

AN ORDINANCE
To Be Entitled

AN ORDINANCE TO AMEND DIVISION II, PART 8, PLANNING AND REGULATION OF DEVELOPEMNT, CHAPTER 3, ZONING, ARTICLES 4.0, 8.0, AND 13.0; 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 Division II, Part 8, Planning and Regulation of Development, Chapter 3, Zoning, Article 8.0, Sections 8.7.2 Generally, 8.7.4 Accessory Dwelling Units, 8.7.5 Caretaker Dwelling Unit, and Article 13.0, 13.2 Definitions (Effective September 1, 2019) of the Code of the City of Savannah, Georgia hereinafter be referenced as “code”, be amended to read as follows:

*Note: Text and/or figures to be enacted shown in red and underlined.
Text and/or figures to be stricken shown in strikethrough.*

Article 4.0 Measurements and Exceptions

4.1.7 Building Measurements

a. Building Footprint

The building footprint shall be measured as the area at finished grade that is within the exterior faces of the exterior walls. Where buildings are attached, the measurement shall be from the centerline of the wall separating the attached buildings. In the absence of surrounding exterior walls, the building footprint shall be the ground floor area of a building that is under a roof.

Article 8.0 Use Standards

Sec. 8.7 Accessory Structures and Uses

8.7.1 Purpose

This Section authorizes the establishment of accessory structures and uses that are incidental and customarily subordinate to principal uses. Additional performance criteria are set forth in this Section for particular uses and structures in order to reduce potentially adverse impacts on surrounding properties.

8.7.2 Generally

All accessory structures and uses shall be consistent with all standards of the base zoning district (Article 5.0), any applicable overlay district (Article 7.0) and any applicable use standards (Article 8.0), except as expressly set forth below. Accessory structures and uses shall:

- a. Be accessory and clearly incidental and subordinate to a permitted principal use. No accessory use may be established on a site prior to the establishment of a permitted principal use.
- b. Be located on the same property as the principal use or structure.
- c. Not involve uses or structures not in keeping with the character of the principal use or principal structure served.
- d. Be located within a district that permits the principal use.
- e. Not be erected in any required setback area, except as expressly set forth in this Ordinance.
- f. Shipping containers and tractor trailers shall be prohibited as storage buildings or structures except as permitted on an active construction site or in Industrial zoning districts (see Sec. 8.8, Temporary Uses).
- g. A parcel shall include only one accessory dwelling unit or one caretaker's dwelling unit.

8.7.4 Accessory Dwelling Units (not including Caretaker's Dwelling Unit)

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, shipping containers, 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 unit.
- 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 unit.

- 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~~ 125% of the minimum lot area required by the zoning district. This standard shall ~~not~~ be variable. If a variance is pursued, the Historic Preservation Commission shall provide a recommendation to the Zoning Board of Appeals when the parcel is located in a conservation overlay district, as provided in Section 7.15, or is located in a designated a National Register Historic District without a Local Historic Overlay, as defined in Section 13.3.

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 building footprint ~~gross floor area~~ of the accessory dwelling unit shall be a maximum of 40% of the ~~habitable floor area~~ building footprint of the principal dwelling not to exceed 700 square feet. In the A-1, RSF-E, RSF-30 and RSF-20 districts, the maximum building footprint shall be 40% of the ~~habitable floor area~~ building footprint of the principal dwelling or 1,000 square feet, whichever is less.
- ii. The accessory dwelling unit shall contain a the minimum ~~of 400~~ square feet ~~of heated area as required by the ordinances and codes of the City of Savannah regulating building construction.~~
- iii. The accessory dwelling 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 unit, 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 unit 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.

h. Height

- i. When a parcel is located in a conservation overlay district, as provided in Section 7.15, or is designated a National Register Historic District without a Local Historic Overlay, as defined in Section 13.3, accessory dwelling units shall not exceed 25 feet in height or the height of principal building, whichever is less. If a variance is pursued, the Historic Preservation Commission shall provide a recommendation to the Zoning Board of Appeals.
- ii. Within all other permitted zoning districts, accessory dwelling units shall not exceed 25 feet or the height of principal building, whichever is less.
- iii. Any portion of an accessory dwelling unit over 15 feet in height shall be located at least 15 feet from a rear property line that does not abut a lane.

8.7.5 Caretaker Residential Dwelling Unit (does not include Accessory Dwelling Unit)

A single residential unit is allowed as an accessory use to any nonresidential use in any zoning district and is not required to be included in the gross residential density calculations. For such use, the following shall apply:

- a. Where there is a principal building, such use may be attached or detached from the principal building.
- b. An attached caretaker residential unit shall meet the setback standards for the principal building.
- c. A parcel shall not have an accessory dwelling unit and caretaker residential unit.

Article 13.0 Abbreviations and Definitions

Sec. 13.2 Defined Terms, General

Accessory Dwelling Unit: A structure used as an individual residential unit located on the same lot as the principal dwelling, ~~which contains permanent provisions for a living space with a bedroom, kitchen, and bathroom.~~ Including a kitchen, bathroom, and sleeping area.

Accessory Structure: Any structure, including a building, that is subordinate to the permitted principal use or principal building on the same lot, and that serves a purpose clearly incidental to the lot, structure or building. The term accessory structure does not include Accessory Dwelling Unit or Caretaker's Residential Unit. Although subordinate, some accessory structures may not be permitted in certain zoning districts

Caretaker's Residential Dwelling Unit: A structure constructed to residential occupancy standards in compliance with applicable building codes that is accessory to a nonresidential use. The structure serves as the residence of a caretaker, who is responsible for property management and/or security and may accommodate the caretaker's household.

Building Footprint: ~~The area within the exterior walls of a building that is under a roof.~~ The building footprint shall be measured as the area at finished grade that is within the exterior faces of the exterior walls. Where buildings are attached, the measurement shall be from the centerline of the wall separating the attached buildings. In the absence of surrounding exterior walls, the building footprint shall be the ground floor area of a building that is under a roof.

Sec. 13.5 Defined Terms, Historic

National Register Historic Districts without a Local Historic Overlay: The National Register was established by the National Historic Preservation Act of 1966 and is maintained by the U.S. Department of the Interior, National Park Service. National Register Historic Districts that do not have a local historic overlay district include Pine Gardens, Gordonston, Bonaventure, Eastside/Meadows/Collinsville, Central of Georgia, Laurel Grove North, Laurel Grove South, Kensington Park-Groveland, and Fairway Oaks-Greenview.

SECTION 2: That the requirements of Section 3.2 of the Zoning Ordinance effective the 1st of September 2019, and the law in such cases made and provided has been satisfied. 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 9th of May 2023, a copy of said notice being attached hereto and made a part hereof.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

EFFECTIVE DATE: This ordinance shall be effective as of the date hereof.

ADOPTED AND APPROVED: _____ day of _____ 2023.

Van R. Johnson, II
Mayor

ATTEST:

Mark Massey
Clerk of Council