the FCC; or FCC license (Radio Authorization Form).
- iii. Evidence of compliance with applicable FAA requirements under 14 C.F.R.s.77, as amended, which may be a copy of the FAA Notice of Proposed Construction.
- iv. A compliance letter from the Historic Preservation Division of the Georgia Department of Natural Resources.

h. Radio Frequency Engineer Qualifications

For all WCFs, a curriculum vitae shall be provided for the radio frequency engineer who certifies any documentation provided as part of the application for a WCF. Information shall include education obtained in the area of radio frequency engineering, and experience in the field, including length of time.

i. Fees

In addition to any other fees required by the City, applicants shall pay a fee to cover the actual cost and the administrative fee for consulting services that may be required by the City and/or MPC to evaluate any technical aspect of the WCF application.







8.9.5 Additional Standards

To ensure compatibility with surrounding land uses, protect public safety and natural, cultural and scenic resources and preserve and enhance the character of neighborhoods, all WCFs subject to this Section shall be located, developed and operated in compliance with the following:

a. Siting and Location

WCFs are allowed in all zoning districts, subject to the limitation set forth herein. Siting of WCFs shall be in accordance with a hierarchy of facility alternatives. If a WCF is proposed that is a lower-ranking facility than the most preferred facility type (concealed attached), an Evidence of Need Report as specified in Sec. 8.9.4.c. shall be provided. Whenever feasible, a new facility, not to include collocation or combined antennas, should be located on City property to ensure that regular maintenance of the facility, as required by Sec. 8.9.7, is occurring.

Table 8.9-1 Hierarchy by Facility Type

Priority	Facility Type	Example
<p>Most Preferred</p> 	<p>Concealed Attached [1]</p>	
	<p>Collocated or Combined on Existing Antenna Support Structure or on Athletic Field Light Poles or Water Tanks (at least 50 feet in height) [2]</p>	
	<p>Concealed Freestanding</p>	
	<p>Non-concealed Attached [3]</p>	
	<p>Non-concealed Freestanding (Monopole Only) [4]</p>	

Least Preferred		
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- [1] An applicant does not have to provide a concealed attached facility if collocation on an existing antenna support structure or other structure (i.e., athletic field light pole or water tank) is available within the applicant’s geographic search area provided that the structure is not located within a Residential district, recognized historic area or within the scenic vistas/landscapes identified in Sec. 8.9.5.h unless approved by the Planning Commission. DAS and small cell installations are subject to applicable design review as part of a Local System Master Plan.
- [2] DAS and small cell installations may collocate on a utility structure less than 50 feet in height provided that the height of the utility structure is not increased by more than five (5) feet.
- [3] May be allowed within a recognized historic area with Planning Commission approval, but not on a contributing structure.
- [4] Not allowed within a Residential district, a recognized historic area or within 100 feet of either. A setback waiver may be requested if the criteria in Sec. 8.9.5c.i. (2) can be met.

b. Height

i. General

Height shall be measured as specified in Sec. 4.1.8.

ii. Height, Maximum

Table 8.9-2 Maximum Height by Type of Facility

Maximum Height by Type of Facility	
Type of Facility	Maximum Height
Concealed Attached	Shall not exceed the height of the structure on which the facility is attached by more than 20 feet.
Non-concealed Attached	Shall not exceed the height of the structure on which the facility is attached by more than 20 feet.
Collocation or Combined on Existing Structure (General)	A new WCF located on any of the following structures existing on the effective date of this Section shall be exempt from height restrictions provided that there is no increase in height of the existing structure as a result of the installation: water towers, guyed structures, lattice structures; police, fire, ambulance and other emergency dispatch and public works structures and monopoles.
Collocation on Existing Structure at least 50 feet in height (Utilities)	A new WCF located on any utility structure shall be exempt from height restrictions of this Section provided that there is no more than a 20-foot increase in the height of an existing structure as a result of the installation. DAS and small cell installations, may collocate on a utility structure less than 50 feet in height provided that the height of the utility structure is not increased by more than five (5) feet.
Collocation on Existing Buildings and Structures (Legal Nonconforming)	A WCF may locate on a building or structure that is legally non-conforming with respect to height, provided that the facility does not project above the existing height by more than 20 feet.
Concealed Freestanding	Shall not exceed 45 feet above the maximum allowable zoning district building height or a total of 100 feet, whichever is less.
Non-concealed Freestanding (Monopole)	Up to 199 feet provided that the applicant has provided evidence of need.

iii. Height, Flexibility

The Planning Commission may approve additional height beyond the maximum allowed if findings can be made that siting of the proposed WCF is appropriate to the context of the proposed location using the criteria listed in Sec. 8.9.5.d.

c. Setbacks

All WCFs and their equipment enclosures and ancillary structures shall comply with the setback provisions of the zoning district in which the WCF is located. In addition, the following setbacks shall be observed:

i. Setbacks Required

- (1)** In order to ensure public safety, the minimum distance from the base of any non-concealed freestanding WCF to any property line, road, dwelling, commercial or institutional use or public recreational area shall be the height of the antenna support structure, including any antennas or other appurtenances, if the WCF has not been constructed with breakpoint design technology.
- (2)** The setback may be reduced by the Planning Commission if documentation filed by a Georgia-licensed professional structural engineer certifies that the WCF utilizes breakpoint design technology. The minimum setback shall be equal to 110% of the distance from the top of the structure to the breakpoint level of the structure, plus the minimum setback distance of the zoning district. For example, a non-concealed WCF of 100 feet in height with a breakpoint at 80 feet, the minimum setback would be 22 feet (110% of 20 feet-the distance from the top of the WCF) plus the minimum setback for the zoning district.
- (3)** The Planning Commission may waive all or part of a required setback if the applicant can demonstrate that the proposed facility will be the least visually obtrusive profile, will not detract from the beauty and/or character of the area in which the WCF is proposed, and will not cause a public safety issue.
- (4)** Setbacks from Residential districts, recognized historic areas, and certain scenic vistas and landscapes for non-concealed freestanding WCFs, as described in Sec. 8.9.5.h, are also required. If more than one standard applies, the more restrictive standard shall govern.

ii. Setback not Required

A setback is not required by this Section for concealed freestanding and attached WCFs. However, the setback provisions of the base zoning district shall apply. In the case of pre-existing non-conforming structures, a WCF (including its equipment compound and/or cabinetry and ancillary structures) shall not increase any non-conformities, except as provided in Sec. 8.9.9.

d. Aesthetics / Visibility

To protect the beauty and character of the City, particularly Residential districts, recognized historic areas and certain scenic vistas and landscapes as identified herein, all facilities shall be screened to the greatest extent possible. Screening shall occur through the use of design, existing buildings and structures, existing and proposed vegetation, appropriate materials and color. Unlike non-concealed facilities, concealed facilities shall not be identifiable as a WCF.

Table 8.9-3 Visibility of Facility

Screening and/or Concealment Techniques	Applicable WCF	Explanation
Design	Concealed Attached	Concealed Attached: Feed lines and antennas shall be designed to architecturally match the façade, roof, wall or structure on which they are affixed in order to blend in with the existing structural design, color and texture and in order to provide the least visually obtrusive profile.
	Concealed Freestanding	Concealed Freestanding: Such facility shall blend into its surroundings through design and siting that is appropriate and typical to the context of the proposed location. Such facility shall also be designed to appear as a structure that would be allowed in the zoning district in which it is proposed to be located and that is customary to the location

Screening and/or Concealment Techniques	Applicable WCF	Explanation
		(e.g., a smokestack would not be allowed in a residential district). Examples of concealed facilities include chimneys, steeples, clock towers, light poles, and flag poles. Guyed structure and lattice structure construction is not allowed.
Existing Buildings and Structures	Non-concealed Attached and Combined	<p>Roof Mount: When a WCF extends above the roof height of a building on which it is mounted, the WCF shall be camouflaged within or behind existing architectural features to limit the visibility from public rights-of-way. The WCF should be stepped back from the façade in order to limit its impact on the building’s silhouette.</p> <p>Side Mount: The WCF shall blend with the building’s existing architecture and shall be painted or shielded with material which is consistent with the design features and materials of the building.</p>
	Non-concealed Freestanding	<p>DAS and Small Cell Installations: If not visible from public rights-of-way or designed to resemble normal architectural features of the structure to which it is attached.</p> <p>Freestanding Non-concealed: To the extent possible, existing buildings and structures should be used to screen a WCF from rights-of-way.</p>
Existing and Proposed Vegetation	<p>Non-concealed Freestanding</p> <p>Non-concealed</p>	<p>Non-concealed Freestanding: The perimeter of the WCF shall be at least 15 feet in width for landscaping and include:</p> <p>1) a row of evergreen trees a minimum of 10 feet in height at the time of planting with a minimum two-(2) inch caliper, spaced a maximum of 12 feet apart; and,</p>

Screening and/or Concealment Techniques	Applicable WCF	Explanation
	Attached Collocation and Combined	<p>2) a row of evergreen shrubs a minimum of two (2) feet tall at the time of planting, planted four (4) feet on center.</p> <p>Within a year of planting, the trees and shrubs shall achieve 80% opacity of the security barrier and/or equipment enclosure. Existing trees and vegetation may be used as an alternative or in combination with new plantings to achieve the opacity requirement subject to approval of the Planning Commission upon a recommendation of the City Manager or his or her designee. An easement may be required to ensure that vegetation remains intact.</p> <p>Non-concealed Attached: To the extent possible, vegetation should be used to screen a WCF from full view.</p> <p>Collocation and Combined: If the equipment compound and/or landscaping is not in compliance with this Section, compliance shall occur at the time of antenna installation. Landscaping compliance may be waived, wholly or partially, if the site lacks sufficient area.</p>
Color	Non-concealed Freestanding Attached Non-concealed	<p>Non-concealed Freestanding: The WCF shall maintain a galvanized gray finish or the Planning Commission may accept other contextual or compatible color, except as required by federal rules or regulations.</p> <p>Non-concealed Attached: The WCF shall be painted and/or constructed of materials to match the color of the building or structure on which it is</p>

Screening and/or Concealment Techniques	Applicable WCF	Explanation
	Collocation and Combined	attached, except as required by federal rules or regulations.
Antenna	Non-concealed Freestanding	The first antenna placement, and all subsequent collocated antennas, on new antenna support structures shall be flush-mounted, unless it is demonstrated through RF propagation analysis that such antennas will not meet the network objectives of the desired coverage area.

e. Equipment Compound and/or Equipment Cabinetry

Equipment related to the operation of a WCF shall be hidden and/or screened from public view by one or more of the following techniques, which shall also be consistent with the aesthetic/visibility standards identified in Sec. 8.9.5.d.:

i. Ground equipment, including platforms

One or more of the following techniques can be used to hide and/or screen equipment:

- (1)** Locate equipment underground. If a non-concealed freestanding WCF is proposed, an opaque security barrier consisting of brick, masonry, or other material approved by Planning Commission shall be installed around the antenna support structure that will prevent unauthorized access to the structure. Landscaping as identified in Sec. 8.9.5.d. shall be provided.
- (2)** Locate equipment within a building. The building shall be designed to be consistent with the prevailing architectural style of the neighborhood in which it is located, including exterior materials and roof pitch. The enclosure shall not exceed one story, unless location in a flood plain or other drainage concerns requires it to be elevated.

- (3)** Locate equipment behind a secured, landscaped perimeter. An evergreen landscape buffer shall surround the perimeter of the WCF. If this method is selected, the buffer requirements identified in Sec. 8.9.5.d. apply. Additionally, an opaque fence or wall shall be constructed to minimize opportunities for unauthorized access, climbing, vandalism, graffiti and other conditions that would result in hazardous conditions, visual blight and attractive nuisances. The fence or wall shall be no less than the above grade height of any equipment within the enclosure, which shall not be taller than one story, unless located in a flood zone.

ii. Roof-top equipment

Equipment shall be screened from public view in a manner that is consistent with the architectural style of the building upon which the WCF is located.

f. Lighting and Signage

- i.** Wireless communications facilities taller than 199 feet shall be lit according to FAA standards, including light intensity and flashes per minute. When applicable, dual lighting systems shall be employed. This dual lighting system includes red lights (L-864) for nighttime and medium intensity flashing white lights (L-865) for daytime and twilight use. This lighting system may be used in lieu of operating a medium intensity flashing white light system at night.
- ii.** Free-standing wireless communications facilities between 100 and 199 feet shall be equipped with the following:
 - (1)** Red lights (L-864) for nighttime (only) – strobe lighting of any kind is not permitted; and,
 - (2)** White reflective tape/sheeting installed at 20 feet above ground level and continuing upward at ten foot intervals.
- iii.** Wireless communications facilities less than 100 feet shall be lighted only if required by the FAA and shall not exceed the minimum standard required by the FAA. Non-daytime strobe lighting shall not be allowed unless specifically required by the FAA.
- iv.** Lighting of equipment enclosures and other ancillary structures on site shall be shielded from adjacent properties. The foot candle measurement at property lines shall be no more than 1.0 foot candle when measured at grade. FAA required lighting is exempt from this requirement.
- v.** Signs shall be limited to those needed to identify the WCF, the owner, the party responsible for the operation and maintenance (including address and telephone number), to warn of danger and to comply with

applicable federal regulations. Such signage shall be visible and legible at ground level.

g. Recognized Historic Areas

- i.** Freestanding WCFs within a recognized historic area shall be concealed. Attached WCFs proposed for existing structures shall also be concealed unless it can be demonstrated that the facility will not be visible from ground level.
- ii.** Any WCF located attached to or within an historic building or structure shall not alter the character-defining features, distinctive construction methods or original historic materials of the building or structure.
- iii.** A Certificate of Appropriateness is required.

h. Scenic Vistas and Landscapes

To preserve scenic vistas and landscapes, any non-concealed freestanding WCF shall:

- i.** Not be developed on a hammock or back-barrier island.
- ii.** Be separated from the following areas by the following distances:
 - (1)** Residential districts, conforming residential uses, recognized historic areas: 100 feet.
 - (2)** Public rights-of-way: 100 feet.
 - (3)** Protected and Restricted Roadways as identified in this Ordinance: 300 feet.
 - (4)** Amenity corridors as identified in the 2030 Long Range Transportation Plan: 300 feet.
 - (5)** Marshes, to include estuarine waterways and/or Spartina marshes: 500 feet. The distance shall be measured from the jurisdiction line established by the Georgia Department of Natural Resources.
 - (6)** Protected river corridors as identified in the River Corridor Protection Act (O.C.G.A. 12-2-8, as amended): 500 feet. The distance shall be measured from the jurisdiction line established by the Georgia Department of Natural Resources.
- iii.** The Planning Commission may waive all or part of separation distance if the applicant can demonstrate that the proposed facility will be the least visually obtrusive profile and not detract from the beauty and/or character of the scenic vistas and landscapes identified within this Subsection.

i. Antenna Support Structure Multiple User Standards

If a freestanding WCF is proposed, it shall be engineered and constructed to accommodate multiple users, as indicated below:

- i.** Ninety (90) feet or less in height: at least three (3) antenna arrays.
- ii.** More than 90 feet and up to 120 feet in height: at least four (4) antenna arrays.
- iii.** More than 120 feet and up to 150 feet in height: at least five (5) antenna arrays.
- iv.** More than 151 feet and up to 199 feet in height: at least six (6) antenna arrays.
- v.** If the Planning Commission approves a height of more than 199 feet, additional antenna arrays may be required.

j. Structural Integrity

All WCFs and antenna support structures shall be designed to meet or exceed all federal, state and local building code requirements, including windloading and American National Standards Institute standards (EIA/TIA) Document 222-F, Structural Standards for Steel Antenna Towers and Supporting Structures, for the Wind Code Zone for Chatham County, Georgia and any state/county building codes (as they may be amended and/or updated from time to time). Structural integrity shall be certified by a Georgia-licensed professional engineer.

k. Environmental Standards

The following standards shall apply:

- i.** Freestanding WCFs shall not be located in wetlands or wetlands buffers, whether federal or state designated.
- ii.** Freestanding WCFs shall not generate noise in excess of 60dB at the property line. Attached WCFs shall not generate noise in excess of 60dB at ground level at the base of a habitable building closest to the facility.

l. Safety Standards

i. Radiofrequency Radiation (RFR) Standards

All equipment for a WCF shall be authorized per the FCC Guidelines for Evaluating the Environmental Effects of Radiofrequency Radiation. Documentation shall be provided that these guidelines will be met.

ii. Interference with Public Safety Communications

(1) In order to facilitate the regulation, placement, and construction of a WCF and its interaction with public safety communications

equipment, an applicant requesting such a facility shall agree in a written statement, to the following:

- (a)** Compliance with FCC regulations regarding susceptibility to radio frequency interference (RFI), frequency coordination requirements, general technician standards for power, antenna, bandwidth limitations, frequency stability, transmitter measurements, operating requirements and any and all other federal statutory and regulatory requirements relating to RFI; and
 - (b)** In the case of collocation of facilities, the applicant, together with the owner of the site, shall provide a composite analysis of all users of the site to determine that the proposed facility will not cause RFI.
- (2)** When such a base station is identified as causing RFI, the following shall occur:
 - (a)** The governing jurisdiction shall provide notification to all WCF service providers operating in the jurisdiction of possible interference with the public safety communications equipment. Upon such notification, the owners shall use their best efforts to cooperate and coordinate with the jurisdiction and among themselves to investigate and mitigate the interference, if any, utilizing the procedures set forth in the joint wireless industry-public safety Best Practices Guide, released by the FCC in February 2001, including the Good Engineering Practices, as may be amended by the FCC from time to time.
 - (b)** If any WCF provider fails to cooperate with the governing jurisdiction in complying with the owner's obligations under this Section or if the FCC makes a determination of RFI with the governing jurisdiction's public safety communications equipment, the owner who fails to cooperate and/or the owner of the WCF which caused the interference shall be responsible, upon FCC determination of radio frequency interference, for reimbursing the governing jurisdiction for all costs associated with ascertaining and resolving the interference including, but not limited to, any engineering studies obtained by the jurisdiction to determine the source of the interference. For the purposes of this subsection, failure to cooperate shall include failure to initiate any response or action as described in the Best Practices Guide within 24 hours of the governing jurisdiction's notification.

8.9.6 Modifications

- a.** A modification is a proposed change to any portion of a WCF from its description in a previously approved permit that:
 - i.** When viewed from ground level from surrounding properties, appears to be a different height, size, type or appearance than what exists on or is associated with the WCF.
 - ii.** Increases the number of antennas on an array, change in antenna type(s), repositions of antenna(s) or change in number of channels per antenna above the maximum number approved; or
 - iii.** Changes structural wind-loading;
- b.** All modifications shall comply with any conditions or provisions of the existing permit, for the property or WCF and with applicable standards of this Section, including the lighting and safety markings (taping) as described in Sec. 8.9.5.f.
- c.** The Planning Director shall have the discretion to determine if a proposed change is a modification.
- d.** For the purposes of this subsection, mere collocation shall not be considered a modification.

8.9.7 Maintenance

- a.** A WCF shall be maintained in good condition. Maintenance of a WCF shall include, but not be limited to the structural integrity of the antenna support structure and antennas, equipment compound and cabinets, painting, and irrigation and upkeep of buffer areas and landscaping.
- b.** If maintenance will impede access used by others, create noise in excess of 60 dB (at the property line) between the hours of 7:00 p.m. to 7:00 a.m., or have other potential nuisance effects during the period of maintenance, the owner of the facility undergoing maintenance shall notify the Planning Director and adjacent property owners in writing at least five (5) days before maintenance is scheduled.
- c.** If maintenance of a WCF will result in a modification as described in Sec. 8.9.6, the requirements of that section shall apply.

8.9.8 Abandonment and Discontinuation of Use

- a.** At such time that an antenna support structure owner or wireless provider plans to abandon or discontinue operation of a WCF, said owner shall notify the Planning Director by certified U.S. mail of the proposed date of abandonment or discontinuation of operations.
- b.** In the event all legally approved use of any WCF has been discontinued for a period of six (6) months and the antenna support structure owner or

wireless provider has not notified the Planning Director, the facility shall be deemed to be abandoned. Determination of the date of abandonment shall be made by the Planning Director who shall have the right to request documentation and/or affidavits from the facility owner regarding the issue of usage, including evidence that use of the facility is imminent.

c. At such time as the Planning Director determines a WCF is abandoned, the Planning Director shall provide the facility owner and property owner with written notice of an abandonment determination by certified mail addressed to all applicants at the addresses on file with the MPC and to the owner of the property at the address on file with the MPC, the property address and at the address to which tax notices are sent; additionally, notice shall be made by publication in the Savannah Morning News, or such other newspaper that is the official newspaper for the publication of legal notices. Failure or refusal by the facility owner or any other co-applicant to respond to such notice within 60 days of the receipt of the certified letter, or within 30 days of the last published notice, whichever is later, shall constitute prima facie evidence that the WCF has been abandoned.

d. If the owner of the WCF fails to respond or fails to demonstrate that the WCF is not abandoned, the facility shall be considered abandoned and the owner of the facility shall have an additional 120 days to:

- i.** Reactivate the use of the WCF or transfer the WCF to another owner who makes actual use of the facility, subject to permit approval, within a 120-day period; or
- ii.** Dismantle and physically remove the WCF. "Physically remove" shall include, but not be limited to removal of antennas, antenna support structures, equipment shelters and any associated materials from the subject property, where applicable. Physically remove shall also include restoration of the location of the WCF to its natural condition, where applicable, except that any landscaping and grading shall remain in post-development condition.

e. Upon a determination of abandonment by the Planning Director, pursuant to this Section, and the failure of the WCF owner or other co-applicant to remove the facility in accordance with this Section, the facility and related structures shall be deemed unfit for use and in violation of the permit requirements so as to be deemed a danger to public health and a public and private nuisance. Failure of the WCF owner or other co-applicant to dismantle and physically remove the facility and related structures in accordance with the terms of this Section shall authorize the governing jurisdiction to do so in order to abate the nuisance and/or ensure compliance with this Section. The dismantling and the physical removal of such abandoned WCFs is the responsibility of the WCF owner and other co-applicants and shall become a lien upon the property. If the cost of such dismantling and physical removal is borne by the governing jurisdiction, the cost therefore shall be charged to the WCF

owner and all co-applicants. The governing jurisdiction shall have the authority to enforce the collection of the charges associated with the dismantling and physical removal of abandoned WCFs by any and all means provided by law when such charges are due and remain unpaid for a period of thirty (30) days.

8.9.9 Reconstruction or Replacement of Existing Antenna Support Structures

- a.** Guyed structures, lattice structures, utility structures and non-concealed freestanding structures in existence at the time of adoption of this Section may be reconstructed, altered, extended or replaced on the same site, provided that the Planning Commission finds that the proposed antenna support structure will be a lesser visually obtrusive profile than the existing structure. For the City, the adoption date was July 5, 2007. In making such a determination, the Planning Commission shall consider whether the proposed action will create public benefits such as opportunities for collocation, improvements in public safety, reduction in the overall number of WCFs, improvement in network functionality resulting in compliance with this Section and/or reduction in visual and environmental impacts.
- b.** No reconstruction, alteration, extension or replacement shall exceed the height of the existing WCF by more than 20 feet.
- c.** Reconstruction and replacement of guyed and lattice structures and non-concealed freestanding structures shall not be allowed in residential districts, recognized historic areas or within the scenic vistas and landscapes listed in Sec. 8.9.5.g. and 8.9.5.h.
- d.** Setbacks shall comply with Sec. 8.9.5.c. Reconstructed facilities shall comply with all other current ordinance requirements. The Planning Commission may waive compliance, wholly or partially, if requirements cannot be met because of physical limitations relating to the location of the proposed reconstruction.

8.9.10 Review Procedures

a. Pre-Application Conference

Prior to the submission of an application, the applicant shall have a pre-application conference with the Planning Director to discuss a new WCF and the filing requirements. It shall be the discretion of the Planning Director to waive this requirement.

b. Application Submission

- i.** An application shall be reviewed for completeness. If any required item fails to be submitted, the application shall be deemed incomplete. The Planning Director shall advise an applicant, in writing, within 15 business days after submittal of an application regarding completeness. If the

application is incomplete, such notice shall set forth the missing items or deficiencies in the application which the applicant must correct and/or submit in order for the application to be deemed complete. If the application is complete, the notification will identify completeness and the type of review to be conducted.

- ii. Upon resubmittal of an application, the Planning Director shall have an additional 15 business days to give notice as to the completeness of the amended application.

8.9.11

8.9.12 Review Responsibility

Review procedures vary by the type of WCF facility proposed. Where due to the complexity of the methodology or analysis required to review an application for a WCF requiring radio frequency analysis, the Planning Director may require a technical expert review as described in Sec. 8.9.13 Review procedures are as follows:

Table 8.9-4 Review Responsibility by Facility Type

Facility Type	Review Responsibility	Other Considerations
Concealed Attached	Planning Director	
Collocation or Combined on Existing Antenna Support Structure	Planning Director	
Non-concealed Attached	Planning Director	Planning Commission review required if proposed in a recognized historic area.
Concealed Freestanding	Planning Commission	
Non-concealed Freestanding	Planning Commission	Not allowed within a residential district, a recognized historic area as identified in Sec. 8.9.5.g, within 100 feet of either, or within a scenic vista or landscape as identified in Sec. 8.9.5.h.
Modification	Planning Director	

Facility Type	Review Responsibility	Other Considerations
Exceptions to the Above Facilities		
A request for any waiver identified in this Section	Planning Commission	
Replacement or reconstruction of existing antennas and monopoles	Planning Commission	Sec. 8.9.9

8.9.13 Notification

An application that requires review by the Planning Commission (not to include reviews by the Planning Director) shall have public notice to include:

a. Mailed Notification

A notification of the date and time of the Planning Commission meeting shall be mailed to all property owners within a 300-foot radius of the proposed WCF subject property at least 15 days but no more than 45 days prior to the meeting.

b. Posting of Property

A sign shall be posted on the property to announce the date and time of the Planning Commission meeting at least 15 days but no more than 45 days before the meeting. The sign shall be posted to face the most traveled right-of-way.

c. Published Notification

For Local System Master Plans, posted notice is required for each proposed installation location, as described in 8.9.12.b. Additionally, public notification is required

8.9.14 Supplemental Review

A supplemental review will be required for a freestanding WCF and may be required for all other types of WCFs, when determined necessary, subject to the following:

- a.** Where due to the complexity of the methodology or analysis required to review an application for a WCF, the Planning Director or Planning Commission may require a supplemental review by a third-party expert, the

costs of which shall be borne by the applicant and be in addition to other applicable fees.

- b.** The applicant shall submit a deposit towards the costs of such supplemental review upon written notification from the Planning Director that such review is required.
- c.** Based on the results of the expert review, changes to the application or items submitted as part of the application may be required.
- d.** The technical expert review shall address all of the following:
 - i.** The accuracy and completeness of the items submitted with the application.
 - ii.** The applicability of analysis and techniques and methodologies.
 - iii.** The validity of conclusions reached.
 - iv.** Whether the proposed WCF complies with applicable approval criteria set forth in this Section.
 - v.** Other matters deemed to be relevant to determining whether a proposed WCF complies with the provisions of this Section.

8.9.15 Appeals

A final action may be appealed only by the applicant in accordance with Sec. 3.23, Appeals.

Sec. 8.10 Cluster Development Standards

8.10.1 Purpose

The purpose of this Section is to provide flexible development standards to allow for the clustering of residential development in exchange for the preservation of conservation areas. Such development may result in reduced infrastructure and building costs and allow for innovation in residential development which is designed for the preservation of open space.

8.10.2 Permitted Uses

The uses permitted are those allowed in the base zoning district.

8.10.3 General Standards

The following standards shall be met for a Cluster Development to be permitted:

a. Conservation Requirements

A minimum of 30% of the buildable area must be maintained as a conservation area as defined in Sec. 8.10.3.f.i. and ii. For the purpose of this Section, buildable area shall be determined using the calculation in Table 8.10-1. The resulting buildable area shall be substantiated by sufficient plans and data to verify the calculations.

Table 8.10-1: Calculation of Buildable Area

Gross area of site:	_____ acres
From the gross site area, subtract the following:	
All area located within utility easements:	(-) _____ acres
All wetland areas except those for which a permit to fill has been obtained:	(-) _____ acres
All area located within a canal, pond, lake, river, creek or stream channel:	(-) _____ acres (not to include stormwater ponds)

Buildable area:	= _____ acres
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Note: Where two (2) or more categories overlap, the overlapping acreage shall be counted only once.

b. Utilities

The tract of land shall be served by a public or community water and sewer system.

c. Minimum Tract Size

The tract of land shall be at least 10 acres in size in all zoning districts where the use is permitted except in the RSF-E, RSF-30 and RSF-20 districts where the minimum tract size shall be 20 acres.

d. Perimeter Buffer

Where a Cluster Development abuts an RSF- zoning district, one of the following shall occur:

- i.** The perimeter lots of a cluster development shall comply with the building standards of the base zoning district for residential uses; or
- ii.** A perimeter buffer meeting the requirements of a Type C Use Buffer shall be provided including along the street right-of-way. A fence or wall shall not be required. When utility easements exist within this buffer area, an additional 10 feet of buffer width shall be provided outside of the easement to accommodate the required plantings of a Type A Use Buffer.

e. Street Right-of-way Width

Street right-of-way width may be reduced to AASHTO minimum standards subject to approval by the City Manager or his or her designee.

f. Conservation Areas

- i. General Conservation Areas** may incorporate natural, historic or cultural resources existing on the site. These areas may follow natural features such as water bodies or habitat corridors and may include wetland and marsh buffers that are in addition to that required by Sec. 10.5 Improvements shall be limited to pervious trails, benches, kiosks, viewing platforms and trash receptacles except those areas identified in the Department of Natural Resources' Coastal Georgia Land

Conservation Initiative. These areas shall be protected in perpetuity by a binding legal instrument as noted in Sec. 8.10.7.

- ii. **Habitat Areas** may incorporate State Priority Habitats as defined in the State Wildlife Action Plan. A conservation area shall be established according to Sec. 8.10.6 following legal protection mechanisms noted in Sec. 8.10.7.

8.10.4 Density

a. Determining Permitted Density

- i. The permitted number of dwelling units shall not exceed the number of units that would be permitted if the land were subdivided into lots conforming to the minimum lot size and density requirements of the base zoning district and all other requirements of the City Code. To determine density, the applicant shall submit a yield plan meeting the following requirements:
 - (1) At a minimum, yield plans shall be prepared as a conceptual sketch plan in accordance with the minimum development standards for the zoning district involved and the applicable Subdivision Regulations as determined by the Planning Director; and
 - (2) Yield plans shall show proposed lots, streets, rights-of-way and other pertinent features.
- ii. The number of lots shown on the yield plan shall be the maximum number of lots allowed for a Cluster Development before applying any density bonus as set forth below.

b. Density Bonus

In order to encourage additional protection of natural, historic and cultural resources and innovation in residential development, Cluster Developments shall be permitted a density bonus based upon the performance standards described in Table 8.10-2.

- i. The maximum number of units permitted in a Cluster Development shall not be increased by more than 20% of those provided for under the base zoning district of the tract to be developed.
- ii. In the RSF-5 and RSF-6 zoning districts, the density bonus shall be based on the density permitted by street access, regardless of whether lane access is provided or not.

Table 8.10-2: Density Bonus Performance Standards

Project provides for open and recreational space area above the minimum 30% conservation area required in this Section. Density bonus of 0.5% per 1% open and recreational space area over the minimum.	15%
Project provides affordable housing. Density bonus of 1% per 1% affordable housing allocation.	10%
Project provides a Wetland and/or Marsh Buffer width greater than the 35-foot minimum. Density bonus of 0.2% per one (1) foot increase in the buffer width. Trails shall be permitted within the excess buffer area. No impervious surfaces shall be permitted.	8%
Project reduces predevelopment runoff rate by 25% utilizing Best Management Practices (BMPs) from The Coastal Stormwater Supplement of the Georgia Stormwater Management Manual for onsite stormwater collection and disposal.	6%
Project includes a minimum seven (7) foot wide tree lawn with canopy trees along all streets. Plantings shall meet the minimum planting standards of the City (City Code Part 4, Chapter 10, Landscape and Tree Ordinance).	6%
Project exceeds minimum tree quality points. Density bonus of 1% per 10% increase over minimum tree quality points.	5%
Where permitted, project includes installation of indoor gray water reuse system.	4%
Project is designed with an active recreation area of at least one-half (0.5) acre and conveniently accessible to the public.	4%
Project has no irrigation system using potable water in common areas.	2%

8.10.5 Development Standards

a. Access

For single-family detached dwelling on lots that are 40 feet or less in width lane access shall be provided. Where lane access is provided, vehicular access shall be from the lane.

b. General

Iding Standards	RSF & RTF Districts	RMF Districts
Density	See district standards	See district standards
Building Setbacks (min ft)		
Front (all housing types)		
Street Access	10 (house) & 20 (garage)	10 (house) & 20 (garage)
Lane Access	10	10
Side - interior		
All housing types except apartment	5 --	5 10
Apartment	10 (house) & 20 (garage)	10 (house) & 20 (garage)
Side - street (all housing types)		
	20	20

Iding Standards	RSF & RTF Districts	RMF Districts
<p style="text-align: center;">Rear (all housing types)</p> <p style="text-align: center;">Building Separation</p>	<p>See Code Fire</p>	<p>See Code Fire</p>
Height (max)	See district standards	See district standards
Accessory Structure Setback	See Sec. 8.7	See Sec. 8.7

8.10.6 Ownership and Management of Conservation Area

The conservation area shall be accepted and owned by one or more of the following entities and reflected on the final subdivision plat:

a. Ownership

i. Non-Profit Land Trust Organization Ownership

The responsibility for owning and maintaining the conservation area may be borne by a land conservancy or land trust.

ii. Property Owners or Homeowner’s Association Ownership

The responsibility for owning and maintaining the conservation area may be borne by a property owners or homeowner’s association.

iii. Private Ownership

The responsibility for owning and maintaining the conservation area in a multi-family development may be borne by a private owner.

b. Management and Maintenance of Conservation Area

i. Management Plan

The applicant shall submit a management plan with the submission of construction plans. No permits shall be issued until a management plan is approved by the City Manager. The management plan shall account for the management of the conservation area and associated facilities that:

- (1) Allocates responsibility and guidelines for the maintenance and operation of the conservation area and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements;
- (2) Estimates the costs, staffing requirements and projected timeline needed for maintenance and operation of, and insurance for, the conservation area and outlines the means by which such funding will be obtained or provided; and
- (3) Provides that any changes to the plan be approved by the City Manager or his or her designee.

ii. Maintenance of Conservation Area

- (1) Improvements shall be limited to pervious trails, benches, kiosks, viewing platforms and trash receptacles except those areas identified in the Department of Natural Resources' Coastal Georgia Land Conservation Initiative. These areas shall be protected in perpetuity by a binding legal instrument as noted in Sec. 8.10.7.
- (2) Other than those removed for the improvements listed above, only trees that pose a hazard to private property or public properties, as determined by City Manager or his or her designee, may be removed.
- (3) Natural water courses are to be maintained as free-flowing and devoid of debris. Stream channels shall be maintained so as not to alter floodplain levels.
- (4) Stormwater management facilities shall be maintained in accordance with the management plans outlined in the local regulations.
- (5) Buffers and corridors along waterways shall be maintained in accordance with state and local regulations.

c. Failure to Maintain Conservation Area

In the event the entity responsible for maintenance of the conservation area fails to maintain all or any portion of the conservation area as required by this section, the Mayor and Aldermen may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. If the cost of such maintenance is borne by the Mayor and Aldermen, such cost shall be charged to the responsible entity. The Mayor and Aldermen shall have the authority to

enforce the collection of the charges associated with the provided maintenance by any and all means provided by law when such charges are due and remain unpaid for a period of thirty (30) days.

8.10.7 Legal Instruments for Permanent Protection of Conservation Areas

- a.** Conservation areas shall be protected in perpetuity by a binding legal instrument that is recorded with the deed and shown on the plat. The instrument shall be one of the following:
 - i.** A permanent conservation easement held with either:
 - (1)** A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for re-transfer in the event the organization becomes unable to carry out its functions; or
 - (2)** A governmental entity with an interest in pursuing goals compatible with the purposes of this Ordinance. If the entity accepting the easement is not the City of Savannah, then a third-party right of enforcement favoring the City of Savannah shall be included in the easement.
 - ii.** A permanent restrictive covenant for conservation purposes in favor of a governmental entity.
 - iii.** An equivalent legal tool that provides permanent protection, if approved by the Mayor and Aldermen.
- b.** The instrument for permanent protection shall include clear restrictions on the use of the conservation areas.
- c.**