



CITY OF ST. MARYS

418 OSBORNE STREET
ST. MARYS, GEORGIA 31558

COMMUNITY DEVELOPMENT DEPARTMENT
TELEPHONE: 912-510-4032 FAX: 912-510-4014

NEW BUSINESS: ZONING ORDINANCE AND COMPREHENSIVE MAP & TEXT AMENDMENT: A COMPREHENSIVE AMENDMENT TO THE CODE OF ORDINANCES, CITY OF ST. MARYS, GEORGIA, CHAPTER 110 ZONING REPLACING THE CURRENT CHAPTER WITH A NEW CHAPTER AND TEXT INCLUDING REVISED INTRODUCTORY PROVISIONS, ZONING DISTRICTS, LAND USES AND DIMENSIONAL STANDARDS, DOWNTOWN FORM-BASED DISTRICT STANDARDS, GENERAL DEVELOPMENT AND DESIGN STANDARDS, STANDARDS FOR SPECIFIC USES AND ACTIVITIES, PARKING, PARKING AREA LANDSCAPING, LANDSCAPE BUFFERS AND LIGHTING, ADMINISTRATION, ZONING DECISIONS AND OTHER ZONING ACTIONS, VARIANCE APPEALS, ENFORCEMENT OF ZONING ORDINANCE AND PENALTIES AND DEFINITIONS, WHILE REPLACING THE CURRENT ZONING MAP WITH A COMPREHENSIVE MAP AMENDMENT WITH CORRESPONDING ZONING DISTRICTS.

APPLICANT: City of St. Marys

Staff Report: J.S. Adams, Community Development Director
October 20, 2017

REQUESTED ACTION:

ZONING ORDINANCE AND COMPREHENSIVE MAP AMENDMENT: The City of St. Marys is requesting to amend Chapter 110 Zoning by replacing the ordinance, along with a Comprehensive Map Amendment to establish new zoning districts within the City.

I. GENERAL BACKGROUND, NOTICE AND EXHIBITS

1. This comprehensive zoning text and map amendment was initiated by the City Council with the contracting of services for the One St. Marys Master Plan and Zoning Ordinance Changes project, with EPG, LLC, on September 17, 2015.
2. **NOTICE** of the February 18, 2016 & February 25, 2016 hearings before the Planning Commission were provided pursuant to Sec. 110-185 (a), St. Marys Municipal Code as follows:
 - A. Published in the Tribune & Georgian on October 10, 2017; and
 - B. Posted on the City of St. Marys Website www.stmarysga.gov on October 10, 2017.

3. **EXHIBITS** attached to this report include:

A Exhibits from Application

- A Zoning Ordinance, City of St. Marys, GA, Revised Draft – October 10, 2017
- B St. Marys Proposed Zoning Map, drafted October 12, 2017
- C Top 20 Zoning Changes presentation, presented October 17, 2017, by staff
- D Growth & Zoning presentation, presented October 18, 2017, by staff

B Exhibits – Public Comments

- B-1 James G. Carswell, III, Point Peter Land, LLC, November 4, 2016**
- B-2 James G. Carswell, III,**
- B-3 Kay Westberry, May 13, 2017**
- B-4 Allan Giese, May 19, 2017**
- B-5 Stephen Moyer, July 18, 2017**
- B-6 James G. Carswell, III, Chimney Corner Properties, LLC, September 7, 2017**

C Exhibits – Additional Materials

- C-1 St. Marys Main Street Renaissance Strategic Visioning Plan**
- C-2 One St. Marys Master Plan, including the St. Marys Flood Resiliency Project**

II. History

The City of St. Marys launched its first citywide comprehensive plan, called the One St. Marys Master Plan, over two years ago, with the hire of EPG, LLC consultants, from Savannah, GA. Part of the winning team was a past president of the American Planning Association, and founder of Cooper Consulting Company, LLC, Connie Cooper, who would lead the zoning rewrite as drafted in the One St. Marys scope of work. The Master Plan was recommended for approval and transmitted to the City Council for review by the Planning Commission on June 20, 2017.

The Master Plan serves as the city’s guiding document for land use decisions and the development of its subdivision and zoning ordinances. The Master Plan will serve as St. Marys piece of the Joint Comprehensive Plan update, which will be completed along with Kingsland, Woodbine and Camden County in 2018. With this update, a new Community Character Areas map and Future Land Use map are created, providing guidance for the community’s development of their zoning ordinances and map amendments, as well as, future annexation and land use policy.

The Master Plan encourages adaptive reuse of historic structures, infill development and redevelopment, ADU’s and reductions in minimum residential lot sizes to achieve increased densities in the downtown area. The Master Plan also calls for a mix of retail, office, services that provide for daily needs of residents and visitors, along with many provisions throughout the document encouraging a revitalized downtown economic base to attract tourists and St. Marys residents to the waterfront.

The City held two series of land use workshops across the community in the fall of 2016 and the spring of 2017 to discuss topics ranging from the community’s vision to transportation issues and zoning changes. The City also held monthly public meetings with the One St. Marys Steering Committee over a year and a half, involving a citizen-led outreach effort for developing strategies, goals and recommendations to lead St. Marys over the next ten years. From the thirty-thousand foot level of the City’s vision to the ground-level of zoning, such as those listed below, taken from pp. 44-5, of the Master Plan, the City has a comprehensive outline for its future development:

Zoning Recommendations

The City of St. Marys has already begun the process of updating their Zoning Ordinance, based on public input received at the Zoning and Land Use Workshops and in accordance with the Future Development Strategy. The table below provides a summary of a detailed review of the City's current Zoning Ordinance, including aspects of the ordinance needing revision (or deletion) as well as suggested additions to the current regulatory provisions. The detailed review included an evaluation of existing zoning districts, uses and standards, administrative processes, zone changes, variances, and special permits.

Zoning Ordinance Recommendations	
<p>Increased Readability</p> <ul style="list-style-type: none"> ⇒ Tables for Zoning District Standards ⇒ Illustrations of building types, how buildings address the street and public spaces, setbacks, lot dimensions, parking lot layout <p>Residential Districts</p> <ul style="list-style-type: none"> ⇒ Reduced minimum lot widths and side setbacks ⇒ Increase heights & lot coverage and add a zero-lot line provision ⇒ Require front-facing garages set back behind front façade ⇒ Add minimum open space requirements <p>C-1 Downtown District</p> <ul style="list-style-type: none"> ⇒ Include form-based design elements ⇒ Permit detached, attached single-family and multi-family <p>C-2 Commercial District</p> <ul style="list-style-type: none"> ⇒ Add design standards <p>C-3 Office-Apartment District</p> <ul style="list-style-type: none"> ⇒ This should be an office-only district with multi-family allowed by special permit ⇒ Do not allow commercial that is not incidental to primary use 	<p>I-L Light Industrial District</p> <ul style="list-style-type: none"> ⇒ Delete heavy uses lumber yards, boat repair, sand/gravel <p>I-G General Industrial District</p> <ul style="list-style-type: none"> ⇒ Increase minimum lot size to 5 acres. <p>I-A Airport District</p> <ul style="list-style-type: none"> ⇒ Change to NEW Light Industrial based on Market Study <p>Recreational Vehicle / Travel Trailer District</p> <ul style="list-style-type: none"> ⇒ Permit as a special permit use within C-2 and Industrial Districts as opposed to having a separate zoning district <p>MH Manufacture Housing Park District</p> <ul style="list-style-type: none"> ⇒ Permit as a Special Use in R-3 not as a separate zoning district <p>Special Permit Uses</p> <ul style="list-style-type: none"> ⇒ Assess and revise standards including annual renewal process and lack of transferability upon sale of property <p>Review and Revise As Appropriate</p> <ul style="list-style-type: none"> ⇒ Site Plan Review ⇒ Application Requirements ⇒ Nonconformities ⇒ Administrative Review ⇒ Zoning and Hearing Procedures ⇒ Variances, Relief Options and Appeals, and Enforcement

The summary above should not be viewed as complete listing of all elements that will be in the new Zoning Ordinance. The final work product will contain many new elements, based on additional public input, City staff review, and elected official comments and contributions. Some of these may include:

- ⇒ Form-Based Code approach for area within the Downtown Character Area including some building types and architectural design standards, such as raised elevations, porches, roof pitch and metal roofing.
- ⇒ Design standards for C-2 commercial regulating building façades, roof pitch, location of parking, signage recommendations.
- ⇒ Standards for accessory units, sometimes referred to as garage apartments or “furnished room over garage” (FROGS).
- ⇒ Better regulation of outdoor sales in commercial districts and storage containers (PODS) and boats in residential districts.
- ⇒ Addition of short-term rentals provisions as well as provisions for bed and breakfast uses.
- ⇒ Addition of telecommunications provisions.
- ⇒ Clarification of the impact on existing nonconforming structures.
- ⇒ Clarification of the role of Planning Commission.

These changes will update a zoning code that hasn't seen significant changes since 1994. In the world of planning and zoning, since the 90's, there has been many new tools introduced, tested and codified, and many of these can be found in these zoning changes, including Accessory Dwelling Units, Cottage Clusters, Form-Based Code and other tools which can help communities achieve the development patterns they wish to achieve.

III. Analysis

First impressions of the proposed changes, from a customer perspective, should at least make note of the 'user-friendliness' of the formatting and structural changes to the document. The Table of Contents, Uses and Dimensional Charts and Form-based code, provide a much more approachable document for those unfamiliar with working with municipal codes.

The amendments should also achieve a more streamlined processing of many land use actions, which previously were destined for the Special Use process or ill-defined and thus, often left to the variance process. The code will regulate Accessory Dwelling Units, outdoor sales, mixed-uses and introduce design guidelines, providing much needed clarity to areas that were subjective under the prevailing code, leading to confusion and code enforcement issues.

The introduction of Form-based code will provide increased densities and opportunities in the downtown area, through more flexible zoning, while providing citizens and developers more certainty for future development. The City of St. Marys will continue to see a growth in residential development and a need for a variety of housing stock. The past ten years of development have not produced the necessary range of housing options, especially in the downtown area, to attract residents and businesses to the waterfront. The City is poised to invest many millions of dollars in the waterfront area and downtown over the next ten years, and for the private-side to its part, new zoning is required. These changes are the first step towards improved development, infrastructural upgrades and the return of a maritime community.

The major map amendments provide more 'flexible' zoning throughout the city, allow more mixed-use opportunities, and increase the number of areas that allow multi-family housing. A large part of the St. Marys community is already part of a Planned Unit Development and thus, will not be affected by these changes. With nearly fifty percent of the city zoned Planned Development and very little room for growth, outside the current City Boundary, it is essential that St. Marys makes the most efficient use of its lands. The future mill site and airport development holds a central key for industrial development, but just where any other industrial development should be located is also an important consideration.

The old box plant area, along Osborne Rd. is the last remnant of Heavy Industrial property, whether this should be maintained as Heavy Industrial, if the City wishes to see Osborne develop into a more central and connected gateway to the waterfront is doubtful. This just might be the point the city transitions these sites to Light Industrial and moves out of the Heavy Industrial business.

Parking, Lighting and Landscaping Standards, as well as other areas of the code, have been more clearly defined than in the previous code, yet such changes will affect other areas of the St. Marys Municipal Code, which should be rectified in conjunction. The passage of this ordinance should trigger a thorough review of the applicable substantive and technical changes.

IV. Applicable Regulations

Sec. 110-181. - Authority to amend this chapter.

- (a) The city council may amend the regulations, restrictions, boundaries, or any provision of this chapter.
- (b) No amendment shall become effective until it is first submitted to and approved or disapproved by the planning commission.

Sec. 110-182. - Initiation of amendments.

- (a) An amendment may be initiated by the city council or planning commission by introduction of a resolution, or by any official, board or other person by presentation of a petition to the planning commission.
- (b) A map amendment (rezoning) may be initiated by the owner of the property proposed for rezoning by filing an application with the planning and zoning director. The planning commission or city council may also initiate such map amendments.

Sec. 110-185. - Public hearings, public hearing procedures, and rezoning standards.

{...}

(d) *Zoning amendment criteria.* The following will be used to determine whether the rezoning is appropriate.

- (1) The zoning request should be a logical extension of a zoning boundary which would improve the pattern of uses in general area.
 - (2) The request should not be an illogical extension of a zone boundary which would intrude a damaging salient of a commercial, industrial, or high-density apartment use into a stable neighborhood of well-maintained single-family homes, and would be likely to lead to neighborhood deterioration, the spread of blight, and requests for additional zoning of a similar nature which would expand the problem.
 - (3) The request should not result in spot zoning or generally be unrelated to either existing zoning or the pattern of development of the area.
 - (4) The request should not create traffic which would traverse established single-family neighborhoods on minor streets, leading to congestion, noise and traffic hazards.
 - (5) The request should conform to the general expectations for population growth and distribution.
 - (6) The request should not limit options for the acquisition of future planned public facility sites, roads, open-space, etc.
 - (7) This request should not result in major changes in existing levels of public service, and/or fiscal stability.
 - (8) This request should not achieve short term goals at the expense of long-term, development goals.
 - (9) This request should not result in changes to market values and/or tax rates of nearby properties.
 - (10) The request should conform to policies and recommendations contained in the St. Marys/Camden County Comprehensive Plan.
- A negative finding on one or more of these criteria shall not preclude approval of a rezoning.

V. Staff Recommendation

Staff strongly recommends approval of these text and map amendments

VI. Motion

Approval: Motion to recommend approval of this comprehensive text and map amendment of Chapter 86 – Zoning, of the St. Marys Municipal Code

Approval with Conditions: Motion to recommend approval of this comprehensive text and map amendment of Chapter 86 –Zoning, of the St. Marys Municipal Code upon the condition that...

Denial: Motion to deny these amendments.

PLANNING COMMISSION RECOMMENDATIONS: The Planning Commission is scheduled to meet Tuesday, October 24, 2017 to consider this application.

Action taken: Approved () Denied () Postponed ()

CITY COUNCIL RECOMMENDATION: The City Council is scheduled to meet on Monday, November 20, 2017 to consider the Planning Commission’s recommendation.

Action taken: Approved () Denied () Postponed ()