

MEETING NOTES

Unified Zoning Ordinance-Technical Committee Meeting
Metropolitan Planning Commission
Arthur Mendonsa Hearing Room
April 15, 2009
3:00-5:00 PM

Members Present: Gregori Anderson, Beth Blalock, Rob Brannen, Suzanne Cooler, Bill Dawers, Alderman Jeff Felser, Ellen Wyatt (for Martin Fretty), Harvey Gilbert, Tiras Petrea (for Randolph Scott), Robert Sebek, Pete Shonka, Commissioner Helen Stone, Ryan Thompson, Brian White

Members Absent: Downer Davis, Bill Dempsey, Lee Grimes, Robin Haddock, Bridgit Lidy, MarRonde Lotson, Joe Marshall, John Mitchell, Lise Sundrla, Jon Todd, Malik Watkins

Staff Present: Amanda Bunce, Debbie Burke, Geoff Goins, Ellen Harris, Charlotte Moore, Beth Reiter

Guests Present: Daniel Carey, Lee Hughes, Owen Murphy

I. Approval of March 2009 Minutes

II. Update of Work Status

Charlotte Moore stated that staff has scheduled several meetings to present general information regarding the UZO to the community. The community meetings will begin next week. Ms. Moore stated that staff has created a new logo, website, and brochures to provide information about and generate recognition for the UZO.

Ms. Moore gave an update on the remapping process and several ordinances that staff is working on. She indicated that staff is continuing work on the remapping process and have completed 18 of the 25 maps. All of the maps should be completed by the end of May.

Staff is in the process of writing an Access Management, Circulation and Connectivity ordinance. The ordinance will be forwarded to City and County staff for their review.

Staff is waiting on the Open Space Manual to be completed before continuing work on the Open Space ordinance. City Development Services staff is working on the manual. Once the manual is complete,

staff will work with the City and County to create the Open Space ordinance.

Staff is researching legal issues regarding the Solar Access Easement ordinance to determine if it should be located in the zoning ordinance.

Staff has completed the first draft of the Drive-Thru ordinance and will bring the ordinance to the Committee for their review in the future.

III. Review of Downtown Savannah Historic Overlay District Ordinance

Ellen Harris presented an overview of the proposed Downtown Savannah Historic Overlay District ordinance. This ordinance pertains to the existing Landmark District. Ms. Harris explained that there is a revision process underway to the existing ordinance and that it is a separate process from the UZO draft. With regard to the UZO draft, many of the changes proposed are regarding procedural requirements.

Gregori Anderson asked why EFIS is not permitted. Ms. Harris explained that this only pertains to large-scale developments and the large expanses of EFIS does not provide the human scale texture that is needed. Bill Dawers asked how the 9,000 square foot threshold was established regarding large-scale developments. Ms. Harris stated that number is based on the Chadborne report and is the equivalent of one and a half tithing lots. Daniel Carey asked about the definition of separate buildings. Beth Reiter stated that they have to have a fire wall between the buildings and they need to appear to be separate buildings. Mr. Carey asked if this is different than the current standards. Ms. Reiter indicated that there are no standards regarding this presently. Mr. Dawers indicated that the Downtown Master Plan will establish more standards. Mr. Carey stated that, in regards to lanes, streets, and roads, there seems to be a difference in opinions if a lane is a road or not. He would like to see a definition that addressed that issue. Ms. Harris stated that streets and lanes are defined independently in this ordinance and where they mean both the term "right-of-way" is utilized.

Bill Dawers stated that he did not agree with eastern boundary of the district being East Broad Street. He felt that it should be further east.

IV. Review of Residential Manufactured Home Park District and Manufactured Home Overlay District

Due to some confusion regarding the two districts, Amanda Bunce reviewed the differences between a manufactured structure and a modular structure and provided examples of both. Ms. Bunce gave an overview of the proposed Residential Manufactured Home Park District.

She stated that the City and County both have ordinances regarding manufactured home parks and she has gone through these ordinances to determine what is zoning related and should be located in the UZO. She indicated that one major change proposed is that these sites will be required to be served by water and sewer, septic systems will be prohibited for any new park.

Helen Stone questioned whether the existing parks would be grandfathered. Ms. Bunce stated that they would and would not be required to be brought up to the new standards. Ms. Stone asked how hurricane standards are applied to these structures. Gregori Anderson stated that there are two types of manufactured homes, one is designed for hurricane zones and the other is not. Ms. Stone asked if you can tell the difference between the two. Mr. Anderson stated that you cannot tell the difference by sight and you cannot retrofit the one that is not designed for hurricane zones to meet hurricane standards. He indicated that it is a challenge to ensure that all the structures that are brought in meet the hurricane standards due to the fact that the structures are moved in and out so frequently. Ms. Stone stated that she is concerned about the ones that do not meet the hurricane standards because of the damage that they could cause in the event of a hurricane.

Mr. Anderson asked how home occupations would be handled in manufactured home parks. Ms. Moore stated that all home occupations would be dealt with through the home occupation section of the ordinance, which would allow home occupations in any residential use.

Harvey Gilbert asked if there is a requirement for open space. Amanda Bunce indicated that there is and that requirement is currently in the City ordinance. Rob Brannen asked if there is a minimum number of homes that constitutes a park. Ms. Bunce stated that only one dwelling is permitted per lot, so if there are multiple dwellings on one lot it is a park. She indicated that issue may need to be clarified in the ordinance.

Mr. Brannen asked if individual manufactured homes could be on septic. Ms. Bunce indicated that they could. She stated that the agricultural district allows manufactured homes by right. If a property is not within the agriculture district, they have to have the Manufactured Home Overlay in order to place a manufactured home on the property. The overlay district requires more design standards that what is required in the park in order to make those structures more compatible to the stick built structures in the area.

Tiras Petrea stated that current standards allow existing manufactured homes to be replaced, but no new ones to be brought in (Note: this applies to manufactured homes built before June 15, 1976). He asked if that is how the proposed ordinance will work. Ms. Bunce stated that where the overlay district is located, new manufactured homes are permitted. Where there is no overlay district or park designation, existing manufactured homes can be replaced but no new homes can be brought in. Mr. Petrea stated that issue would need to be reviewed by his office. Ms. Moore stated that the object of the change is not to make all manufactured homes conforming. Some areas will remain as nonconforming. Ms. Bunce stated that staff looked at each area carefully to determine if the overlay should be applied.

Bill Dawers asked if there are any manufactured home parks that are less than five acres in size, will they be zoned as such. Mr. Dawers stated that these structures are usually situated perpendicular to the street and the quality of life area is between the structures, therefore he would be supportive of a lesser front yard setback. Ms. Bunce stated that originally the setback between the structures was greater but staff used aerial photography to determine what is in existence on the ground. The proposed 20 feet is what is occurring in the vast majority of existing sites.

Ryan Thompson asked if the manufactured home parks are platted with individual lots and if not, how are the setbacks measured. Ms. Moore stated that all new parks will be required to show lease lines and setbacks on their plans for review. Mr. Thompson asked if there were any other districts where the setbacks are measured from someplace other than the property lines. If not, where the setbacks are measured from should be clarified in this section. Ms. Bunce stated that, in this section of the UZO, it is referred to as a lease lot area and each of those areas will need to be shown on the plat for all new parks.

Mr. Brannen asked if there is a new manufactured home park with individually platted lots (not lease lines), which zoning district would apply. Ms. Bunce stated that they could apply the overlay district and follow the underlying zoning district standards.

Suzanne Cooler asked what the intent is of not allowing septic systems in a manufactured home park if they meet the minimum lot standards. Ms. Bunce stated that it is a water quality issue. Ms. Cooler asked again if they meet the minimum lot size why they can't have private septic systems. Mr. Brannen stated that he had the same question and asked if this impacts single family sites. Ms. Moore stated that it would not and clarified that she had worked with the Health Department regarding this matter and they are supportive of this requirement. She indicated that

they can look into this matter again, however, manufactured home parks are a commercial venture and should be treated as such. She stated that the County is aiming to be the "greenest" county and septic systems are not green. Ms. Cooler stated that bringing in these structures resulted in the loss of fewer trees than a stick-built home. You can bring in a manufactured home and not take down any trees, but you cannot do that with a stick-built home. Pete Shonka clarified that this issue is in regards to manufactured home parks and you could not install the roads, etc. without removing trees.

Mr. Dawers asked whether people in the parks can own their own homes. Ms. Moore stated that they could. Beth Blalock stated that septic systems are much more consumptive than sewer systems and if the goal is to be greener, septic should not be allowed anywhere. Ms. Cooler stated that she is concerned about requiring the owners to incur the cost of extending utilities when these parks provide low to moderate income housing. Ms. Moore asked if, as an alternative, a community septic system should be required. Ms. Cooler stated that it should be based on the State standards. Ms. Moore stated that staff will revisit this issue.

Mr. Anderson indicated that, in regards to the design standards item "f", language should be added stating that the structures shall be certified as designed for hurricane prone zones. Ms. Bunce asked if adding this language would be stating what is already in the Building Code. Mr. Anderson stated that it is in the Building Code, in State regulations, and probably FEMA regulations. Ms. Bunce asked if it was necessary to include in the UZO if it is already stated in other codes. Mr. Anderson stated that the proposed ordinance refers to "hurricane tie down" so the additional language should be added in order to avoid any misconception about what is required. Ms. Bunce clarified that what Mr. Anderson is saying is that either the additional language should be added or all of "f" should be taken out. Mr. Anderson indicated that is what he would like to see happen. Mr. Dawers asked Mr. Anderson if he knew the difference in cost between the types of manufactured home. Mr. Anderson stated that he did not.

Mr. Thompson asked if the roof pitches required in the proposed overlay ordinance are readily available when purchasing a manufactured home. Ms. Bunce stated that they are readily available.

Ms. Cooler stated that in regards to the standards for roadways, the pavement width can be less than 25 feet if the road has ditches. If the road is not designed with curb and gutter, 22 feet is permitted. The ordinance should reflect this design option or it should refer to the City/County manuals. Ms. Cooler also pointed out that in one part of the proposed ordinance parking along the road in a park is prohibited and in

another portion it states “exclusive of parking” in regards to the roadway width. Mr. Shonka stated that, whether the roads are private or public, they should be built to meet City/ County standards for maintenance purposes. Ms. Cooler stated that they should meet the standards not only for maintenance but for safety too. Mr. Shonka indicated that the safety issue is something that can be discussed and reviewed in the site plan review process.

Ms. Cooler questioned why, if it is private property, are we prohibiting on street parking. Ms. Bunce stated that typically there are so many curb cuts that it is not physically possible to have on street parking. Mr. Shonka added that it is a safety issue. Ms. Moore stated that staff will need to rework this section and get with Ms. Cooler and Mr. Shonka to discuss it.

Mr. Petrea stated that if an accessory structure is less than 125 square feet, a permit is not required. The proposed ordinance limits accessory structures to 100 square feet, which will not require a permit. Mr. Petrea feels that this may be an issue with regulating. Ms. Bunce stated that she will look into this to see if the standard needs to be amended or if the UZO will have a more restrictive standard. Ms. Bunce stated that staff is also reviewing the typical widths of newly constructed manufactured homes to determine if the appropriate minimum width is 17 or 20 feet.

V. Zoning Map Areas

Five map areas were presented for review. The areas included: Georgetown/ Chevis Road/ Canebrake Road (#10), Berwick Plantation/ Hwy. 17/ Henderson (#12), Hwy. 17/ Chatham Parkway/ Buckhalter Road (#13), Live Oak/ Victory Manor (#20), and Victory Heights/ Gordonston/ East Savannah (#21).

a. Georgetown/ Chevis Road/ Canebrake Road (#10)

Ms. Bunce reviewed the proposed changes to Map #10. Ms. Bunce discussed a parcel located near I-95 in the Gateway area that was zoned PUD-B-C that staff reclassified as R-6. The property is adjacent to a subdivision zoned R-6 to the south and vacant R-6 property to the west. Staff believes that it is more likely that the property will be utilized for an extension of the subdivision rather than additional commercial development. Mr. Thompson asked if the property was rezoned to the PUD-B-C designation in conjunction with the property to the east, as that might be an indicator that the owner has commercial intentions for the property. Ms. Bunce stated that she would need to do some further research to determine when/ how the property became zoned PUD-B-C.

Mr. Thompson stated that he concerns about down zoning the property in case the owner would like to use the property for commercial purposes. Ms. Bunce checked on GIS and the subject property is held in the same ownership as the R-6 property to the south and west. In addition, the subject property appears to have been cleared at the same time as the subdivision to the south (determined using GIS imagery.)

b. Berwick Plantation/ Hwy. 17/ Henderson (#12)

Ms. Bunce reviewed the proposed changes to Map #12. Harvey Gilbert asked what zoning district allows churches. Ms. Bunce stated that churches are allowed by right in all districts except the Conservation district and Residential Manufactured Home Park district. A use permit, which is required in the current ordinance, will not be required for a church in the proposed ordinance.

c. Live Oak/ Victory Manor (#20)

Geoff Goins reviewed the proposed changes to Map #20. Ms. Moore indicated that the Waters Avenue corridor has been targeted by the Economic Development Department and that Economic Development would need to review this map to ensure that it is consistent with their vision for the corridor.

d. Hwy. 17/ Chatham Parkway/ Buckhalter Road (#13)

Mr. Goins reviewed the proposed changes to Map #13. Ms. Cooler indicated that the County has purchased additional property at the jail for future improvements to the site. The property is shown as A-1 and needs to be changed to I-L-T, as the A-1 district does not permit jails. Mr. Thompson questioned whether multifamily uses are permitted in the B-C district. Ms. Bunce stated that they are not permitted. She stated that the properties in question are currently zoned PUD-B-R, which would likely require a rezoning in order to obtain a higher density to make a multifamily project feasible.

Mr. Petrea stated that there should be regulations regarding what uses residential units can be located above, such as a bar. Ms. Bunce stated that it may not be appropriate to create those limitations, especially in the downtown area, if the residential use is established after the commercial use. Mr. Gilbert asked what districts allow "over/ under" (i.e., upper story residential) uses. Ms. Bunce stated that is allowed in the B-C and O-I districts.

Bill Dawers asked about the zoning designation of a manufactured home park located off of Ogeechee Road. Ms. Bunce indicated that it is currently nonconforming and the characteristics of that area are not such that it should be made conforming.

e. Victory Heights/ Gordonston/ East Savannah (#21)

Mr. Goins reviewed the proposed changes to Map #21. Ms. Moore stated that staff is trying to not make many things nonconforming, rather to keep as many properties conforming as possible.