

MEETING NOTES

**Zoning Update-Technical Committee Meeting
Metropolitan Planning Commission
Surrency Conference Room
November 28, 2007
3:00-5:00 PM**

I. Introduction

The minutes of the October 17, 2007, meeting were approved, subject to clarification on the issue of proposed time limits for Administrative Adjustments.

II. Upcoming Meetings and Events

- The MPC will be holding a special meeting at 11:00 on December 11 to review all of the committee's work for the year. Technical Advisory Committee members are encouraged to attend.
- The December meeting of the Technical Advisory Committee is scheduled for December 19, from 3:00 - 5:00PM at the Jerry Surrency Room at the MPC.

III. Component 2 (Administration)

A. Overview of Meeting - A short PowerPoint presentation provided an overview of the meeting and the status of related sections of the ordinance. It is anticipated that the entire component will be completed in time for the December meeting. The presentation will be posted to the Zoning Update webpage to keep the public informed of the committee's progress.

B. Section 2.1 General Provisions

The General Provisions section establishes the authority for the various review and decision-making bodies identified in the Unified Zoning Ordinance.

C. Section 2.2 Local Governing Bodies

This section identifies the Chatham County Commission and the Savannah City Council as having final authority on numerous types of reviews, including rezonings, amendments, special use permits, and some types of appeals.

D. Section 2.3 Planning Commission

- The committee discussed the size of the MPC board's membership. Some committee members felt that the current roster of 14 members is too large, and a smaller number would make quorums easier to attain.
- The issue of ex-officio membership for the City and County Managers was raised. The practice of paid employees sitting on a volunteer planning board is unusual, and appears to be unique to MPC. Furthermore, this practice has not been codified in the current zoning ordinance, which specifies a 12 member board appointed in

equal numbers by the City and County, but does not mention any ex-officio members.

- The committee supported the ideas of term limits, training, minimum qualifications, and continuing education requirements for MPC commissioners. The committee also suggested requiring quotas for various professionals (such as developers, engineers, real estate professionals, and so on). Another option would be to invite local chapters of professional organizations, such as the American Institute of Architects, to nominate members for service on the MPC board.
- The issue of residency requirements for MPC commissioners was raised. Should MPC commissioners be required to be residents of unincorporated Chatham County or the City of Savannah? There was some concern that if the County Commission were restricted to nominating members only from unincorporated Chatham County, it could be difficult to find qualified candidates who were willing to serve. Other committee members expressed the opinion that people should be eligible to serve if they live anywhere in the County, including the seven municipalities that do not participate in the MPC.

E. Section 2.4 Zoning Board of Appeals

Staff is proposing merging the City ZBA and the County ZBA into a single board. Because the City and County will share the same zoning ordinance, staff believes that there is little reason to maintain separate boards.

- Currently, the City ZBA has only five members, which can make it difficult to achieve a quorum, as only two members can miss any given meeting. Furthermore, if a quorum of three is achieved, a majority vote can be carried by only two members, which can be perceived as an insufficient amount of vetting for the issues being heard. The committee supported the idea of expanding the membership of the ZBA, possibly to seven or nine members.
- The committee supported removing the requirement that a member of the MPC must also serve on the ZBA, as this is viewed as being too great of a time commitment.
- The committee supported the idea of creating a Code of Ethics for the Zoning Board of Appeals, similar to the code that is currently in place for the MPC.

F. Section 2.5 Historic Preservation Commission

Staff is proposing repurposing the Chatham County Historic Preservation Commission to become a joint City-County board with jurisdiction over all local historic districts except for the Landmark District, which for legal reasons will continue to have its own review board.

- The Chatham County Historic Preservation Commission currently has 9 members. The draft UZO suggests 14, which some committee members felt was too many.
- As it is currently written, the draft UZO grants the HPC the authority to hear cases on Certificates of Appropriateness and the establishment of new historic districts or properties. Some

committee members felt that the board should also have the authority to grant variances and approve site plans because it would streamline the review process by saving the applicant from having to make additional trips to the ZBA and the MPC. However, others argued against such a system because the qualifications for membership on the three boards (HPC, ZBA, and MPC) are different, and therefore members of these boards may not have the knowledge and training to make effective decisions outside of their particular areas of expertise.

G. Section 2.6 Landmark Historic District Board of Review

The draft UZO proposes increasing the qualifications for this board by requiring a majority of members to have expertise in a related field such as architecture, planning, etc. Currently, only one member is required to have such expertise.

H. Section 2.7 Planning Director

The Planning Director is defined as the Executive Director of the MPC, and is assigned numerous responsibilities throughout the draft UZO. In most cases, however, it is anticipated that the Planning Director will choose to delegate this authority to various MPC staff members.

I. Section 2.8 Building Official

The draft UZO uses the term "Building Official" to refer to the Chatham County Director of Building Safety and Regulatory Services and the City of Savannah Director of Development Services. As with the Planning Director, the term "Building Official" also refers to that individual's staff.

J. Section 2.9 Development Review Team

MPC planners currently have regular meetings with City and County departments that have a role in the site plan review process. This section codifies that process and establishes review authority for the team.

K. Section 3.6 Comprehensive Plan Map Amendment

This is a new section that establishes a process for amending the Comprehensive Plan's Future Land Use Map. It also establishes the requirement that rezonings must be consistent with the Future Land Use Map. Therefore, the Future Land Use Map must be amended prior to rezoning to an inconsistent district. This is to help ensure that the Comprehensive Plan stays up-to-date and remains a relevant tool for guiding future development. In order to avoid creating a burden on developers and property owners, action on the Comprehensive Plan Map Amendment is allowed to take place at the same public hearing as the rezoning.

L. Section 3.9 Text Amendment

Because the UZO is a single zoning ordinance that will be adopted by two different governing bodies, text amendments present a challenging problem as amendments that are approved by one governing body will also affect the other governing body. The draft UZO addresses this problem by

requiring text amendments to be approved by both governing bodies. However, this in itself is a problem because it represents a concession of legislative authority: it essentially gives each governing body the ability to veto a text amendment that has been approved by the other body.

- Several committee members expressed support for replacing the joint approval process with an annual or semi-annual reconciliation process. Under such a process, each governing body would retain the power to modify the ordinance as they see fit, and then once a year (or possibly more often) the planning staff would work with both governing bodies to reconcile the changes that have been made. If this process was unsuccessful for any text amendments, the ordinance would be modified to make it clear that the text amendment is applicable only in the jurisdiction that approved it.
- A suggestion was made to build a procedure into the text amendment process to allow the other governing body to have the opportunity to submit comments on the text amendment. The intended effect would be to help the reconciliation process go more smoothly.
- Another option would be to initiate the reconciliation process every time a text amendment was approved by one of the governing bodies. This would eliminate the need to maintain different ordinances for each governing body while waiting for the annual/semi-annual reconciliation meeting.
- Still another alternative would be to create a text amendment committee made up of members of the City Council and County Commission to help resolve issues surrounding text amendments before they are adopted.

This section will be revised in light of the comments that were made and e-mailed to the committee before the next meeting.

M. Section 3.10 Site Development Plan

The proposed site plan review process identifies three categories of site plans: simple, minor, and major. This system will result in more site plans being handled at the staff level, as only major site plans will require board review. A major plan is one that requires at least one of the following: A Development of Regional Impact; a Traffic Impact Analysis; a Major Special Use Permit; or is a Planned Development (rezoning). Additional meetings with City and County building officials will be scheduled to refine the details of this section.

N. Section 3.11 Traffic Impact Analysis

This is a new section that codifies a process for Traffic Impact Analyses, including thresholds where they will be required.

IV. Other Business

The committee ran out of time and did not review the following sections:

- Special Use
- Temporary Use Permit
- Temporary Placement Permit
- Demolition by Neglect

- Variance

These sections will be discussed at the next committee meeting.

The next Technical Committee meeting is scheduled for Wednesday, December 19, 2007 at 3:00 PM at MPC.