

AN ORDINANCE

To Be Entitled

AN ORDINANCE TO AMEND PART 8, CHAPTER 3, ZONING,
TO AMEND ARTICLE L (NEW HAMPSTEAD PUD) 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 Text to be repealed is shown in red, bold, and double strikethrough.

Sec. 8-3237. Unified Control

The applicant for a PUD shall also be known as the Master Developer. The Master Developer shall furnish the City Attorney with sufficient evidence that it is in complete, unified, and otherwise unencumbered control of the entire area of the proposed PUD whether the Master Developer is an individual, partnership, corporation, other entity, group or agency. The Master Developer shall provide all the necessary documents and information that may be required by the City Attorney to assure the Mayor and Aldermen that the development will be lawfully completed according to the plan sought to be approved. No application shall be considered until compliance with this requirement has been achieved. Proof of compliance shall accompany the petition for a map amendment.

The Master Developer shall remain in control of the Master Plan until such time as control is transferred to a Master Property Owners Association (MPOA). Once transfer has been legally established, the MPOA shall provide to the MPC the necessary documents showing the transfer of control.

(1) Amended Master Plan. The Master Plan for New Hampstead is amended simultaneously herewith to refer to Exhibit A “New Hampstead Amended Land Use Plan” dated September 18, 2018 and revised December 18, 2018 prepared by KoontzJonesDesign for Figure 8 (Georgia), LLC.

Sec. 8-3241. - Modifications to approved master plan.

Whenever an application is made to modify the approved master plan, the modification shall be classified as either a substantial or nonsubstantial modification.

(1) *Substantial modification.* Substantial modifications require approval of the mayor and aldermen. Notification of such modification shall follow the notification procedure in subsection 8-3033(C) of the Zoning Ordinance. The metropolitan planning commission (MPC) shall make a recommendation to the mayor and aldermen.

The following criteria shall be used to identify a substantial modification:

- a. A change that would alter an approved land use classification except when there is a reduction in density or intensity.
- b. A change that would include a use not previously permitted.
- c. A change that would require an amendment to the PUD conditions approved by the mayor and aldermen.
- d. A change that would increase the land use intensity within any development phase without a corresponding decrease in some other portion of the overall PUD.
- e. A change in the type, location or size (except a reduction in the number of units) of a multifamily land use in the PUD.
- f. A change to the phasing, if adopted, that would propose a land use in advance of the development it was designed to support.

(2) *Nonsubstantial modification.* Nonsubstantial amendments to district and community development standards approved for the PUD can be allowed in certain circumstances

provided there is no adverse effect on adjacent properties. Specified staff is authorized to approve these amendments, which are limited to:

- a. *Parking.*
 - i. A reduction of the number of required parking spaces in a development up to ten percent of the requirement. Responsible staff: MPC executive director.
 - ii. A reduction of drive aisle widths and parking space dimensions. Responsible staff: City traffic engineer.
- b. *District and community general development standards.* Any modification that is up to ten percent of the requirement. Responsible staff: MPC executive director.
- c. *Buffers.* Any modification that is up to ten percent of the requirement. Responsible staff: MPC executive director.

(3) Changes That Are Not Modifications. The boundaries between parcels designated for different uses on the approved Master Plan are estimated for planning purposes, but the exact acreage of said parcels, and the exact location of the boundaries between said parcels have not all been precisely located by a recorded survey. Prior to the development of any such parcel, a subdivision plat precisely locating the boundaries of said parcel approved by the Master Developer, and complying with state and local law for a subdivision plat must be recorded in the Chatham County, Georgia records. The relocation of said boundaries based on said subdivision plat shall not be considered a modification to the Master Plan and shall not require an amendment to the Master Plan, so long as the density allocated to said parcel is not increased above the density listed on the approved Master Plan, and so long as the acreages of any affected parcels do not increase or decrease by more than 10% of the total acreage for said parcels shown on the Master Plan.

Sec. 8-3242. General Provisions.

(1) Introduction. Each tract of land within the PUD has a land use classification, which is also its zoning classification or district. The land classifications, zoning districts, and tracts encompassed by the various districts follow. The development standards for each district appear in Division 2. In addition to those standards, development shall comply with community general development standards in Division 4.

Land Classifications, Zoning Classifications and Tracts		
Master Plan Land Classification	Zoning District	Tracts Encompassed
Residential	R	R-1 through R-14 <u>R-1, R-2, R-3, R3A, R-4, R-5A, R-5B, R-6, R-7, R-8, R-9, R-13, R-14, R-14A, R-14B, R-15</u>
Highway 204 Commercial	C	C-1 through C-2 <u>C-1, C-2, C-6, C-7, C-8</u>
New Hampstead Village	VIL	VIL-1 through VIL-3 <u>VIL-1, VIL-2A, VIL-2B, VIL-2C and VIL-3</u>
Multifamily	MF	MF-1 through MF-3 <u>MF-2, MF-4, MF-5</u>
Institutional	I	I-1 through I-5 <u>I-7</u>
School	SC	SC
Public Park	P	P
Municipal Service	MS	MS-1 through MS-3 <u>MS-2-7</u>

Division 2. Zoning Districts.

Sec. 8-3270. Establishment of Districts.

The following zoning districts are hereby established. Each district corresponds to a land use classification, which encompasses specified tracts of land as shown on the approved Master Plan (Exhibit A). Each district has designated uses (Sec. 8-3272) and development standards (Sec. Sec. 8-3273), which are based upon the character of the development: conventional, traditional or traditional village.

Land Classifications, Zoning Classifications and Tracts		
Master Plan Land Classification	Zoning District	Tracts Encompassed
Residential	R	R-1 through R-14 <u>R-1, R-2, R-3, R3A, R-4, R-5A, R-5B, R-6, R-7, R-8, R-9, R-13, R-14, R-14A, R-14B, R-15</u>
Highway 204 Commercial	C	C-1 through C-2 <u>C-1, C-2, C-6, C-7, C-8</u>
New Hampstead Village	VIL	VIL-1 through VIL-3 <u>VIL-1, VIL-2A, VIL-2B, VIL-2C and VIL-3</u>
Multifamily	MF	MF-1 through MF-3 <u>MF-2, MF-4, MF-5</u>
Institutional	I	I-1 through I-5 <u>I-7</u>
School	SC	SC
Public Park	P	P
Municipal Service	MS	MS-1 through MS-3 <u>MS-2-7</u>

Sec. 8-3272. Uses.

Uses permitted within each zoning district are located Table 2.1. A use permitted as a matter of right is identified with the symbol "✓". Where there is no symbol, the use is not permitted. If a use has development conditions, the section where the conditions are located is also provided within the table. Use definitions are located in Article 5.0.

Table 2.1 Allowed Land Use Matrix

Key:

Planning Areas

1. Residential Tracts (R1 - R14) = R
2. Highway 204 Commercial Tracts (C1 - C2) = C
3. New Hampstead Village (VIL1 - VIL3) = VIL
4. Multi-Family Tracts (MF1 - MF3) = MF
5. Institutional Tracts (I1 - I5) = I
6. School Tract = SC
7. ~~Public~~ Park = P
8. Municipal Service Site (MS1 - MS2) = MS

✓ = Allow land use within district.

Land Use	Planning Areas										Use Standards	
	R	C	VIL1	VIL2	VIL3	MF	I	SC	P	MS		
1 Accessory Dwelling	✓		✓	✓	✓							32 <u>Sec. 8-3291</u>
2 Accessory Structure	✓		✓	✓	✓	✓	✓	✓	✓	✓		
3 Accessory Use	✓		✓	✓	✓	✓						
4 Amusement or Recreation Activities - Carried on Wholly in a Building		✓	✓	✓	✓							
5 Animal Hospital, Veterinary Clinic, Grooming (No Boarding)		✓			✓							
6 Antique Shops		✓	✓	✓								

Land Use		Planning Areas										Use Standards
		R	C	VIL1	VIL2	VIL3	MF	I	SC	P	MS	
7	Artist Studio and/or Gallery		✓	✓	✓			✓				
8	Assisted Living (Care Home)	✓	✓	✓	✓		✓	✓				
9	Auto Parking Lot or Garage (No Gas, Hourly & Daily)			✓	✓	✓						
10	Auto Service Station (Minor Repairs Allowed, Internal Only, Detached Carwash)		✓	✓	✓	✓						
11	Banks		✓	✓	✓	✓						
12	Bicycle Shop		✓	✓	✓							
13	Book and/or Stationery Store		✓	✓	✓							
14	Cemetery							✓				
15	Ceramic Studio and/or Shop			✓	✓							
16	Child Care Center		✓	✓	✓	✓		✓				
17	Clothing Stores and Dry Goods		✓	✓	✓							
18	Churches and Places of Worship							✓				
19	Club or Lodge	✓		✓	✓	✓						
20	Community Recreation	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
21	Convenience Store (Gas Sales Allowed, Carwash Detached)		✓	✓	✓	✓						
22	Craft Shops			✓	✓							
<u>23a</u>	<u>Dwelling Above Commercial</u>			✓	✓	✓						
23b	Dwelling, Multifamily			✓	✓	✓	✓					5.3.1 5.3.2
24	Dwelling, Single Family Detached	✓		✓	✓	✓						5.3.1 5.3.2
25	Dwelling, Single-Family Attached	✓		✓	✓	✓	✓					5.3.1 5.3.2
26	Eleemosynary or Philanthropic Institutions	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
27	Equestrian Centers & Trails	✓										
28	Florist Shops		✓	✓	✓							

Land Use		Planning Areas										Use Standards
		R	C	VIL1	VIL2	VIL3	MF	I	SC	P	MS	
29	Food Stores & Drug Stores		✓	✓	✓	✓						
30	Funeral Homes		✓			✓						
31	Golf Course	✓										
32	Grocery, Bakery, Pastry Shop, Coffee Shop, & Similar Neighborhood Facilities		✓	✓	✓	✓						
33	Home Furnishing and/or Hardware Stores			✓	✓							
34	Home Occupation	✓		✓	✓	✓						33 Sec. 8-3292
35	Hospital & Care Homes		✓					✓				
36	Hotel, Motel		✓									
37	Inn (Up to 15 Rooms)			✓	✓							
38	Interior Decorating Business		✓	✓	✓	✓						
39	Laundromats/Dry Cleaning		✓	✓	✓	✓						
40	Limited Use Retail Shop		✓	✓	✓	✓						
41	Maintenance Area	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
42	Model Homes/Sales Center	✓	✓	✓	✓	✓	✓					
43	Neighborhood Commercial Use Retail & Service		✓	✓	✓	✓						
44	Office General		✓	✓	✓	✓						
45	Office Medical		✓	✓	✓	✓						
46	Office Professional		✓	✓	✓	✓						
47	Post Office		✓	✓	✓			✓				
48	Private, Public or Parochial Schools							✓	✓			
49	Public Use		✓	✓	✓	✓		✓		✓	✓	
50	Public Utilities	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
51	Recreation Vehicle and Boat Storage		✓	✓	✓	✓						
52	Restaurants (Alcohol Service Allowed)		✓	✓	✓	✓						

Land Use		Planning Areas										Use Standards
		R	C	VIL1	VIL2	VIL3	MF	I	SC	P	MS	
53	Restaurants with Drive Through		✓			✓						
54	Tailor Shop		✓	✓	✓	✓						
55	Temporary Uses	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	3-4 Sec. 8-3293
56	Wireless Communication Towers and Facilities		✓	✓	✓	✓		✓	✓		✓	3-4 Sec. 8-3290

Division 5. Definitions.

Sec. 8-3335. General.

Where this division specifies a defined term that includes the phrase, “any similar use,” such interpretation shall be made by the Zoning Administrator. The definitions herein pertain only to the PUD. Definitions included within the Zoning Ordinance but not herein shall also apply.

Sec. 8-3336. Defined Terms.

(25) **Community Recreation.** This designation allows for recreational complexes and amenities to serve portions of the PUD. Land uses may consist of private and semi-private recreation, indoor and outdoor lighted and unlighted recreation facilities, establishments and services which include active and passive sports, entertainment facilities and ancillary facilities such as restaurants serving such public recreational facilities. Community Recreation shall not be considered a commercial use and shall not be counted against the overall allowed acreage for commercial uses with the PUD. Permitted uses include:

- Outdoor recreational facilities including but not limited to:
 - a. Public and/or private golf courses and ancillary facilities associated therewith;
 - b. Golf Cart storage barn and maintenance facilities;
 - c. Golf learning centers including golf school, pro-shop, sales of equipment, apparel, teaching facilities, practice facility, practice golf holes and the like;
 - d. Swimming pools, pool bath houses and gazebos;
 - e. Tennis courts;
 - f. Lawn games such as bocce, croquet, and volleyball, etc.;
 - g. Multi-use fields;
 - h. Playgrounds;
 - i. Neighborhood parks;
 - j. Community parks;
 - k. Leisure trails and bike trails;
 - l. Gardens;
- Other recreational uses include:
 - a. Recreational buildings, including but not limited to, uses such as
 - i. Indoor recreation,
 - ii. Meetings,
 - iii. Assembly,
 - iv. Banquet,
 - v. Fitness, and

- vi. Hobby space;
 - b. Accessory buildings;
 - c. Community offices/administration/security buildings;
 - d. Maintenance and storage facilities;
 - e. Community service including public and/or private clubhouses;
 - f. Pro shops, snack bars, grills, restaurants and lounges associated with clubhouses;
 - g. Equestrian facilities including stables, pastures, riding rings, barns, trails and the like;
 - h. Walking and hiking trails;
 - i. Camping;
 - j. Cookout areas;
 - k. Outfitter center including office and pro-shop; and,
 - l. Nature labs or centers, aquariums, libraries and the like.
- Pursuant to the terms of the Conservation Easement and Declaration of Restrictions and Covenants, dated December 28, 2017, and recorded with the Office of the Clerk of Superior Court of Chatham County, Georgia under Deed Book 1249 Pages 718 thru 755, Conservation Areas A, B, and C being shown and depicted as “Areas A, B, and C” on map or plat prepared by Williams Surveying & Mapping, LLC, dated December 7, 2017, and recorded with the Office of the Clerk of Superior Court of Chatham County, Georgia under Plat Book 51 Page 267, have additional restrictions and covenants. Said Deed is attached as Exhibit B and said Plat is attached as Exhibit C.

(32) Dwelling, Above Commercial. A single family dwelling that is located above a commercial property and contains its own separate entry.

(32a) *Dwelling, Detached.* A dwelling which does not share party or lot-line walls with any adjacent building.

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: _____, 2018.

MAYOR

ATTEST:

CLERK OF COUNCIL

FILE NO.: 18-005271-ZA

EXHIBIT A

(Full-size Hardcopy Exhibit is on file with the Clerk of Council's Office)

DRAFT