



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

**METROPOLITAN PLANNING COMMISSION**

*"Planning the Future - Respecting the Past"*

M E M O R A N D U M

**DATE:**           JANUARY 18, 2022

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

**FROM:**         METROPOLITAN PLANNING COMMISSION

**SUBJECT:**      MPC RECOMMENDATION

**PETITION REFERENCED:**

**Proposed text amendment to the Savannah Zoning Ordinance**  
**Re: Text Amendment to the City of Savannah Zoning Ordinance**  
**Re: Amendment to Section 8.7.11 Home Occupation**  
**Applicant: City of Savannah**  
**Marcus Lotson, Director of Development Services**  
**MPC File No. 21-006547-ZA**

**MPC ACTION:**

**Approval** of the proposed Text Amendment to Section 8.7.11 Home Occupation.

**MPC STAFF RECOMMENDATION:**

**Approval** of the proposed Text Amendment to Section 8.7.11 Home Occupation.

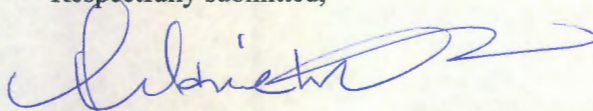
**MEMBERS PRESENT:** 10 + Chairman

Joseph Welch, Chairman	Malik Watkins
Travis Coles	
Lauren Boles	Tom Woiwode
Elizabeth Epstein	
Joseph Ervin	
Karen Jarrett	
Jay Melder	
Wayne Noha	
Jeff Notrica	

**PLANNING COMMISSION VOTE:** Approve Staff Recommendation (10-0)

<b>APPROVAL</b> Votes: 11	<b>DENIAL</b> Votes: 0	<b>ABSENT</b>
Welch Boles Coles Epstein Ervin Jarrett Melder Noha Notrica Watkins Woiwode		Smith Stephens

Respectfully submitted,



Melanie Wilson  
Executive Director

/sh

Enclosure

cc Mark Massey, Clerk of Council  
Lester B. Johnson, Assistant City Attorney  
Jennifer Herman, Assistant City Attorney  
Bridget Lidy, Department of Inspections  
Lakeisha Stephens, Department of Inspections



**METROPOLITAN PLANNING COMMISSION**

*"Planning the Future - Respecting the Past"*

M E M O R A N D U M

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

**FROM:** The Planning Commission

**DATE:** January 18, 2022

**SUBJECT:** Text Amendment to the City of Savannah Zoning Ordinance  
Re: Amendment to Section 8.7.11 Home Occupation

**Applicant:** City of Savannah

**Marcus Lotson, Director of Development Services**

**MPC FILE NO:** 21-006547-ZA

**ISSUE:**

The City of Savannah is proposing to amend the Home Occupation section of the Zoning Ordinance specific to adding conditions to the Child/Adult Daycare Home use within in certain zoning districts.

**FINDINGS:**

1. The Zoning Ordinance permits the "child/adult day care home" use within certain zoning districts. The existing districts where the use is permitted will not be amended by this action.
2. The Child/Adult Daycare use is defined as "A facility that provides care and supervision for more than six (6) but no more than 12 children or adults as an accessory use of an operator-occupied residence and which is licensed by the State of Georgia. This number shall not include children or adults who reside in the home."
3. The use is allowed as a home occupation providing care to up to six children within Residential zoning districts provided certain conditions are met. One of these requirements is that in any Residential zoning district and any TN- zoning district, the use shall be located on a street classified as a collector or arterial.
4. The City has found that requests to establish the use as a Home Occupation are frequently denied due to the street classification requirement. To provide more flexibility and address the need for available childcare facilities in our community, City staff is recommending the following revisions and additional conditions to the use:

In any Residential zoning district, if the use is located on a street classified as Residential or greater as identified in Appendix A-1, the applicant must provide a site plan for approval and include:

- a. A minimum of 60 foot of off-street stacking shall be required per Table 9.3-9 Vehicle Staking Requirements.
- b. Adequate vehicle queuing shall be provided on site to prevent the obstruction of travel lanes that are adjacent City streets.
- c. The site shall be evaluated for feasibility to incorporate a circular driveway with two curb cuts if permitted by the City's Traffic Engineering Manual: and
- d. The City of Savannah Traffic Engineer shall review the site for adequate traffic circulation and traffic safety.

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

The applicant shall provide a letter from the homeowner's association, where applicable, stating that the use is not prohibited by a Declaration of Covenants.

### **Full Proposed Section Revisions Shown Below in Red and Underline**

#### **8.7.11 Home Occupation**

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.

**d. 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 Home**

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~~ 6:30 a.m. and 7:00 p.m.

3. In any Residential zoning district, if the use is located on a street classified as Residential or greater as identified in Appendix A-1, the applicant must provide a site plan for approval and include:
    - a. A minimum of 60 foot of off-street stacking shall be required per Table 9.3-9 Vehicle Staking Requirements.
    - b. Adequate vehicle queuing shall be provided on site to prevent the obstruction of travel lanes that are adjacent City streets.
    - c. The site shall be evaluated for feasibility to incorporate a circular driveway with two curb cuts if permitted by the City's Traffic Engineering Manual: and
    - d. The City of Savannah Traffic Engineer shall review the site for adequate traffic circulation and traffic safety.
  - ii. Such use shall not be permitted within 500 feet, as measured in any direction from property line to property line, of the same use.
  - iii. The applicant shall provide a letter from the homeowner's association, where applicable, stating that the use is not prohibited by a Declaration of Covenants.
- e. **Child/Adult Care, 24-hour Care Center**
- i. Such use shall not provide care for more than six (6) individuals, not including the caregiver's own family.
  - ii. Such use shall not be permitted in Residential districts.

These recommendations have been vetted with Planning and Urban Design, Traffic Engineering and the MPC. Additional requirements have been added to ensure the operation of a child/adult day care home will not disrupt the quality of life or safety of a Residential district.

Additional childcare uses are listed below.

## **Definitions**

**Sec. 13.2, Defined Terms, General provides the following use definitions for childcare facilities for more than six children:**

**Child/adult care center, 24 hour:** A facility that provides care and supervision for more than six (6) children or adults and which is licensed by the State of Georgia. Such facility may operate 24 hours per day.

**Child/adult day care center:** A facility that provides care and supervision for more than six (6) children or adults and which is licensed by the State of Georgia. This use shall not be allowed in a residence.

**Child/adult care home, 24 hour:** A facility that provides care and supervision for more than six (6) but no more than 12 children or adults as an accessory use of an operator-occupied residence and which is licensed by the State of Georgia. This number shall not include children or adults who reside in the home. Such facility may operate 24 hours per day.

**Child/adult day care home:** A facility that provides care and supervision for more than six (6) but no more than 12 children or adults as an accessory use of an operator-occupied residence and which is licensed by the State of Georgia. This number shall not include children or adults who reside in the home.

### **Use Standards**

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Sec. 8.3.9. provides standards for Limited and Special Uses for certain zoning districts:

### **Sec. 8.3 Civic Use Standards for Limited and Special Uses**

#### **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.

### **POLICY ANALYSIS:**

The Home Occupation section of the zoning ordinance allows certain uses that can be compatible with residential areas and provide neighborhood scale services to the residents. The proposed revisions would allow for each Child/Adult Daycare Home to be vetted for compatibility and the diminution of any potential impacts on nearby properties. Based on the number of requests received by City staff, there appears to be a need for additional neighborhood childcare services. The proposed revisions will allow a full review of the site to occur before such use can be established within a neighborhood.

### **RECOMMENDATION:**

The Planning Commission recommends approval of the proposed Text Amendment to Section 8.7.11 Home Occupation.