



C H A T H A M   C O U N T Y   -   S A V A N N A H

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# METROPOLITAN PLANNING COMMISSION

*"Planning the Future - Respecting the Past"*

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M E M O R A N D U M

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**DATE:**            **SEPTEMBER 1, 2020**

**TO:**              **THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH**

**FROM:**          **METROPOLITAN PLANNING COMMISSION**

**SUBJECT:**       **MPC RECOMMENDATION**

**PETITION REFERENCED:**

**Text Amendment to the City of Savannah Zoning Ordinance**

**Re: Amendment to Sections 8.7.4 Accessory Dwelling Units and 11.5  
Nonconforming lots of record  
Applicant: City of Savannah  
Agent: Bridget Lidy  
File No. 20-003831-ZA**

**MPC ACTION:**

**Approval** of the request to amend the ordinance as outlined. In addition, staff recommends that the definition of Accessory Dwelling Unit be amended throughout the Ordinance as follows:

**Accessory Dwelling Unit:** A structure used as an individual residential unit located on the same lot as the principal dwelling that is subordinate to the principal structure.

**MPC STAFF RECOMMENDATION:**

**Approval** of the request to amend the ordinance as outlined. In addition, staff recommends that the definition of Accessory Dwelling Unit be amended throughout the Ordinance as follows:

**Accessory Dwelling Unit:** A structure used as an individual residential unit located on the same lot as the principal dwelling that is subordinate to the principal structure.

**MEMBERS PRESENT:** 9 + Chairman

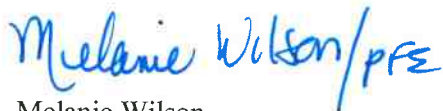
Joseph Ervin, Chairman  
Thomas Branch  
Travis Coles  
Ellis Cook  
Karen Jarrett  
Tanya Milton  
Wayne Noha  
Eula Parker

Joseph Welch  
Tom Woiwode

**PLANNING COMMISSION VOTE:** Approve Staff Recommendation (9-0)

APPROVAL Votes: 9	DENIAL Votes: 0	ABSENT
Ervin Cook Coles Jarrett Milton Noha Parker Woiwode Welch		Branch Smith Suthers Manigault Monahan

Respectfully submitted,



Melanie Wilson  
Executive Director

ML/jh

Enclosure

cc Mark Massey, Clerk of Council  
Lester B. Johnson, Assistant City Attorney  
Jennifer Herman, Assistant City Attorney  
Beth Barnes, Department of Inspections





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# METROPOLITAN PLANNING COMMISSION

*"Planning the Future - Respecting the Past"*

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M E M O R A N D U M

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**TO:** The Mayor and Aldermen, City of Savannah

**FROM:** The Planning Commission

**DATE:** September 1, 2020

**SUBJECT:** Proposed text amendment to the Savannah Zoning Ordinance

**Re:** Amendment to Sections 8.7.4 Accessory Dwelling Units and 11.5  
Nonconforming lots of record  
**Applicant:** City of Savannah  
**Agent:** Bridget Lidy  
**File No.** 20-003831-ZA

**Marcus Lotson MPC Project Planner**

**ISSUE:**

A proposal to amend the Savannah Zoning Ordinance relative to accessory dwelling units to address architectural compatibility and owner occupancy requirements. In addition, requiring nonconforming lots of record to comply with the subdivision plat approval process for any proposed change to such lots.

**BACKGROUND:**

In the Savannah Zoning Ordinance, Accessory Dwelling Units (ADU's) are defined as "a structure used as an individual residential unit located on the same lot as the principal dwelling."

Section 8.7.4 states that 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. 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.

**FINDINGS:**

1. Subsection E, Architectural Style, does not address the height of accessory buildings. Nor does it address building materials, roof or window configuration. These factors are critical design components as it relates to establishing compatibility with the principal

structure and cohesiveness with the neighborhood at large. The intent of the Ordinance section is to ensure that accessory dwellings are similar to but also subordinate to the principal dwelling. The proposed amendments to subsection E are as follows: **Proposed language is in red and underlined.**

**a. Architectural Style**

- i. Such use shall be designed and constructed in a similar architectural style as the principal dwelling to include building materials as well as roof and window configurations. If the site is located within an overlay district, the standards of the overlay district shall apply.
- ii The height of the principal dwelling shall not be exceeded by any accessory building. OR The height of the accessory building shall not exceed the height of the principal building in a residential district or where otherwise prohibited by this Ordinance.

1. The current language in the Ordinance does not require that principal dwelling units on a lot in which an accessory dwelling unit is permitted be owner occupied. Due to issues related to enforcement, it is in the City's interest that properties granted an Accessory Dwelling Unit permit be owner occupied. Owner occupancy will allow issues related to the accessory dwelling unit to be addressed more efficiently. In order to ensure this going forward, the following language is proposed. **Proposed language for new subsection F is in red and underlined.**

**f. Owner Occupancy Required**

Prior to the issuance of a building permit for construction of an accessory dwelling, an applicant shall provide proof of homestead exemption status that establishes ownership and residence on the property unless building permits for both units are being applied for together. In such case, an affidavit must be submitted stating the property owner intends to reside on the property in either the principal residence or the accessory dwelling unit. In addition, all applicants must submit proof of a signed affidavit, which has been recorded in the real property records of Chatham County, stating that the property will be used as the primary residence and will not be sold separately.

**Section 11.5 Nonconforming Lots:**

To protect against the circumvention of the Subdivision Plat Approval process, City staff recommends the addition of Section 11.5.5 and the following language: **Proposed language is in red and underlined.**

**11.5.5 Additional Requirement**

Any nonconforming lot as outlined in this section shall be required to comply with the approved subdivision plat approval process as outlined in the Subdivision Ordinance.

The intent of the language is to clarify that all lots in the City of Savannah must comply with the subdivision procedures and that the certification that a lot exists by a surveyor is not adequate to create a new lot of record.

### **POLICY ANALYSIS:**

The Savannah Ordinance allows Accessory Dwelling Units in certain zoning districts that exhibit a historic pattern of these uses and in other areas where lot sizes can easily accommodate the additional density. It is important, however, that ADU's are compatible with both the principal structure with which they are associated, and the neighborhood in which they are located.

### **ALTERNATIVES:**

1. Recommend approval to amend the Ordinance as outlined.
2. Recommend an alternate amendment.
3. Recommend denial of the request.

### **RECOMMENDATION:**

The Planning Commission recommends **approval** of the request to amend the ordinance as outlined. In addition, staff recommends that the definition of Accessory Dwelling Unit be amended throughout the Ordinance as follows:

**Accessory Dwelling Unit:** A structure used as an individual residential unit located on the same lot as the principal dwelling that is subordinate to the principal structure.