

AN ORDINANCE

To Be Entitled

AN ORDINANCE TO AMEND PART 8, CHAPTER 3, ZONING, TO AMEND ARTICLES B (ZONING DISTRICTS) AND D (OFF-STREET PARKING AND SERVICE REQUIREMENTS); AND 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 amended as follows:

Note: Text to be enacted is shown in blue, bold, and underlined. Text to be repealed is shown in red, bold, and double strikethrough.

Article B (Zoning Districts)

Sec. 8-3021

(22) **R-I-P-B residential, medium density.** The purpose of this district shall be to stabilize land use intensity in R-I-P-B zoning districts to not more than 70 dwelling units per acre of residential land. Provided that when located within the boundaries of the Savannah Historic District, as referenced by Section 8-3030, or for properties zoned RIP-B that are larger than 1.5 acres and located adjacent to the Savannah Historic District, neither a minimum lot area per dwelling unit nor maximum density requirement shall apply. Site development plans shall be reviewed under the provisions of Section 8-3031 when located outside of the area bounded by East Broad Street and Martin Luther King, Jr. Boulevard, between the Savannah River and Gwinnett Street, unless such properties are zoned RIP-B and are larger than 1.5 acres and located adjacent to the Savannah Historic District. [*Sec. 8-3021(22) amended 11/21/17 (17-002807-ZA)*]

Sec. 8-3025

(d) **Schedule of development standards.** Minimum requirements for lot area, lot width, yards, height of buildings and building coverage are set forth in the following schedule for each district; provided, however, residential lots not served by public water and public sewers shall meet the minimum lot area and lot width requirements set forth in subsection (d). Provided, further, that all development fronting onto or adjacent to an arterial or collector street shall be subject to the provisions of section 8-3061 except as provided for therein. The Metropolitan Planning Commission may approve variances from front yard and side yard building setback line requirements at the request of the subdivider for a proposed subdivision upon a finding that such variances would: [*Sec. 8-3025(d) amended 11/21/17 (17-002807-ZA); 7/10/14 (14-000899-ZA)*]

- a. Be in keeping with the overall character of the area.
- b. Would not be contrary to the process and intent of these regulations.
- c. Would not be detrimental to existing or proposed surrounding uses.

d. Would serve public purposes to a degree equal to or greater than the standards replaced.

District and Use	Minimum Lot Area Per Dwelling Unit (Square Feet)		
	One-Family Dwelling or Other Use When Listed	Two-Family or Multi-Family Dwelling: Lot Area Per Dwelling Unit	Minimum Lot Width (feet)
R-I-P-B district: Residential: 1. Detached 2. Semidetached or end-row 3. Attached or row Nonresidential [Amended 11/21/17(17-002807-ZA)]	600* 600* 600* --	600* 600* 600* --	20 20 20 --

* As of the [date of adoption], a minimum lot area per dwelling unit shall not be required for residential dwellings within the Savannah Historic District (Section 8-3030), or for properties zoned RIP-B that are larger than 1.5 acres and located adjacent to the Savannah Historic District, provided that a total minimum lot area of 1,800 square feet shall apply. [Sec. 8-3025(d) amended 11/21/17 (17-002807-ZA)]

SCHEDULE OF DEVELOPMENT STANDARDS												
District and Use	Setback from Center Line of Street Right-of-Way for Front Yard Purposes - (Feet)						Minimum Side Yard (feet)**	Minimum Rear Yard (feet)**	Maximum Height (feet)	Building Coverage	Buffer Requirements	Density Requirements
	Freeway * Parkway *	or Major Arterial *	Secondary Arterial or Rural Road*	Collector Street*	Residential Street*	Access Easement						
R-I-P-B district	--	--	--	--	--	--	--	--	--	75		70** *

* Provided that where a setback is established within a zoning district by these regulations, such setback shall apply, provided that no structure shall be located closer than 15 feet from the right-of-way of a freeway, parkway, major arterial, secondary arterial, or rural road, and no residential structure shall be located closer than 25 feet from such rights-of-way.

** No side yard shall be required between a proposed building and an existing building when the proposed structure is a continuation of an existing structure and both are in the same ownership provided that: (1) No structure, except for an elevated pier or wooden deck, shall be erected or constructed within 25 feet of saltwater marshland, and (2) a building eave or roof overhang may extend up to 24 inches into a required side or rear yard setback; provided that such extension is at least three feet from the property line, its lower edge is at least 7.5 feet above the ground elevation, and it is located at least five feet from any other building or eave.

*** A maximum density standard shall not apply when located within the boundaries of the Savannah Historic District (Section 8-3030) or for properties zoned RIP-B that are larger than 1.5 acres and

located adjacent to the Savannah Historic District. [Sec. 8-3025(d) amended 11/21/17 (17-002807-ZA)]

(e) **Density restrictions in certain districts.** Within the R-I-P-A, R-I-P-A-1, R-I-P-B, R-I-P-B-1, R-I-P-C, and R-I-P-D districts,

1. A lot smaller than 3,500 square feet, containing an historic residential structure originally designed as a single-family dwelling shall not be permitted to contain more than three dwelling units, inclusive of dwelling units within a carriage house.
2. A lot 3,500 square feet or larger and containing an historic residential structure originally designed as a single-family dwelling shall maintain not less than 900 square feet of lot area per dwelling unit.
3. These provisions shall include lots containing such structures which have been converted into a multifamily use, provided that such dwelling structure has been condemned for occupancy and has remained vacant for 12 months or more, or has been occupied as a single-family dwelling for 12 months or more.

[Sec. 8-3025(e) amended 11/21/17 (17-002807-ZA)]

(f) **Subdivision of land.** Within the R-I-P-A, R-I-P-A-1, R-I-P-B, R-I-P-B-1, R-I-P-C, and R-I-P-D districts: the subdivision of land shall be in keeping with the historic development pattern of the same block or immediately adjacent block as determined by the Planning Director.

[Sec. 8-3025(f) created 11/21/17 (17-002807-ZA)]

(g) *For properties zoned RIP-B that are larger than 1.5 acres and located adjacent to the Savannah Historic District,* no permit shall be issued to construct a new building or structure, materially change the appearance of an existing historic structure, to demolish a historic structure, or to make changes to the exterior of a structure visible from any public right-of-way until the Preservation Officer or Metropolitan Planning Commission (“MPC”) has issued a certificate of appropriateness (“COA”) based upon review of the plans for compliance with the following standards:

- (1) The visual compatibility factors found in Section 8-3030(m);
- (2) The design standards found in Section 8-3030(n); and
- (3) The preservation of historic structures requirement of Section 8-3030(l)(1).
 - a. For the purposes of this ordinance, the existing structure known as the Catholic Diocese Building located at 601 East Liberty Street, Savannah, Georgia shall be considered a contributing, historic structure, as defined in Section 8-3030(f)(1).
- (4) Notwithstanding Sections (1), (2), and (3), above, the following design and development standards shall be exceptions to the requirements found in Section 8-3030(m) and Section 8-3030 (n):
 - a. Height. New construction and additions to historic structures shall be permitted to build to five (5) stories above grade, as measured at the north-west corner of the property located at 601 East Liberty Street, Savannah, Georgia.
 - b. Additional Stories above the Historic District Height Map for nonhistoric Large-Scale Development. The ‘bonus story’ requirements of Section 8-3030(n)(1)(e)(ii) shall not apply.
- (5) Application for Certificate of Appropriateness. Application for a COA shall be made in

the office of the MPC on forms provided. Drawings, photographs, plans, and specifications shall show the proposed exterior alterations, additions, changes, or new construction in sufficient detail to enable the Preservation Officer and/or Metropolitan Planning Commission to determine whether the proposed activity, repairs, or construction will be in compliance with the provisions of this Ordinance. Each application shall be accompanied by all required information as specified on the form.

a. Preservation Officer.

- i. Established. The designee of the Executive Director of the MPC shall serve as the Preservation Officer.
- ii. Jurisdiction and Duties of the Preservation Officer. The Preservation Officer's jurisdiction shall include all properties zoned RIP-B that are larger than 1.5 acres and located adjacent to the Savannah Historic District.
- iii. The Preservation Officer shall be concerned with those elements of development, redevelopment, rehabilitation, and preservation that affect visual quality of properties zoned RIP-B that are larger than 1.5 acres and located adjacent to the Savannah Historic District.
- iv. The Preservation Officer shall not consider interior arrangement of buildings or other architectural features not subject to public view, nor make any requirement except for the purpose of preventing development incompatible with the architectural or design character of the property.
- v. The Preservation Officer shall be responsible for all interpretation of design and visual compatibility requirements as outlined in this Ordinance.

b. Action by Preservation Officer.

- i. The Preservation Officer or her authorized representative shall review all applications prior to their being accepted for processing. Adequate documentation shall be submitted with each application to ensure that an informed and knowledgeable decision can be made by the Preservation Officer within the time period prescribed herein.
- ii. All applications, except new construction with a cumulative footprint greater than 4,000 square feet, any project with design-related variance requests, demolition of contributing building, and relocation of contributing buildings, shall be reviewed and a decision in writing rendered thereon by the Preservation Officer within 30 calendar days of receipt of and acceptance of the fully completed application and supporting documentation. The applicant may request the MPC review instead of Preservation Officer review and the application will be placed on the next available agenda.

c. Action by the Metropolitan Planning Commission.

- i. The MPC shall review all new construction with a cumulative footprint greater than 4,000 square feet and any project with design-related variance requests within 45 calendar days of receipt and acceptance of fully completed application and supporting documentation.

- (6) Certificate of Appropriateness for Demolition. Demolition of historic structures is deemed detrimental to the public interest and shall only be permitted pursuant to this section.

- a. All requests for demolition of any historic structure shall be reviewed by the MPC.
 - b. A COA for demolition of a historic structure shall be issued by the MPC only when one of the following conditions has been established by clear and convincing evidence pursuant to criteria established herein:
 - i. The demolition is required to alleviate a threat to public health or public safety; and/or
 - ii. The demolition is required to avoid exceptional practical difficulty or undue hardship upon any owner of any specific property. If the difficulty or hardship claimed is economic, the applicant shall be required to submit sufficient evidence to demonstrate that the application of the standards and regulations of this section deprives the applicant of a positive economic use or return on the subject property.
 - c. A COA for demolition of a contributing building shall not be issued until a COA has been issued approving the replacement building, except in the case of emergency demolition.
 - d. In granting a COA for demolition of any building, the MPC or the Preservation Officer may impose such reasonable and additional stipulations as will best fulfill the purposes of this Ordinance.
 - e. Demolition due to imminent threat to public safety: Any order for demolition, in whole or in part, of any contributing building due to a dangerous, hazardous or unsafe condition shall not be issued until the order has been reviewed and signed by a licensed structural engineer in the state of Georgia and the Preservation Officer.
- (7) Waivers and Variances.
- a. The Preservation Officer shall have no authority to waive or vary from the requirements of this Ordinance.
 - b. Where a waiver of or modification to a requirement of this Ordinance is requested, it shall be reviewed as part of the COA approval by the MPC.
 - c. The MPC may waive measurable development and design standards by up to 20% during the COA review process when the Commission determines that such waiver is visually compatible with historic context.
- (8) Period of Validity. Where construction of the approved development has not commenced within one year from the date of issuance of the COA, that approval shall be deemed revoked. A single extension of this period may be granted by the Preservation Officer where no other changes in the same block face have occurred over the intervening period.
- (9) Appeals of Preservation Officer and Metropolitan Planning Commission's Decisions. All appeals from decisions of the Preservation Officer with regard to interpretation and administration of this part shall be made to the MPC. Appeals from decisions of the MPC with regard to interpretation and administration of this ordinance shall be made to the Zoning Board of Appeals in accordance with the provisions of Section 8-3165, Appeals. Compatibility factors shall not serve as the basis of an appeal to the Zoning Board of Appeals.
- (10) Posting of property. Fifteen days in advance of the public hearing for new construction or demolition of a historic building, notice shall be posted on the premises. A sign, to be

furnished by the zoning administrator, shall be erected by the applicant within ten feet of all traveled public rights-of-way to which the building abuts. Such sign(s) shall be erected to face in such a manner as may be most readily see by the public. The lower edge of the sign(s) face shall be of sufficient height so as to be read from the roadway. The sign(s) shall be weather resistant; shall have a minimum size of 30 by 40 inches and shall show the application number, a statement of the proposed date, time and place of any public hearing, and the telephone number to call for further assistance.

(11) Removal of signs. Any such sign(s) shall be maintained at all times by the applicant until a decision on the application has been rendered by the Preservation Officer or Metropolitan Planning Commission.

(h) **Minimum requirements for lot area and lot width for lots not served by public water and public sewers.** Except for the C-A, C-M, C-R, and R-20 zoning districts for residential lots that are not served by public water and public sewers, the following minimum requirements for lot area and lot width shall apply subject to the approval of a private water supply and/or septic tank by the city engineer:

Minimum Lot Requirements		
Condition Residential Lots	Minimum Lot Width at Front Building Line (in feet)	Minimum Area (square feet)
Public water supply and septic tank	As approved by the Chatham County Health Department but not less than:	
	75 (1)	15,000
Individual private water and septic tank	As approved by the Chatham County Health Department but not less than:	
	100	30,000

[Sec. 8-3025(g) amended 11/21/17 (17-002807-ZA)]

Article D (Off-street Parking and Service Requirements)

Sec. 8-3090. Exempted uses and special off-street parking requirements for specified zoning districts.

The following are exceptions from the off-street parking requirements of section 8-3089:

(a) **RIP-A, RIP-A1, RIP-B, RIP-B-1, RIP-C, RIP-D and R-B-C-I districts.** Within the Historic District, as described in section 8-3030, or for properties zoned RIP-B that are larger than 1.5 acres and located adjacent to the Savannah Historic District, but not to include the West River Street Area, as described in (e) below, residential uses within the RIP-A, RIP-A1, RIP-B, RIP-B-1, RIP-C, RIP-D and R-B-C-I districts zoning districts, shall provide off-street parking as follows:

- (1) **New dwelling unit construction.** One off-street parking space per dwelling unit.
- (2) **Subdividing or conversion of an existing structure to add residential dwelling units.**
 - a. Subdividing of an existing residential dwelling structure into one or more additional dwelling units. One off-street parking space shall be provided for each such dwelling unit added.
 - b. Subdividing or conversion of an existing nonresidential structure for residential dwelling purposes. One off-street parking space shall be provided for each dwelling unit created.

- c. Required off-street parking shall be provided in all cases as follows:
 - 1. All required off-street parking shall be provided within the rear yard. Where such parking cannot be provided in the rear yard and where not more than two units exist on the parcel, one on-street parking space per each 18 linear feet of lot frontage (up to a maximum of two spaces) may be counted toward the required number of off-street parking spaces, provided that such space is located directly in front of and on the same side of the street as the use in question, along a public street where on-street parking is permitted.
 - 2. Where the required off-street parking cannot be so accommodated, the zoning board of appeals shall be authorized to grant a variance from all or a portion of the required off-street parking upon one of the following findings. Such findings shall be in addition to the required findings to be made for a variance as set forth elsewhere in this chapter:
 - (i) An alternative location of off-street parking proposed on the site (other than in the rear yard) has been determined by the historic review board to be appropriate to the character of the historic district; or
 - (ii) The developer shall provide a land use parking study which shows to the satisfaction of the city traffic engineer that the following condition can be met: The requested variance would not increase the ratio between the number of dwellings within the block face area the parcel is located and the number of parking spaces within the block face area (off-street spaces dedicated to residential purposes plus on-street spaces) above 1.0.
- d. All residential structures in a multifamily residential project comprised of more than 20 units, which project is restricted to housing for the elderly and/or the handicapped, shall provide one off-street parking space for every two units or portion thereof.
- (b) *BC-1 district.* Within the BC-1 zoning district, all uses are exempt from providing off-street parking.
- (c) *B-B district.* Within the historic district, all uses within the B-B zoning district are exempt from providing off-street parking.
- (d) *R-M districts.* Within R-M zoning districts, multifamily developments which are to be owned and operated by a church, synagogue or other religious use shall provide one-half off-street parking space per unit, provided (1) such multifamily development is intended to provide housing for members of such religious use or for elderly or handicapped persons and (2) such housing is to be located adjacent to property owned by the religious use which is available for parking.
- (e) *West River Street Area.* The West River Street Area as seen in Map 1 is defined as all properties bounded by West Bay Street, West River Street, Martin Luther King Jr. Boulevard and Warner Street.
[No change to (e).]
- (f) *B-C and B-G districts.* Within the boundaries of the Historic District, as described in section 8-3030, but not to include the West River Street Area as described in (e) above, a minimum of one off-street parking space per dwelling unit is required when there are no

more than two bedrooms. For three or more bedrooms, a minimum of 1.5 off-street parking spaces is required.

SECTION 2: That the requirement of Section 8-3182(f) 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: _____, 2019.

MAYOR

ATTEST:

CLERK OF COUNCIL

FILE NO.: 18-005939-ZA