



**METROPOLITAN PLANNING COMMISSION**

*"Planning the Future - Respecting the Past"*

M E M O R A N D U M

**To:** Metropolitan Planning Commission

**From:** MPC Staff

**Date:** May 5, 2009

**Subject:** Text Amendment to the Savannah Zoning Ordinance  
Re: Amend Sections 8-3028(c)(4), 8-3028(c)(5) and 8-3028(c)(6)  
Rite Spot, LLC, Petitioner  
Meredith Gaunce, Agent  
MPC File No. Z-090420-37067-2

**Jim Hansen, MPC Project Planner**

**Issue:**

It is proposed that an amendment to the Victorian Planned Neighborhood Conservation District land use districts 1-R, 2-R and 3-R be enacted to change the residential density calculation criteria from the current "net acre" to "gross acre".

**Background:**

The "Victorian Planned Neighborhood Conservation District" was created in 1981 as part of the Zoning Ordinance for the City of Savannah, to help conserve the architecture and historic integrity of the National Register Savannah Victorian Historic District. The district includes the permitted uses, development standards, off-street parking requirements and visual compatibility requirements.

The overall Victorian District is comprised of six unique zoning districts including three residential zones, 1-R, 2-R and 3-R. Although the residential uses allowed in the three zones are identical, the areas differ in the amount of density (units per acre) allowed. In all cases, the density calculations are, per the purpose statement of the section, based upon "net acreage".

**Findings:**

1. Unless otherwise specified, density calculations in the Savannah Zoning Ordinance are based upon "net acreage". Net acreage, listed in the definition section (8-3002) as *Net area of residential land* is defined in the Ordinance as "...any portion of lot area reserved for, intended to be used for, residential buildings, open space, recreation space, and

- similar accessory uses, excluding areas devoted to streets driveways, parking and lodging facilities, and similar uses or structures. Net residential land shall further be defined as the difference between “gross land area” less “car area” and any area devoted to nonresidential uses or structures, offices, institutional uses, commercial uses, and similar uses.
2. There is an inconsistency within the regulations of the existing Victorian District. As noted above, the purpose section of the district specifically refers to net density. However, the development standards chart for the district lists the required lot area per unit by dwelling type; a number derived from gross acreage. Thus, the current methodology for calculating density can be confusing and is subject to interpretation. Moreover, it is difficult to adequately define terminology such as “similar uses or structures” or to determine what constitutes a “car area”. Basing density on the gross area of the parcel in question is more readily understood and not subject to interpretation.
  3. The current methodology also tends to unfairly penalize redeveloping or reuse parcels. Due to past parking practices or current parking requirements, much of a parcel’s total square footage is often devoted to “car area”. Though a site may be in an area appropriately zoned for a higher density and compatible with surrounding development, the amount of “car area” may severely limit the actual density allowed and further does not account for potentially allowed upper story units.
  4. Presently, the City of Savannah and Chatham County are engaged in a process to update the existing zoning codes and to unify the same. It is being recommended that the density calculations for all districts be based upon gross acreage. Thus, the proposed text amendment for the Victorian District is in conformance with the proposed Unified Zoning Ordinance (UZO).
  5. Text amendments are not site specific. Amendments apply city wide in all applicable classifications and on all appropriately zoned parcels. This amendment, if approved will apply to all parcels zoned 1-R, 2-R or 3-R within the Victorian District Planned Neighborhood Conservation District which is bounded by Gwinnett Street on the north; Anderson Lane on the south; East Broad Street on the east; and Martin Luther King Jr. Boulevard on the west.

**Alternatives:**

1. Approve the petitioner’s request to amend the Ordinance.
2. Deny the proposed text amendment.
3. Deny the petitioner’s request to amend the Ordinance as proposed and recommend an alternative amendment.

**Policy Analysis:**

Most ordinances, and in particular the Zoning Ordinance, are not static documents. They need, from time to time, to be amended to reflect changing community values, changing land use trends, or to remove or clarify provisions which are ambiguous, unclear, or confusing. The amendment proposed by the petitioner is designed to clarify confusing language that is subject to interpretation and to make the calculation of density a straight forward number based upon a site's gross acreage. The proposal is consistent with the recommendations proposed as a part of the Unified Zoning Ordinance update. Furthermore, the amendment will provide for better use opportunities for undeveloped and underutilized properties.

**RECOMMENDATION: APPROVAL of the petitioner's request to amend Sections 8-3028(c)(4), 8-3028(c)(5) and 8-3028(c)(6) of the Savannah Zoning Ordinance as follows:**

**DELETE**

Section 8-3028. Victorian Planned Neighborhood Conservation District

- (c) *Land Use Districts*
- (4) *1-R district.* The 1-R district permits a density range of between 25 and 43 dwelling units per net acre of residential land, based on the type of dwelling unit (efficiency unit, one-bedroom unit, two-bedroom unit, etc.), plus a limited number of nonresidential uses considered appropriate for the district.
- (5) *2-R district.* The 2-R district permits a density range of between 30 and 50 dwelling units per net acre of residential land, based on the type of dwelling unit (efficiency unit, one-bedroom unit, two-bedroom unit, etc.), plus a limited number of nonresidential uses considered appropriate for the district.
- (6) *3-R district.* The 3-R district permits a density range of between 35 and 60 dwelling units per net acre of residential land, based on the type of dwelling unit (efficiency unit, one-bedroom unit, two-bedroom unit, etc.), plus various nonresidential uses considered appropriate for the district.

**ENACT**

**Section 8-3028. Victorian Planned Neighborhood Conservation District**

(c) *Land Use Districts*

- (4) *1-R district.* The 1-R district permits a maximum density range of between 25 and 43 dwelling units per gross acre of residential land, based on the type of dwelling unit (efficiency unit, one-bedroom unit, two-bedroom unit, etc.), plus a limited number of nonresidential uses considered appropriate for the district.
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