



GLPC AGENDA ITEM # 12

MAY 23, 2022

Text Amendments --- City of Hahira Zoning Ordinance File #: HA-2022-07

The City of Hahira is proposing to amend certain Sections of the Hahira Zoning Ordinance, particularly those that relate to the review and approval of “Planned Development requests and also pertaining to the methodology of determining front yard setback distances. The main purposes of these is to provide more clarity in the Planned Development provisions of the Ordinance, in the hopes that the quality and creativity of Planned Development proposal will improve. These amendments also stem from an abundance of Variance requests these past couple of years, which pertain to front and rear yard setback requirements in residential zoning. Part of the issue is that Hahira is still following the rural old-school method of measuring front yard setbacks from the “centerline” of the adjacent street, instead of the front property line. These changes will put Hahira on a similar methodology as Valdosta.

Staff Recommendation: Find consistent with the Comprehensive Plan and recommend approval to the City Council.

Proposed City of Hahira Zoning Ordinance Amendments (Draft)

May 2022

** Proposed deletions shown in “~~red-strikeout~~” format. Proposed additions shown in “highlighted underline” format.

* Print Date: 5-6-2022

Amendment # 1: Definitions

Amend the text of Section 2 by amending definitions of certain terms.

Section 2 Definitions

Lot Width. The width of a lot ~~distance between the side lot lines~~, measured along the minimum required front yard building setback line as established by this ordinance, with said distance being measured parallel to the street right-of-way line. In the case of a curvilinear street, said distance is measured parallel to the chord of the arc between the intersection of the side lot lines and the street right-of-way line. ~~or if no setback line is established, the horizontal distance between the side lot lines measured along the street right-of-way line.~~

Amendment # 2: Planned Development

Amend the text of Section 4-4 by amending the title and also adding/deleting language to further clarify the purposes and standards by which Planned Development proposals are reviewed.

4-4 Planned Development ~~Overlay District~~ Approval

4-4.1 Purpose and Intent. Planned Development ~~Overlay Districts~~ Approvals are intended to provide an alternative method of land development and redevelopment not available within the framework of the City's standard zoning districts. The standards and procedures of approving these overlay districts are intended to promote flexibility of design and allow for planned diversification and integration of uses and structures while at the same time, retaining in the Mayor/Council the absolute authority to establish such conditions, limitations and regulations as it deems necessary to maintain community aesthetics and to protect the public health, safety and general welfare. In doing so, the Planned Development ~~Overlay Districts~~ Approvals are designed to achieve the following objectives:

- a. Accomplish a more desirable development pattern than would be possible through strict adherence of standard zoning and subdivision regulations.
- b. Accommodate a mixture of uses and/or development patterns which are compatible both internally and externally through limitations on sign control, building orientations, architecture, site layout, buffering or other techniques which may be appropriate to a particular development proposal.
- c. Encourage flexible and creative concepts of site development planning design which meet changing needs, technologies, market economics and consumer preferences.
- d. Permit the combining and coordinating of architectural styles, building forms and building relationships within a Planned Development.
- e. Preserve natural amenities of the land by encouraging scenic and functional open areas.

- f. Encourage an efficient use of land, where appropriate and beneficial to the City, resulting in smaller networks of streets and utilities thereby lowering development and housing costs.
- g. Maintain consistency with the Goals, Policies, ~~and Future Land Use~~ Development Character Areas, and related Community Agenda elements of the Comprehensive Plan.
- h. Maintain general integrity and compatibility with the underlying zoning districts and their prescribed standards of use and development density.

4-4.2 Relation to Zoning Districts and Other Regulations. Planned Development ~~Overlay Districts~~ Approvals are not the same as a zoning ~~district change~~, but instead reflect a special development approval which supersedes the underlying zoning district regulations. If development approval is by some means revoked or deleted, then all development regulations of the underlying zoning district will apply. A Planned Development Approval may also be ignored and the property may still be developed at any time in accordance with the current zoning district regulations. However, once development has commenced under a Planned Development Approval, development must continue under the terms and conditions of the approval until it is completed or until the Planned Development Approval is properly amended or deleted.

- a. Planned Developments shall meet the intent of all applicable development regulations of the City of Hahira. These shall include but not be limited to the Zoning Ordinance, Subdivision Regulations, and adopted Building and Fire Codes. Where these are in conflict, the ~~approved~~ Planned Development plans, terms and conditions shall take precedence. All proposed deviations from the City's development standards shall be itemized and depicted in the Planned Development proposal. City ~~construction~~ standards regarding ~~streets, parking and~~ emergency vehicle access and utilities shall be met in all approved Planned Development proposals without deviation or variance.
- b. Planned Developments shall closely conform to the allowable uses ~~permitted~~ and the development density standards of the zoning district which already applies to the subject property.
- c. Requirements for the designated Historic District and other overlay districts shall be addressed as part of the development approval.
- d. Planned Developments shall not be used as merely a means to avoid full compliance with standard development regulations for purposes of private gain. Development proposals that can easily be accomplished under standard development regulations and/or a different zoning classification, will not be ~~approved as a~~ considered for Planned Development ~~Overlay District~~ Approval.

4-4.3 Eligibility Requirements. Minimum acreages for Planned Development proposals shall be as follows:

- a. All-residential development: 1 acre
- b. Non-residential or mixed use development: 2 acres

4-4.4 Planned Development Review Process and Fees. Planned Developments shall be reviewed and advertised in a similar manner as a proposed Zoning Map amendment as described in Section 13 Zoning Decisions and Ordinance Amendments. Pre-application meeting(s) with appropriate City staff shall be required to discuss the proposal before the application is submitted. Base application fees shall be the same as for a Zoning Map amendment, but shall include an additional (\$300) for an all-residential development and (\$500) for a non-residential or mixed use development. Additional fees for advertising shall be required in accordance with Section 13.

4-4.5 Development Plan Submittal Requirements. Proposed development plans shall include but not be limited to the following. Additional submittal requirements may be determined by City staff at the pre-application meeting or during the review process.

- a. Completed application forms as provided by the Zoning Administrator.
- b. Letter of Intent. This shall be signed by the applicant and consist of a brief narrative describing the proposed project. This shall include but not be limited to: location, specific list of proposed uses,

gross/net acreages for development, building sizes, dwelling unit densities, development timeline, hours of operation where appropriate, etc..

- c. **Phasing Concept Plan.** If developed in phases, a master concept plan shall be submitted delineating the area of each phase. If deemed necessary, each phase of the development shall be reviewed and approved separately.
- d. Mechanically drawn site plans. These shall be prepared by any of the following who are certified/registered in the State of Georgia: land surveyor, engineer, architect, landscape architect. Appropriate numbers of copies shall be provided for necessary staff review and public hearings. These plans shall include but not be limited to the following:
 - 1. Location map depicting subject property's relation to major roads, city boundaries, etc...
 - 2. Title, scale, and North arrow.
 - 3. Existing and proposed site improvements which depict building locations with their approximate sizes, building setbacks, parking and other paved areas, all utility facilities and easements, and drainage structures.
 - 4. Detention/retention areas with depicted outfalls and impervious surface calculations.
 - 5. Landscape plan showing any vegetative buffers, open spaces, and other landscaping. Plant species shall be depicted where appropriate. A minimum 15% of the gross property acreage shall be reserved as vegetated open space and/or outdoor recreation area.
 - 6. Building front elevations where appropriate.
 - 7. Proposed signage plan depicting locations, sizes, and elevations of all signs requiring a sign permit.
- e. Boundary survey and/or legal description in metes and bounds.
- f. Proposed list of deviations from the City's development standards.
- g. Evidence of unified control over the development by a single developer or entity during construction of the project. This may include protective covenants, deed restrictions, maintenance agreements, etc.. During the development process, more than one builder may participate in the development of the approved project, provided that each parcel or portion of the development remains subject to all the terms and conditions of the approved Planned Development. Conditions of approval for the development shall be made binding on all heirs, assigns, and successors to the ~~development property~~.
- ~~h. Written approval from the City Engineer stating that the proposal is in compliance with the City's street, parking and utilities regulations.~~

4-4.6 Terms and Conditions of Approval. Development approval shall be tied to all approved site plans and other materials made part of the public hearing. Conditions of approval shall address but not be limited to the following:

- a. Time limits by which to begin and/or complete the total development or each development phase where appropriate.
- b. Dedications and/or maintenance of public rights-of-way, easements, and other public spaces.
- c. Complete list of all land uses to be permitted under the Planned Development approval.
- d. Hours of operation, where appropriate.

4-4.7 Planned Development Amendments or Deletions

- a. Amendment. Substantial amendments to an approved Planned Development ~~Overlay District~~ shall be reviewed and processed in the same manner as if it were a completely new development proposal. The term substantial shall include but not be limited to any of the following:
1. Greater than 10% increase in number of dwelling units, overall building size(s), building height, or total impervious surface area.
 2. Reduction by greater than 10% of landscaped or open space areas, or building setbacks.
 3. Significant relocation of buildings or other site features.
 4. Any change in the boundaries of the Planned Development ~~Overlay District~~ approval property.

Non-substantial amendments to an approved Planned Development ~~Overlay District~~ shall be reviewed and approved jointly by the Planning Director and Director of Inspections. At their discretion, such amendments may be presented to Mayor/Council at a public hearing for their consideration.

- b. Deletion or revocation of an approved Planned Development ~~Overlay District~~, or any portion thereof, shall be reviewed and considered in the same manner as a substantial amendment described above. It may be initiated by either the Planning Commission, the original applicant(s), or the City of Hahira. However, if the total development or phased portion thereof has not commenced construction within its specified time period, then the Planned Development approval for all/that portion shall be automatically revoked. The applicant(s) would then need to re-apply ~~for~~ **and obtain** another Planned Development **A**pproval in order for the development to proceed.

4-4.8 Enforcement and Penalties. The terms and conditions of ~~approval for~~ Planned Development ~~Overlay Districts~~ **Approvals** shall be enforceable in the same manner as any other provision of this Zoning Ordinance. Violations shall be punishable as provided in the Code of Ordinances of the City of Hahira for each separate offense.

Amendment # 3: General Development Standards

Amend the text of Section 6-1 to change the method by which minimum Front Yard setback requirements are defined and administered, and simplify other provisions of the Development Standards table.

6-1 Development Standards. Within the various zoning districts as indicated on the "Zoning Map of the City of Hahira, Georgia," no building or structure, excluding all signs other than separate use advertising signs, shall be constructed or erected except as indicated in the following schedule:

DEVELOPMENT STANDARD	ZONING DISTRICT											
	R-15	R-10	R-6	R-6M	MHC	R-P	C-N	C-H	CBD	C-A	M-1	M-2
Minimum Gross Floor Area Per Dwelling Unit (Heated Sq.Ft.)	1,500	1,000	800	600 ***	400	800 ***	600	---	600	---	---	---
Minimum Lot Area For Development (Sq.Ft.)	15,000	10,000	6,000 **	6,000 **	2 acres	6,000 **	---	---	---	1 acre	---	---
Minimum Lot Width (Feet)	100	80	60	60	100	60	60	60	None	150	None	None
Minimum Front Yard Setback (Feet from Centerline of Right-of-way) Arterial Streets Collector Streets Local Streets	30 70 * 65 * 60 *	30 70 * 65 * 60 *	25 70 * 65 * 60 *	30 70 * 65 * 60 *	35 70 * 65 * 60 *	15 70 * 65 * 60 *	15 90 * 70 * 65 *	25 75 * 70 * 65 *	None None None N/A	60 75 * 70 * N/A	40 70 * 65 * 60 *	50 70 * 65 * 60 *
Minimum Side Yard Setback (Feet)	10	10	10 ****	10 ****	10 ****	10 ****	None ++ ++	None ++ +++	None +++	40	None ++ +++	None ++ +++
Minimum Rear Yard Setback (Feet)	30	30	30	30	20	30 ++	12 ++ +++	12 ++ +++	None +++	40	12 ++ +++	None ++ +++
Maximum Building Height (Feet)	35	35	35	35	35	None ++	None ++	None ++	None	None	None ++	None ++

* — Plus ½ any amount which the right-of-way width exceeds 60 feet for residential streets, 70 feet for collector streets, and 80 feet for principal and minor arterials.

** 9,000 s.f. for duplex or multi-family. If developed multi-family, the maximum density is 10 units per acre.

*** 800 s.f. for each unit 2-bedroom or larger, 600 s.f. for each 1-bedroom unit (not to exceed 25% of project), and 400 s.f. for each efficiency unit (not to exceed 25% of project).

**** 20 feet for multi-family 3 or more stories, and manufactured home communities.

++ The minimum distance from other property lines to any building over 35 feet in height shall be increased one foot for every 2 feet (or part of 2 feet) of building height greater than 35 feet.

~~+++ If the adjoining yard is within a residential district, the yard requirements specified in this table shall be increased 10 feet and screening shall be provided as specified in Section 3-15 along the lot line common with said lot.~~