

AN ORDINANCE
To Be Entitled

AN ORDINANCE TO AMEND PART 8, CHAPTER 3, ZONING, TO AMEND ARTICLE A (GENERALLY), SECTION 8-3002 (DEFINITIONS) TO AMEND CERTAIN LODGING-RELATED DEFINITIONS; ARTICLE B (ZONING DISTRICTS), SECTION 8-3025(a-b) TO AMEND THE HOTEL/MOTEL USE AND USE CONDITIONS; TO CREATE ARTICLE P, HOTEL DEVELOPMENT OVERLAY DISTRICT; TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH AND FOR OTHER PURPOSES

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: That Part 8, Chapter 3, Zoning of the Code of the City of Savannah, Georgia (2003) hereinafter referenced as "Code," be repealed and enacted as follows:

REPEAL & ENACT

I. Article A (Generally), Section 8-3002 (Definitions).

~~*Apartment hotel.* A building providing transient, temporary or permanent lodging, which is divided into living units consisting of single or multiple occupancy bedrooms, each of which is served by private bath or common bath facilities and each of which may or may not be served either by private or common kitchen facilities.~~

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~~*Hotel, motel or motel lodge.* A lodging establishment consisting of one or more attached or detached buildings containing more than 15 bedrooms or suites to transient guests.~~

Hotel, Motel. A lodging establishment for transient guests with more than 15 guest rooms. Any on-premises use that is accessible by the general public, such as a restaurant, bar or event/assembly space, is a separate principal use and must be an allowed use in the base zoning district. Any on-premises use that is accessible only by hotel guests is an accessory use.

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~~*Inn.* A lodging establishment providing bedrooms and meals to transient guests which contains not more than 15 bedrooms or suites.~~

Inn. A lodging establishment for transient guests with no more than 15 guest rooms. Any

on-premises use that is accessible by the general public, such as a restaurant, bar or event/assembly space, is a separate principal use and must be an allowed use in the base zoning district. Any on-premises use that is accessible only by hotel guests is an accessory use.

Lodging Establishment. An establishment where a room, camp site or dwelling unit is provided for overnight stay, in exchange for compensation, to one or more transient guests whose usual place of residence is elsewhere. Lodging establishments include the following: bed and breakfast homestays, bed and breakfast inns, inns, hostels, hotels, motels, short-term vacation rentals, recreational vehicle parks and campgrounds. If a lodging operation or a proposed lodging use does not meet the definition of any the lodging uses listed above, it shall not be permitted.

Transient Guest. A person who resides lodges at a place other than his usual place of residence for no more than 30 consecutive days in exchange for compensation. The lodging period may extend beyond 30 consecutive days if the guest maintains a usual place of residence elsewhere.

II. Article B (Zoning Districts), Section 8-3025(a) (Index for C&R Use Schedule)

Index for Conservation (“C”) and Residential (“R”) Districts Use Schedule	
Use	Use No.
Hotel, Motel, Motor Lodge	11

III. Article B (Zoning Districts), Section 8-3025(a) (C&R Use Schedule)

<i>List of Uses</i>	<i>C-A</i>	<i>C-M</i>	<i>C-R</i>	<i>R-20</i>	<i>R-10</i>	<i>R-6</i>	<i>R6A</i>	<i>R6B</i>	<i>R6C</i>	<i>R-4</i>	<i>RM</i>	<i>RIP</i>	<i>RIP-A</i>	<i>RIP-A1</i>	<i>RIP-B</i>	<i>RIP-B1</i>	<i>RIP-C</i>	<i>RIP-D</i>	<i>I-P</i>	<i>RMH</i>	<i>RMH-1</i>	<i>R-D</i>
(11) Hotel, Motel, Motor Lodge	-	-	-	-	-	-	-	-	-	-	-	X	-	-	X	X	X	X	X	-	-	B

<i>List of Uses</i>	<i>C-A</i>	<i>C-M</i>	<i>C-R</i>	<i>R-20</i>	<i>R-10</i>	<i>R-6</i>	<i>R6A</i>	<i>R6B</i>	<i>R6C</i>	<i>R-4</i>	<i>RM</i>	<i>RIP</i>	<i>RIP-A</i>	<i>RIP-A1</i>	<i>RIP-B</i>	<i>RIP-B1</i>	<i>RIP-C</i>	<i>RIP-D</i>	<i>I-P</i>	<i>RMH</i>	<i>RMH-1</i>	<i>R-D</i>
a.	<p>Provided, such uses located within an RIP A and RIP D zoning districts shall front on a street classified as an "arterial street." Such use may include accessory eating and drinking facilities and other necessary incidental uses; provided, such uses are otherwise permitted in the district. Providing, however, within the R-I-P district, complimentary meals and beverages (including alcoholic beverages) may be served to registered occupants of the facility and their guests but shall not be available or for sale to the general public.</p> <p><u>Such uses shall abut a street classified as an "arterial street" as indicated in Sec. 8-3048; however, within the Historic District, as designated in Sec. 8-3030, compliance with Article P (Hotel Development Overlay District) is required. Article P, in part, regulates the location and size of hotels which may or may not be permitted in the base districts listed within this Section.</u></p>																					
b.	<p>Provided, further, that such use located within an R-I-P zoning district may provide only complimentary meals and beverages and only when such services are restricted to registered occupants of the facility and to their guests and are not available or for sale to the general public.</p>																					

IV. Article B (Zoning Districts), Section 8-3025(b) (Index for B&I Use Schedule)

Use Index for Business and Industrial Use Schedule	
Use	Use No.
Hotel, <u>Motel</u> or apartment hotel	7

V. Article B (Zoning Districts), Section 8-3025(b) (B&I Use Schedule)

<i>List of Uses</i>	<i>R-B</i>	<i>RB-1</i>	<i>B-H</i>	<i>B-N</i>	<i>BN-1</i>	<i>B-C</i>	<i>BC-1</i>	<i>B-G</i>	<i>BG-1</i>	<i>BG-2</i>	<i>B-B</i>	<i>I-L</i>	<i>IL-B</i>	<i>I-H</i>	<i>P-IL-T</i>	<i>R-B-C</i>	<i>R-B-C-1</i>	<i>O-I</i>
(7) Hotel, <u>Motel</u> or apartment hotel	X	-	X	-	-	X	X	X	-	<u>X</u>	X	<u>X</u>	<u>X</u>	<u>X</u>	-	X	B	-
<p>Provided the uses front onto an arterial street.</p> <p><u>Such uses shall abut a street classified as an "arterial street" as indicated in Sec. 8-3048; however, within the Historic District, as designated in Sec. 8-3030, compliance with Article P (Hotel Development Overlay District) is required. Article P, in part, regulates the location and size of hotels</u></p>																		

which may or may not be permitted in the base districts listed within this Section.

<i>List of Uses</i>	R-B	RB-1	B-H	B-N	BN-1	B-C	BC-1	B-G	BG-1	BG-2	B-B	I-L	IL-B	I-H	P-IL-T	R-B-C	R-B-C-1	O-I
(9) Motel <u>Reserved</u>	-	-	X	-	-	X	-	X	-	X	X	X	X	X	-	X	*X	-

~~Including such ancillary uses as barber shops, beauty shops, restaurants with or without pouring licenses, cocktail lounges, tobacco stores, drugstores, and uses of a similar nature. Provided that within the R-B-C-1 district, no pouring license or alcoholic beverages sales shall be allowed.~~

VI. Article P. Hotel Development Overlay District.

Article P. Hotel Development Overlay District.

Sec. 8-3359. Purpose and Intent.

The intent of this overlay district is to establish standards to guide the size and location of future hotel development within the Savannah Historic District.

The overlay district distinguishes hotel categories by large hotels (75 guest rooms or more) and small hotels (16-74 guest rooms) based on the Smith Travel Accommodations Report (STAR) program used by the global hotel industry. STAR benchmarks the performance of hotels in competitive markets. The local tourism industry uses STAR data to gauge market demand and plan accordingly.

Sec. 8-3360. Hotel Development Overlay District and Identification.

The Hotel Development Overlay (“HDO”) District is identified on the official zoning map as “HDO”.

Sec. 8-3361. District Boundaries.

The boundaries of the HDO District shall be the same as the boundaries of the Savannah Historic District, which are defined in Georgia Constitution Article XI and ratified November 5, 1968 (Ga. L. 1968 page 1591), and continued as part of the Constitution of the State of Georgia (GA. L. 1986, p. 5077) and shall be the area bounded on the north by the Savannah River; on the east by Randolph Street between the Savannah River and Broughton Street and by East Broad Street between Broughton and Gwinnett Streets; on the south by Gwinnett Street; and on the west by West Boundary Street, as illustrated on Map 1.

Sec. 8-3362. Relationship to Base Zoning Districts and the Historic District.

For all properties within the boundaries of the HDO District, the regulations for both the base zoning district and the overlay district shall apply. Whenever there is conflict between the regulations of the base zoning district and the overlay district, the HDO District shall control. The HDO District determines if a hotel use is or is not a permitted use rather than the base zoning district.

The HDO District does not eliminate or reduce any of the Historic District regulations established in Sec. 8-3030.

Sec. 8-3363. Permitted Uses.

Within the HDO District, the permitted uses are the same as those in the base zoning districts with the following exceptions:

- (a) **Hotels.** The HDO District, not the base zoning district, determines if a hotel use is or is not a permitted use.
- (b) **Motels.** New motels shall not be a permitted use within the HDO District. A motel is a lodging establishment where guest rooms have their own door to the exterior of the building.
- (c) **Hotel Size.** Hotels within the HDO District are distinguished by size (small and large) based on the number of guest rooms. A small hotel has 16-74 guest rooms. A large hotel has 75 or more guest rooms.

Sec. 8-3364. Hotel Use Conditions.

The below use conditions shall apply to new hotels. Variances from these conditions are not allowed.

- (a) **Location.** New hotels are permitted only within designated areas of the Historic District as shown on Map 1. Location is based on street designation and the “small” or “large” hotel classification
- (b) **Frontage.** New hotels must be located on a designated street as shown on Map 1.
- (c) **Conversion of Residential Structures Classified as Historic.** Any single-family residential structure identified on the Historic Buildings Map for the Historic District cannot be converted to a hotel use. Single-family residential includes the following: detached, attached, semi-attached, semi-detached, row, end-row and accessory dwellings. This condition applies only to the areas designated as “Small Hotels Only” on Map 1.

Sec. 8-3365. Effect on Existing Hotels and Applications.

(a) ***Effect on Existing Hotels with Lawfully-issued and Valid Tax Certificates.***

As of [*insert date of ordinance adoption*]:

- i. Any existing hotels that are non-conforming or become non-conforming by virtue of the adoption of this ordinance will be considered conforming with regards to use, use location, and use conditions.
- ii. Lawfully existing business tax certificates will not be terminated, and applications for renewal or transfer of such certificates will not be denied.

(b) ***Effect on Existing Applications.***

As of [*insert date of adoption of this ordinance*], if a valid application has been received by the City for any permit, license, variance or other approval which is required by the City relative to the development of a hotel, compliance with the zoning requirements in effect at the time of receipt shall be required.

(c) ***Time Period for Re-establishing a Hotel.***

- i. As of [*insert date of adoption of this ordinance*], if a hotel has not been in operation and a business tax certificate has expired (not renewed or transferred), the time period for re-establishing the use or obtaining a new business tax certificate for the same physical location is 12 months.
- ii. If a tax certificate for a hotel is terminated, not renewed or transferred within 12 months from the date of termination, regardless of whether the use is intended to be abandoned, the use cannot be re-established unless it complies with the requirements of this Section.

[MAP 1 appears on next page.]

MAP 1: SAVANNAH HISTORIC DISTRICT HOTEL DEVELOPMENT OVERLAY DISTRICT

Streets Where Hotels Are Permitted

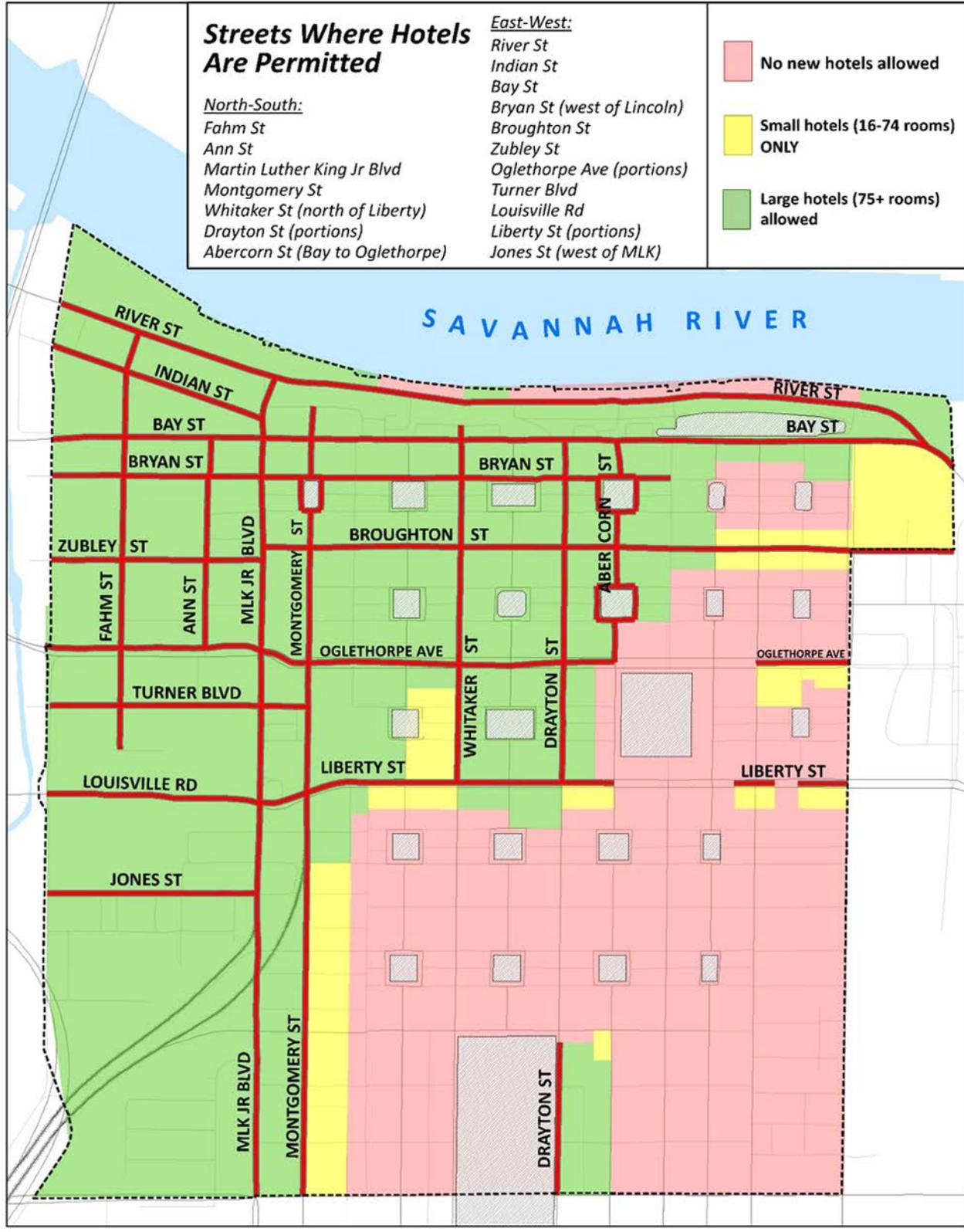
North-South:

Fahm St
Ann St
Martin Luther King Jr Blvd
Montgomery St
Whitaker St (north of Liberty)
Drayton St (portions)
Abercorn St (Bay to Oglethorpe)

East-West:

River St
Indian St
Bay St
Bryan St (west of Lincoln)
Broughton St
Zubley St
Oglethorpe Ave (portions)
Turner Blvd
Louisville Rd
Liberty St (portions)
Jones St (west of MLK)

- No new hotels allowed
- Small hotels (16-74 rooms) ONLY
- Large hotels (75+ rooms) allowed



SECTION 2: That the requirement of Section 8-3182(f)(2) of said Code and the law in such cases made and provided has been satisfied. That an opportunity for a public hearing was afforded anyone having an interest or property right which may have been affected by this zoning amendment, said notice being published in the *Savannah Morning News*, on the ____ day of _____, 2018, a copy of said notice being attached hereto and made a part hereof.

SECTION 3: Upon the effective date of the ordinance all ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED: _____, 2018.

MAYOR

ATTEST:

CLERK OF COUNCIL
FILE NO.: 17-005213-ZA