



Tybee Island Land Development Code (LDC) Update Review Committee Meeting Summary

Tybee Island Public Safety Complex – 78 Van Horne Avenue
January 23, 2021

Attendees:

LDC Committee Members – Lauren Mescon, Holly Lawe, Keith Gay, Cody Gay, Chuck Powell, Ron Bostick, Beau Livingston, David McNaughton, David Roberts

Observer – Don Hix (Forever Tybee)

Consultant team – Denise Grabowski, Symbioscity

George Shaw, Planning Director, was unexpectedly unable to attend. Denise provided an overview of the existing residential lot sizes and development standards and an overview of the R-2 carrying capacity study that was completed by GMC in 2019. (PPT presentation attached)

Discussion points:

- The development standards do not specify a 60' minimum lot width, but the definitions define less than 60' as 'narrow' as defined in the subdivision regulations. (10-080(F))
- Does state law have a definition of 'lot of record' particularly in reference to the potential definition of buildable area.
- The carrying capacity study generated robust discussion about whether this should be used as a goal of the ordinance revisions. The group agreed that, if so, the study should be updated.

Questions and discussion points:

- Did this evaluation consider only empty lots or all R-2? The group assumed it included all R-2 lots.
- The carrying capacity was completed in 2015 and the analysis wasn't completed until 2019.
- If water is a limiting factor, did the study consider the actual water use (i.e., number of bathrooms, etc.)? What about irrigation?
- Does the carrying capacity go far enough? Even if the recommendations are implemented, the reduction is only 343 units.
- There are residential units on the island that were intended for affordable housing, but other barriers, such as the lack of childcare, limited the potential for those to be available to moderate income people/families.
- What is the definition of greenspace?
- The group discussed the difference between building envelope and buildable area.
- Tybee has so many variables when it comes to lots, including marsh, beach/dune erosion/accretion, etc.

- Why will this process not look at recommended changes to zoning? This is more appropriately done at the comprehensive plan level when developing the future land use map. There was discussion about the potential to change the zoning along the strand to R-T.
- The ordinance should not be modified based on challenges in enforcement.
- The committee expressed a preference to first address 'low-hanging fruit' and see recommended changes to the ordinance/specific recommendations to respond to for future meetings.
- We should also look at historic uses. For example, the Back River area used to include a number of small businesses which are no longer allowed.
- Non-conforming structures – investigate if the improvement threshold of 50% or greater is FEMA, local, or both.

For next steps, the consultant team will work with Tybee staff to develop a set of recommended modifications for the committee's review. The next LDC Review Committee is tentatively scheduled for March 26 at 9 a.m. The date and time will be confirmed once reviewed it is reviewed with the city and consultant team.

Resources/Links:

Tybee Island Land Development Code: [Mini TOC: APPENDIX A - LAND DEVELOPMENT CODE | Code of Ordinances | Tybee Island, GA | Municode Library](#)

(https://library.municode.com/ga/tybee_island/codes/code_of_ordinances - Appendix A)

[Master Plan | Tybee Island, GA \(cityoftybee.org\)](#)

(<https://www.cityoftybee.org/345/Master-Plan>)

[Tybee-Island-2021-2026-Comprehensive-Plan-Plan-Update \(cityoftybee.org\)](#)

(<https://www.cityoftybee.org/DocumentCenter/View/3320/Tybee-Island-2021-2026-Comprehensive-Plan-Plan-Update>)

[City of Tybee Island Carrying Capacity Study](#)

(<https://www.cityoftybee.org/DocumentCenter/View/709/Carrying-Capacity-Study?bidId=>)



Tybee Island Land Development Code (LDC) Update Review Committee Meeting

Tybee Island Public Safety Complex – 78 Van Horne Avenue

February 29, 2024

9:00 a.m.

Our next LDC Review Committee meeting will focus on discussion of zoning districts, district standards, and uses. The attached packet includes the following materials for your review:

- Illustrative examples of the current residential development standards in the R-1, R-1-B, R-2, and R-T zoning districts
- Presentation from the Carrying Capacity study, which includes a buildout scenario of the existing R-2 lots under current standards and additional information to inform our discussion.
- Select sections of the current LDC related to the agenda topics. The highlights are items that we will discuss, but this does not preclude other areas from discussion as well.
- Summary chart of the current uses in each district and the current zoning map.

Hard copies of the materials will be provided at the meeting.

AGENDA

- I. Districts & Development Standards
- II. Uses & Definitions
- III. Next Meeting

Resources/Links:

Tybee Island Land Development Code: [Mini TOC: APPENDIX A - LAND DEVELOPMENT CODE | Code of Ordinances | Tybee Island, GA | Municode Library](#)
[Master Plan | Tybee Island, GA \(cityoftybee.org\)](#)
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[City of Tybee Island Carrying Capacity Study](#)



TYBEE ISLAND LDC UPDATE

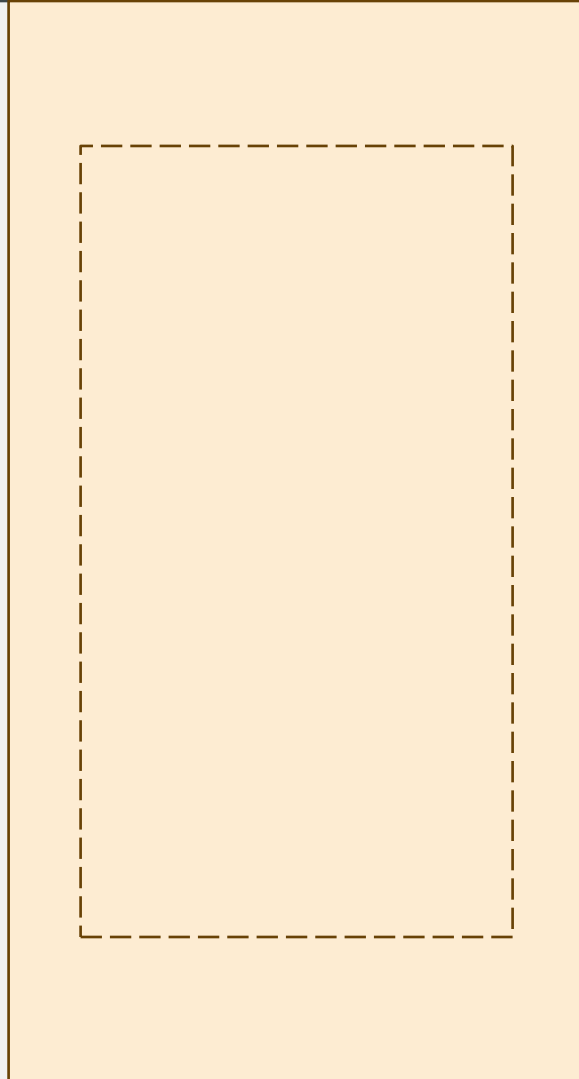
LDC Review Committee
February 29, 2024



AGENDA

- I. Districts & Development Standards
- II. Uses & Definitions
- III. Next Meeting

STREET



R-1 Single-Family

Minimum Lot Area 12,000 SF

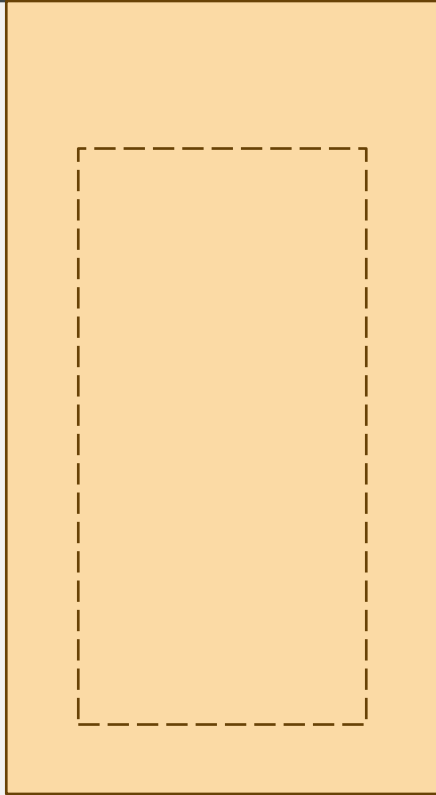
Setbacks

Front	20'
Rear	20'
Side	10'

Example Lot

80' x 150'

STREET



R-I-B Single-Family

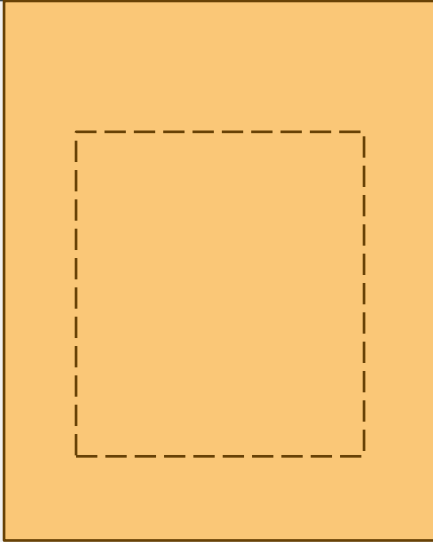
Minimum Lot Area 6,600 SF

Setbacks

Front	20'
Rear	10'
Side	10'

Example Lot
60' x 110'

STREET



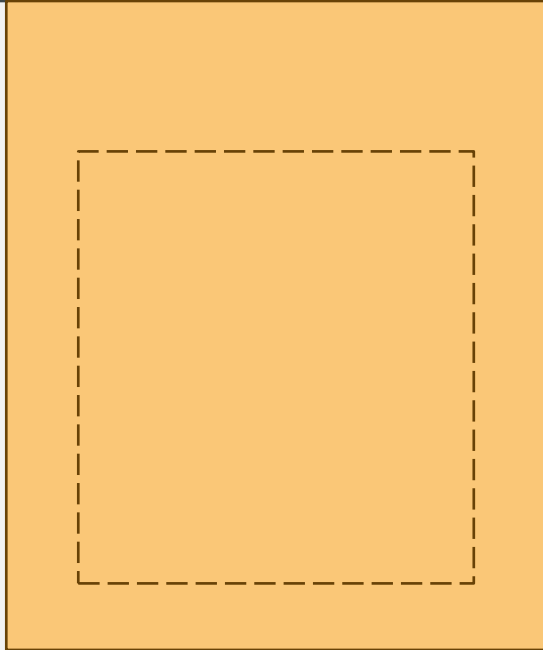
R-2 One and two-family
Single family
Minimum Lot Area 4,500 SF

Setbacks

Front	20'
Rear	10'
Side	10'

Example Lot
60' x 75'

STREET



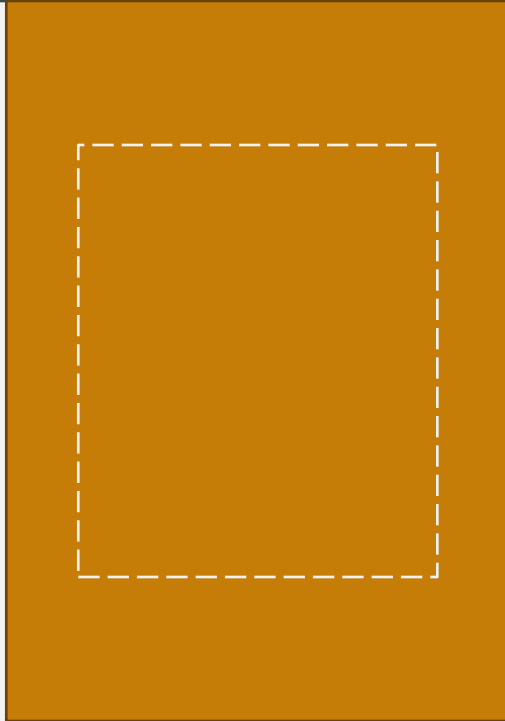
R-2 One and two-family
Two family
Minimum Lot Area 6,750 SF

Setbacks

Front	20'
Rear	10'
Side	10'

Example Lot
75' x 90'

STREET



R-T Residential-tourism

Single family

Minimum Lot Area 7,000 SF

Setbacks

Front 20'

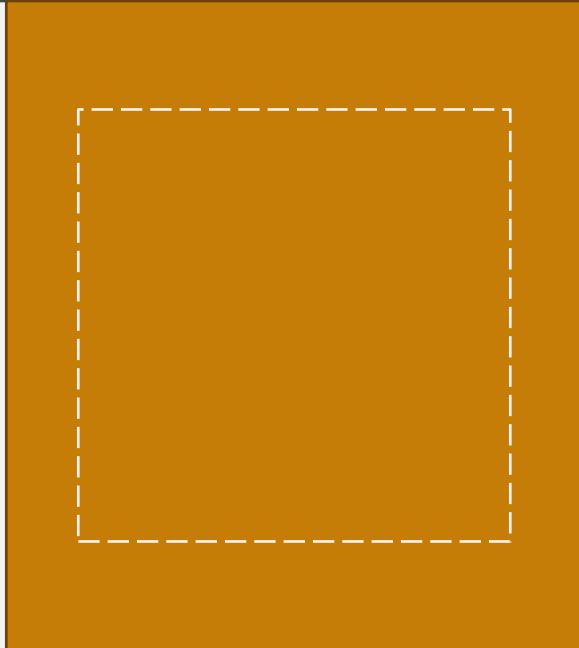
Rear 20'

Side 10'

Example Lot

70' x 100'

STREET



R-T Residential-tourism

Two-family

Minimum Lot Area 8,000 SF

Setbacks

Front 20'

Rear 20'

Side 10'

Example Lot

80' x 100'

COASTAL INCENTIVE GRANT IMPLEMENTATION CONSIDERATIONS

Tybee Island Planning Commission
March 11, 2019



BACKGROUND

Carrying Capacity Study in 2015 (CIG Funded)

- Limits in the permitted water withdrawal from the Floridan Aquifer
- Significant increases in water withdrawal, wastewater discharge, and solid waste/litter generation during tourism season
- Effects of king tides and sea level rise on the stormwater drainage system
- Development pressure in the R-2 zoning district



BACKGROUND

Overall Recommendations from Carrying Capacity Study

- Make improvements to the City's existing infrastructure systems to provide additional capacity to accommodate growth in a more sustainable manner
- Identify ways to better manage future growth to limit stresses on infrastructure and impacts to the environment.



BACKGROUND

CIG in 2018 to implement several of the specific recommendations of Carrying Capacity Study

- Perform a water & sewer rate study
- Draft revisions to the City's code that will reduce stormwater impacts
- Draft revisions to the City's code that will reduce the density



REVISE CODE TO REDUCE DENSITY AND IMPACT OF FUTURE DEVELOPMENT

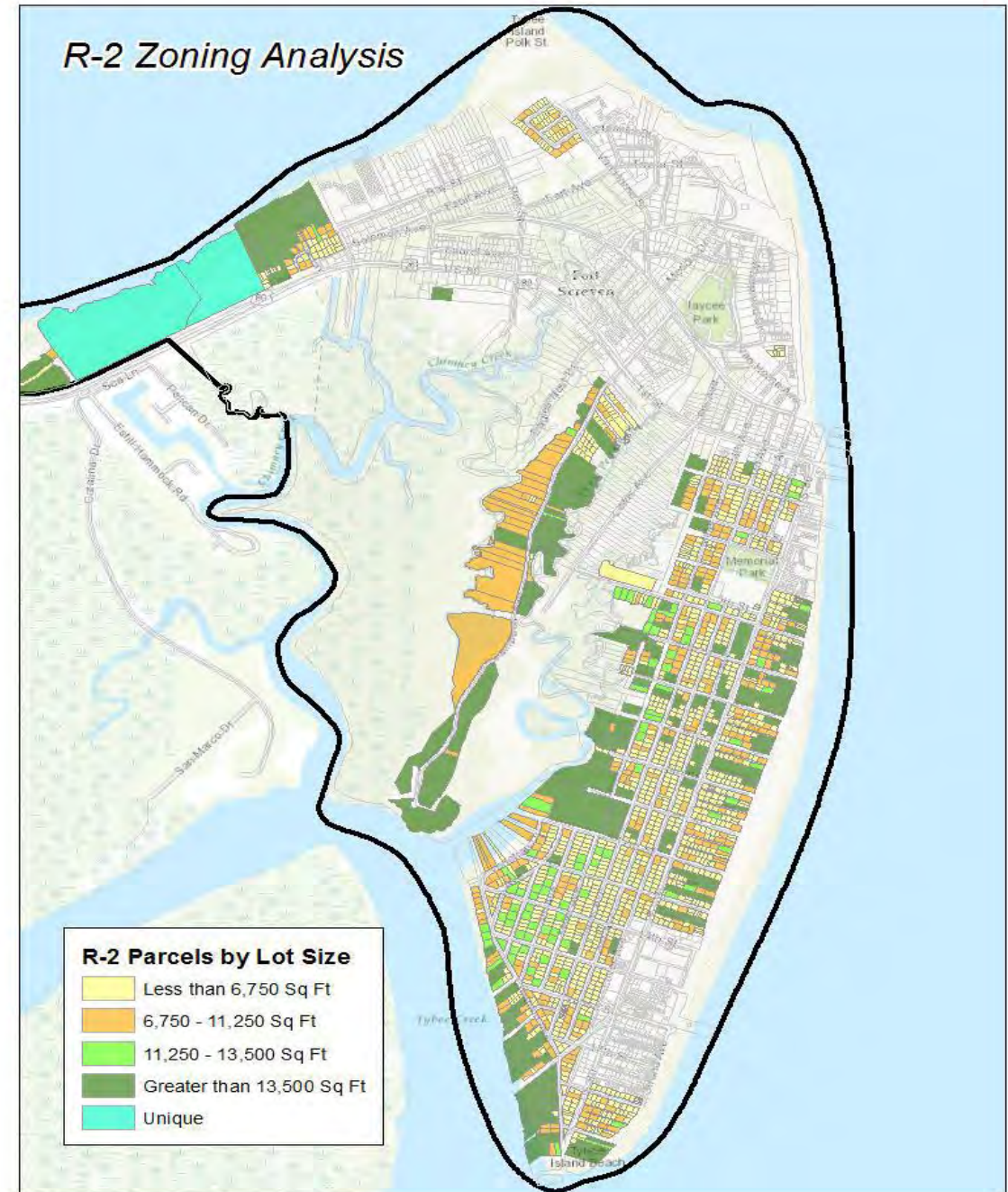
R-2 Zoning Category



R-2 ZONING ANALYSIS

R-2 zoning district by lot size:

- <6,750 SF = single-family homes
- 6,750 - 11,250 SF = two-family residential, or two, single-family residential parcels (if over 9,000 square feet).
- 11,250 - 13,500 SF = one-single family and one, two-family structure.
- > 13,500 SF = two, two-family structures.



R-2 ZONING ANALYSIS EXAMPLE

R-2 Minimum Lot Area:

Single-Family = 4,500 sqft

Two-Family = 6,750 sqft

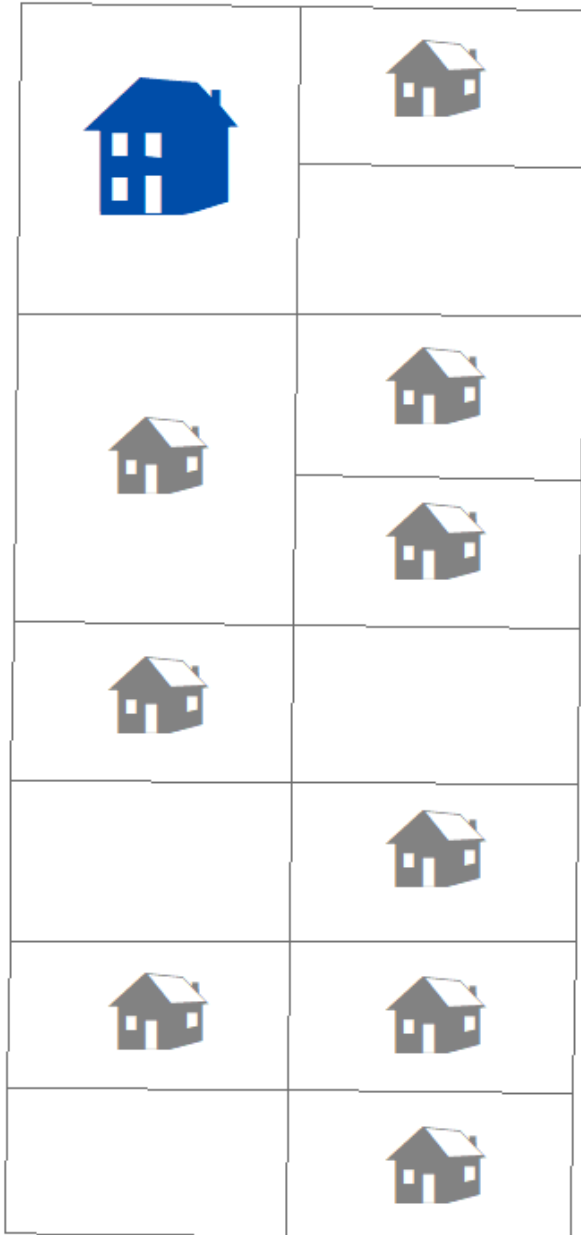
27 Total Parcels

19 Units

Two-Family



Single-Family

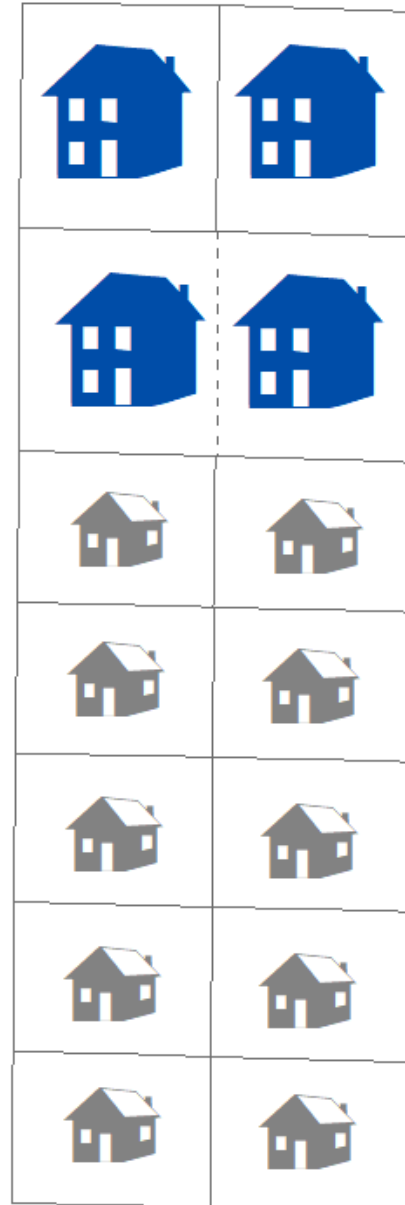
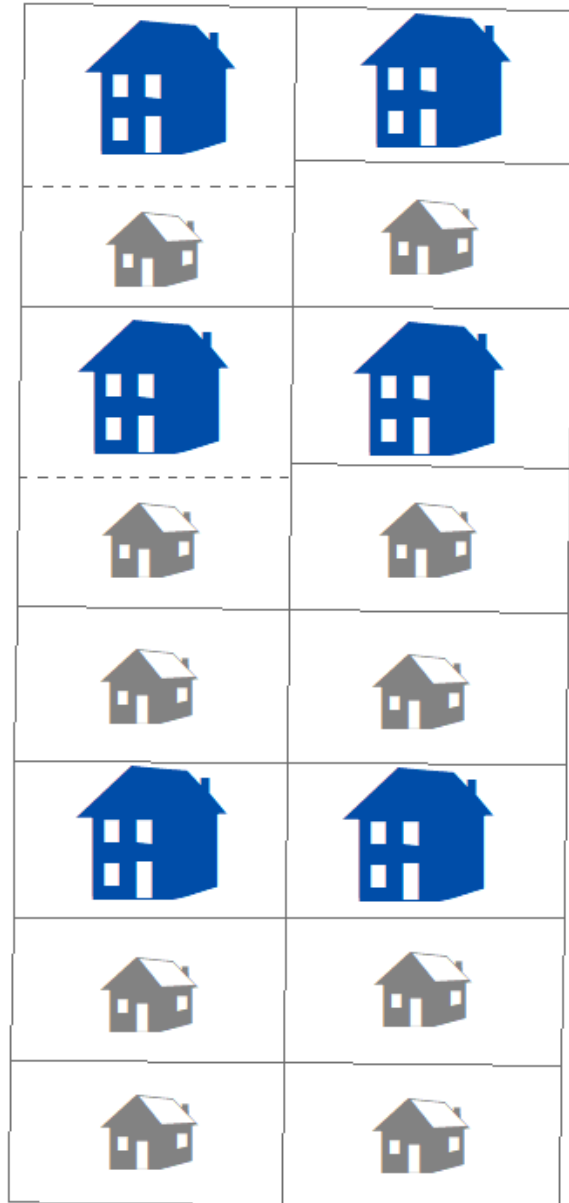


R-2 ZONING ANALYSIS EXAMPLE

CURRENT	NUMBER OF PARCELS	POTENTIAL UNITS
LESS THAN 6,750 SQ FT	1097	1,097
6,750 - 11,250 SQ FT	310	620
11,250 - 13,500 SQ FT	94	282
GREATER THAN 13,500 SQ FT	240	960

2,959 Potential Units

R-2 ZONING ANALYSIS EXAMPLE



Buildout Scenarios

- Less than 6,750 square feet
- 6,750 - 11,250 square feet
- 11,250 - 13,500 square feet
- Over 13,500 square feet

27 Total Parcels

40 Units at buildout

Two-Family



Single-Family



R-2 ZONING ANALYSIS

Recommended Changes:

- <9,000 SF = only be developed as single-family homes.
- 9,000 – 13,500 SF = developed as two-family residential, either as a duplex, or as two, single-family residential parcels.
- 13,500 – 18,000 SF = developed with one-single family and one, two-family structure.
- > 18,000 SF = developed as two, two-family structures.

R-2 ZONING ANALYSIS EXAMPLE

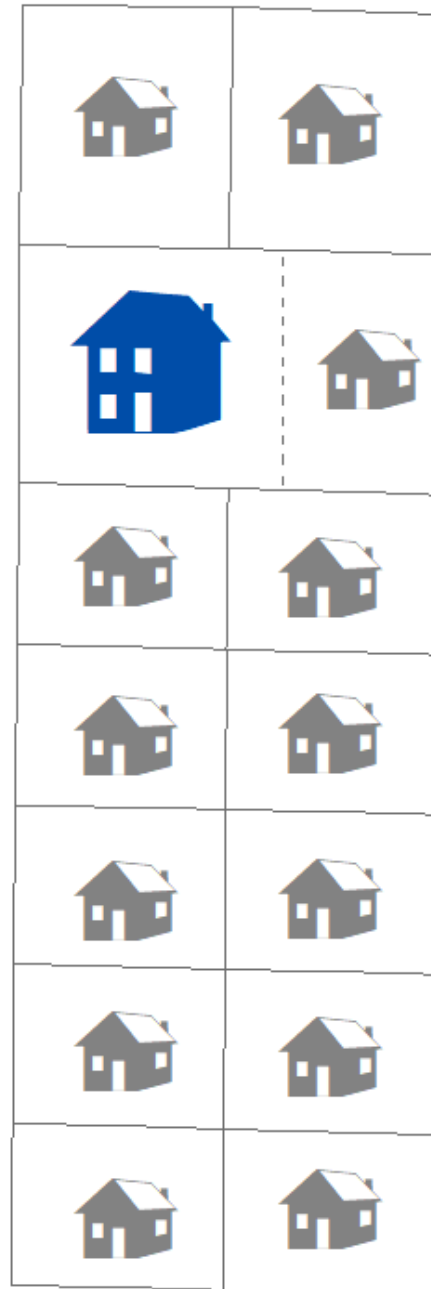
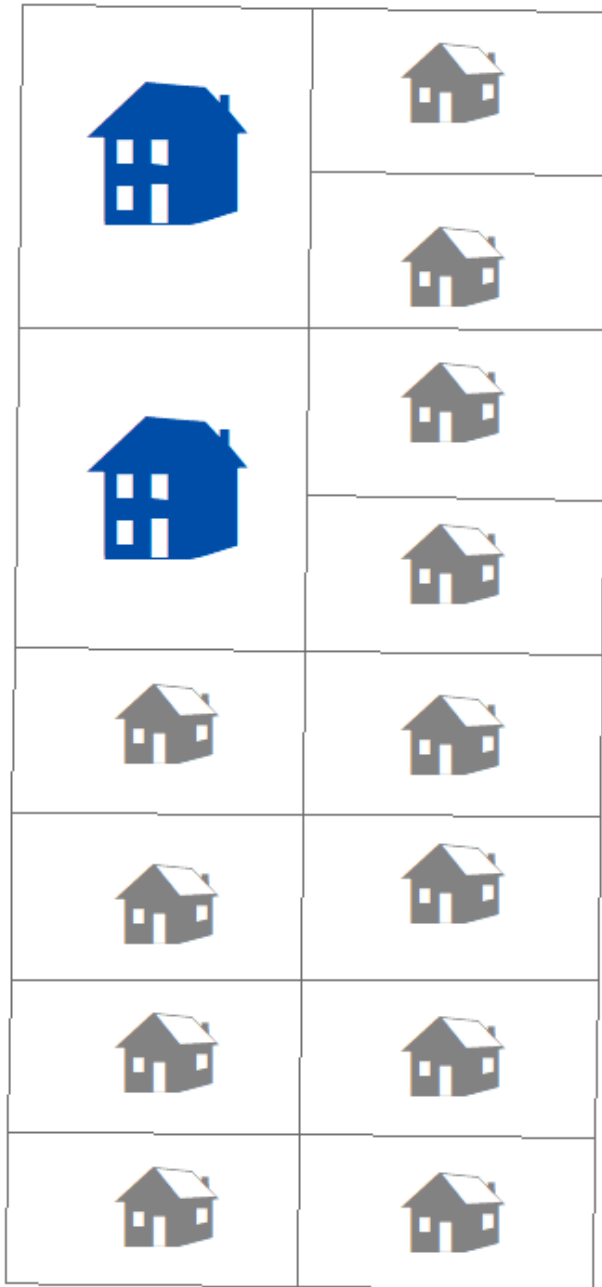
27 Total Parcels

31 Units at Full Build
out

Two-Family



Single-Family



R-2 ZONING ANALYSIS

PROPOSED	NUMBER OF PARCELS	POTENTIAL UNITS
LESS THAN 9,000 SQ FT	1,300	1300
9,000 – 13,500 SQ FT	201	402
13,500 - 18,000 SQ FT	46	138
GREATER THAN 18,000 SQ FT	194	776

2,616 Potential Units

R-2 ZONING ANALYSIS

CURRENT	PARCELS	ASSESSMENT	LAND USE
LESS THAN 6,750	1097	No impact	
6,750-9,000	203	Existing allows 2 units Amended would allow 1 unit	30 currently coded as undeveloped
9,000-11,250	107	No impact	
11,250 - 13,500	94	Existing allows 3 units Amended would allow 2 units	23 currently coded as undeveloped
13,500-18,000	46	Existing allows 4 units Amended would allow 3 units	14 currently coded as undeveloped
GREATER THAN 18,000	194	No impact	

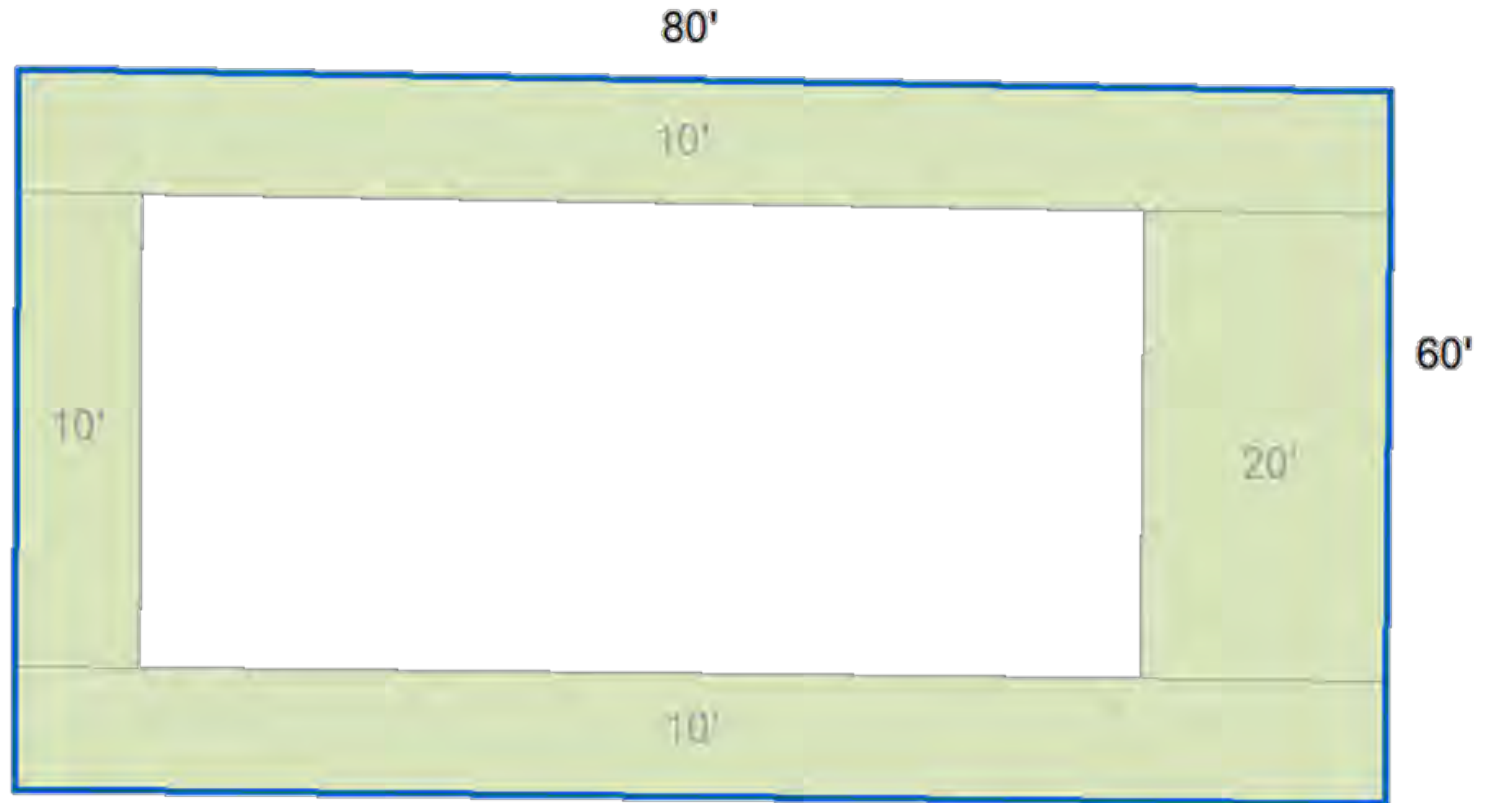
REVISE CODE TO REDUCE STORMWATER IMPACTS

Greenspace Requirements



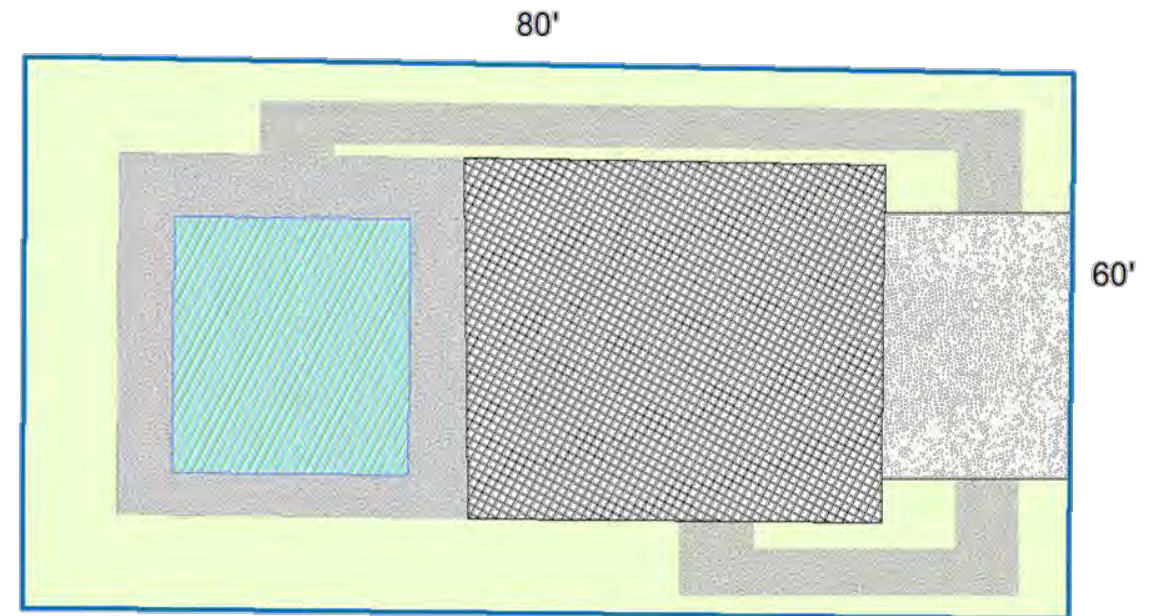
GREENSPACE REQUIREMENTS

- All zoning districts are required to maintain 65% of the designated setback area in a vegetative state



GREENSPACE REQUIREMENTS

- Lot size 4,800 Square Feet
- 2,800 sqft is subject to greenspace requirement
- 1,820 (65%) required to remain in vegetative state
- 60% of lot would be impervious



BUILDABLE AREA

Under current code, unusable area is included in the calculation for buildable area.

Buildable Area: The contiguous area of upland soils designated for development on a lot. The area identified as coastal marshlands are excluded from the buildable area associated with a lot. Area subject to setbacks may be included when calculating buildable area



Assuming it meets proper setback and buffers, this parcel could be split and developed as two, 2-family units

DISCUSSION

Courtney Reich, AICP, CFM
Courtney.reich@gmcnetwork.com



Tybee Island Land Development Code Committee Meeting

February 29, 2024

Districts & Development Standards

Sec. 4-010. List of districts.

- (A) R-1 single-family residential;
- (B) R-010-B single-family residential;
- (C) R-2 one and two-family residential;
- (D) R-T residential tourism;
- (E) C-1 beach business;
- (F) C-2 highway business;
- (G) NM neighborhood marina;
- (H) TBR transitional business-residential;
- (I) PC parks-conservation;
- (J) EC environmental-conservation;
- (K) PUD planned unit development;
- (L) MD maritime district;
- (M) Reserved;
- (N) Reserved;
- (O) South End business overlay district;
- (P) North End parks and public overlay district;
- (Q) North End cultural overlay district;
- (R) Neighborhood grocery store district.

Sec. 3-020. Continuance of nonconforming uses/structures.

- (A) Any structure or use existing at the time of the enactment of the ordinance, March 24, 1971, from which this Land Development Code is derived or an amendment to this Land Development Code, although that structure or use does not conform to the provisions hereof, may be continued as a nonconforming use or structure and structural repairs may be made to any such nonconforming structure, provided however, no such nonconforming use or structure shall in any way be expanded or extended and all work meets all applicable building, state, and federal, regulations including those set forth by FEMA. Whenever a nonconforming structure or use of structure becomes vacant or remains unoccupied owing to abandonment or discontinuance for a period of six months, such structure or use shall thereafter be made to conform to the provisions of this Land Development Code. Any nonconforming structure or use which is damaged by fire, flood, hurricane, explosion, earthquake, war, riot, or any act of God, may be restored, reconstructed and continued as the same nonconforming use and structure as existed before such damage, provided however, that a building permit to initiate restoration must be obtained within six months of the occurrence of damage, and if no such permit is obtained then only a conforming use or structure will be allowed upon the

property. Provided further, however, that the mayor and council may grant an extension of this six-month period in their discretion.

- (B) (1) A nonconforming residentially used structure which is only nonconforming as a result of a setback encroachment on some portion of the property, may be expanded and enlarged beyond its ground footprint without a variance as long as no further encroachments into any setbacks are to be created and so long as all other provisions of the ordinances are complied with, such as all applicable building, state and federal regulations including those set forth by FEMA and all green space requirements are met.
- (2) Any residentially used nonconforming structure may be demolished and rebuilt only if the rebuilt structure will be contained within the same nonconforming ground footprint as existed before demolition; such new structure will maintain the historic character and substance of the preexisting structure; and the new structure will not exceed the square footage of the prior structure by more than 50 percent.
- (C) A nonconforming commercially used structure in a residential zone may not be extended or expanded physically and the nonconforming use may not be expanded or increased. No variance may be granted to the terms of this subsection.

Sec. 3-030. Reduction in lot area.

No lot shall be reduced in area so as to result in less than the minimum lot area required under this Land Development Code; however, lots may be reduced in area upon approval of mayor and council provided:

- (A) That the lot or lots as reduced will be consistent with the existing density and development pattern.
- (B) That the lot or lots as reduced permits and maintains, without any variance, the required front, side, and rear yard setbacks.
- (C) That the lot or lots as reduced is/are, or will be, connected to city water and sewer.

Sec. 3-040. Substandard lots of record.

Any lot of record existing at the time of the adoption of the ordinance from which this section is derived, March 24,1971, which has a lot area which is less than that required by this Land Development Code shall be subject to the following:

- (A) No substandard lot may be developed unless it is to be served by public water and sewer and all minimum front, side, and rear yard setbacks as required by this Land Development Code are met or a variance is granted pursuant to section 5-090.
- (B) A single lot which has an area less than that required by these regulations may only be developed as a building site for a single-family dwelling.

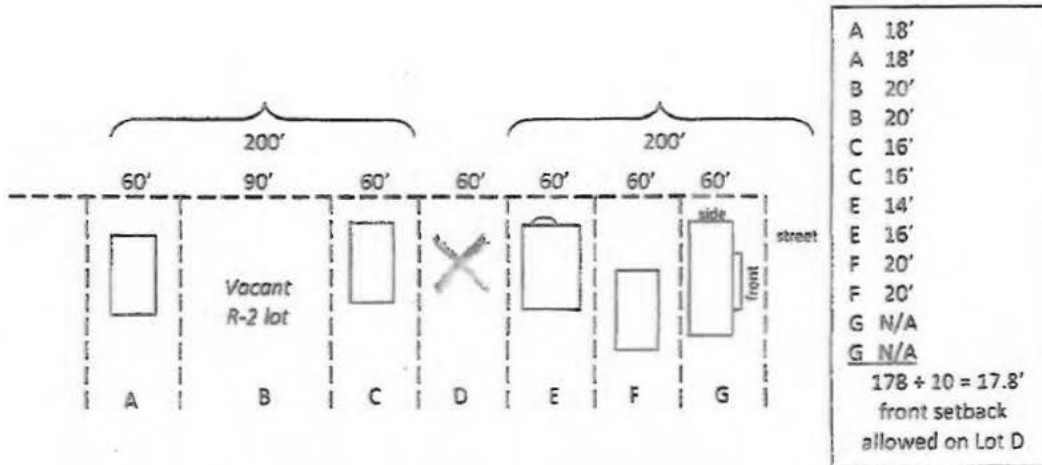
Sec. 3-090. Schedule of development regulations.

(A) *Schedule of residential district dimensional requirements.*

Zoning District	Minimum Lot Area (square feet)			Minimum Yard Setback Distance (feet)			Maximum Structure Height (feet)
	Single-Family	Two-Family	Multi Family	Front	Rear	Side	
—							—
R-1	12,000	Not permitted	Not permitted	20	20	10	35
R-1-B	6,600	Not permitted	Not permitted	20	10	10	35
R-2	4,500	6,750	Not permitted	20	10	10	35
RT	7,000	8,000	8,000 buildable to 80 percent of the property exclusive of the setbacks	20	20	10	35

- (1) In any residential district (R-1, R-1-B, R-2 and RT) where the average front setback distance for existing buildings on all lots located wholly or partly within 200 feet to each side of any lot, and within the same zoning district and fronting on the same side of the same street and on the same block as such lot, is less than the minimum setback required in such zoning district, the front setback on such lot may be less than the required setback but not less than the existing average setback distance for all lots within 200 feet to each side, provided that in no case shall the front setback on new construction be less than ten feet. When lots within 200 feet on each side are vacant such vacant lots shall be considered as having the minimum required setback for the purpose of computing an average setback distance. When existing structures on lots within 200 feet on each side exceed minimum front setback required in such zoning district, the required setback shall be used for the purpose of computing an average setback distance.

See illustration and table for visual clarification.



- (2) A second set of stairs from an existing elevated home or existing home to be elevated in the future may encroach into the setback upon approval of the zoning administrator. The stairs shall encroach as little as possible into the setback.
- (3) An encroachment to permit one elevator is permissible on an existing elevated home to accommodate an elevator into a side or rear setback but only to the extent necessary to accommodate the elevator and the appropriate shaft and the encroachment shall be no larger than six feet by six feet within the setback and no component or part shall protrude more than six feet into the setback upon approval of the building official.

(B) *Schedule of other than residential districts (commercial, maritime and transitional business-residential) dimensional requirements*.*

** Zone	Minimum Lot Area (square feet)	Front Yard	Rear (feet)	Side (feet)	Maximum Structure Height (feet)
C-1(A)***	(Not applicable to allowed uses)	0	None required except 15 feet if bordering residential use.	None required except 15 feet if bordering residential use.	35
C-1(B)	(Not applicable to allowed uses)	8	6	5	35
C-1(C)	4,500 Single-Family 6,750 Two-Family 1,125 per unit Multi-Family	20	10	10	35
C-2	(Not applicable to commercial uses)	10	6	6	35
M-D	(Not applicable to allowed uses)	20	10	10	35
TBR	4,500 Single-Family 6,750 Two-Family	20	10	10	35

* When abutting public streets, any principal structure shall be located no nearer than five feet to that lot line.

** Where a commercial establishment abuts a residential zoning, a suitable screen will be required. See section 3-160. This screen shall be either natural (planting) or manmade and shall be maintained in good order and approved by the zoning administrator. Minimum height is six feet.

*** C-1(A) Retail uses and food/beverage service uses.

C-1(B) Hotel and motel uses, with 80 percent maximum lot coverage.

C-1(C) Residential uses, including single-family, two-family, and multi-family (triplexes, quadraplexes, townhomes, apartments, tourist homes, condominiums, timeshares, and similar uses), bed and breakfast uses, and public structures.

Uses & Definitions

Sec. 2-010. Terms and definitions.

Accessory building means a building subordinate to the main building on the same lot and used for purposes customarily incidental to the use of the main building.

Amusement park means a commercially operated park with booths for the sale of food and drink and various devices for entertainment. Such devices include but are not limited to waterslides, Ferris wheels, merry-go-rounds, and roller coasters.

Apartment building means a building designed for or occupied by three or more families with separate housekeeping facilities for each family. Such building shall include: apartment houses, apartments and flats, efficiency apartments, and studio apartments, but, not including boarding homes, hotels, or motels.

Aquaculture project means the commercial cultivation of aquatic life, such as shellfish, fish, and seaweed.

Bed and breakfast: residential means a dwelling unit where overnight accommodations and a morning meal are provided to transients for compensation.

Bed and breakfast: commercial means bed and breakfast establishments are subject to an approved commercial use site development plan. For more information see section 3-060, bed and breakfast establishments.

Boatel means a combination of a motel and marina that is accessible to boats as well as automobiles and may include boat sales and servicing facilities, overnight accommodations for transients, and eating and drinking facilities.

Campground means an area or tract of land for which accommodations for temporary occupancy are located or may be placed, including R.V. parks, tents, and major recreational equipment, and which is primarily used for recreational purposes and retains an open air or natural character.

Conditional use (special review) means a use permitted in a particular zoning district upon showing that such use in a specific location will comply with all the conditions and standards for the location or operation of the use as specified in this Land Development Code and authorized by the approving agency. Comment: conditional uses are permitted uses and are appropriate in the zoning district only when all conditions are met. For example, a house of worship may be desirable in a residential area but controls over parking, circulation, setbacks, and landscaping may be needed to prevent such use from adversely affecting surrounding residences. With conditional uses, separate regulations can be imposed to mitigate the adverse impacts. In some states, conditional uses are classified as special exception uses. In all cases, the conditions must be specific. The conditional use permitting process and criteria for determination is listed in section 5-070, standards for special review: (see also: special review permit definition).

Condominium means a building containing three or more individually owned, attached, dwelling units and related, jointly owned, common areas.

Drive-in restaurant means any place or premises where provisions are made for selling, dispensing, or serving of food, refreshments, or beverage to customers in automobiles or in other than a completely enclosed building.

Drive-in window means a portion of any building or structure from which business is transacted, or is capable of being transacted, directly with customers located in a motor vehicle during such business transaction. Drive-in windows shall have at a minimum 150 feet of approach distance on the property in which vehicles may queue prior to reaching the window.

Dwelling means any building or structure or part thereof primarily used and occupied for human habitation or intended to be so used. The following further defines the different varieties of dwelling distinctions:

- a. *Dwelling, single-family* means a detached building designed exclusively for occupancy by one family.
- b. *Dwelling, two-family* or *duplex* means a building either designed, constructed, altered, or used for two adjoining dwelling units that are connected by a firewall or, if the units are positioned vertically, by a type one floor and ceiling construction where the units are joined. A "detached" two-family or duplex consist of dwelling units that are joined by structure other than a firewall or floor and ceiling.
- c. *Dwelling, multi-family* means a building either designed, constructed, altered, or used for more than two adjoining dwelling units, with each dwelling unit having a party wall or party floor where it joins at least one other dwelling unit in the building. This includes but is not limited to apartments, condominiums, townhouses, or any type of multi family structure.

Dwelling unit means one or more rooms in a dwelling, apartment, boardinghouse, hotel or motel, designed primarily for occupancy by one family for living, eating, and sleeping purposes.

Family means any of the following occupying a dwelling unit, living as a single, nonprofit housekeeping unit:

- (1) Any number of persons related by blood, marriage, adoption, guardianship, or duly-authorized custodian relationship;
- (2) Two unrelated persons and any children related to either of them; or
- (3) Not more than three persons not related by blood, marriage, adoption, guardianship, or duly-authorized custodial relationship.

Guest cottage means living quarters within a detached accessory building located on the same lot or parcel of land as the primary structure, used exclusively for housing members of the family occupying the main building and their nonpaying guests. Such quarters shall not be rented or otherwise used as a separate dwelling. By no means shall such a use be considered a separate primary structure and eligible for a minor subdivision if either resulting lot created will be substandard in size.

Guest room means any room with a private bath and private entrance from the outside, hall, corridor, or lobby, which may be rented as a single rental unit.

Home business office means an office use that is conducted entirely within the dwelling which is carried on by the occupant thereof and no other individual, and which is clearly incidental and secondary to the use of the dwelling for residential dwelling purposes.

Home occupation means an occupation customarily carried on within a home for gain or support, involving the sale of only those articles, products or services produced on the premises, conducted entirely within a dwelling unit and conducted entirely by persons residing in that dwelling unit, using only that equipment as is customarily found in a home and involving no display of articles or products.

Hotel means a building designed to provide accommodations for transients or persons for short-term residence, with or without meals, and including customary accessory uses in connection with the principal use.

House means structures occupied by people for the sole purpose of shelter and accommodations.

Marina means a commercial establishment with a waterfront location used for the purpose of storing watercraft and pleasure boats on land, in buildings, in slips, or on boatlifts and including accessory facilities for purposes such as re-fueling, minor repair, and launching.

Marine facility means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities.

Nursing home means a home for aged or ill persons in which three or more persons not of the immediate family are provided with food, shelter, and care for compensation, but not including hospitals, clinics, or similar institutions devoted primarily to diagnosis and treatment.

Package shop means an establishment that sells alcoholic beverages only in sealed containers whose contents may not lawfully be consumed on the premises.

Personal care home means a building or group of buildings, a facility or place in which is provided two or more beds and other facilities and services, including room, meals, and personal care for nonfamily ambulatory adults for compensation. The following are three specific types of personal care homes:

- a. *Family personal care home* means a home for adults in a family type residence, noninstitutional in character, which offers care to two through six persons.
- b. *Group personal care home* means a home for adult persons in a residence or other type building(s), non-institutional in character, which offers care to seven through 15 persons.
- c. *Congregate personal care home* means a home for adults which offers care to 16 or more persons.

Recreational vehicle park (RV park) means see "campground."

Restaurant means an establishment, however designated, at which food is sold for consumption on the premises. However, a snack bar or refreshment stand at a public facility or nonprofit community swimming pool, playground, park, or marina operated solely for the convenience of patrons of the facility shall not be deemed a restaurant.

School means a facility that provides a curriculum of academic instruction, such as kindergartens, elementary schools, middle schools, junior high schools, and high schools.

Service station means a building or lot where gasoline, oil, and greases are supplied and dispensed to the motor vehicle trade, and/or where battery, tire and other similar sales and services are rendered.

Special event means a temporary use that extends beyond the normal uses and standards allowed by the zoning ordinance of the city. "Special event" includes, but is not limited to, art shows, sidewalk sales, pumpkin and Christmas tree sales, haunted houses, carnivals, auto shows, grand openings, festivals, exhibitions, bazaars, weddings, and receptions.

Special review permit means a permit issued by the mayor and council, after planning commission review and an advertised public hearing. Approval shall confirm that the proposed use meets all criteria set forth in section 5-070.

Travel trailer means any vehicle or similar portable structure mounted on wheels, designed and intended primarily for short-term (under two weeks) occupancy for dwelling or sleeping or other purposes, and not exceeding 25 feet in length, and any recreational vehicle.

Warehouse means one or more structures containing one or more exclusive, compartmentalized storage spaces with direct and private access, to be used for storage.

Sec. 3-060. Bed and breakfast regulations.

There are two types of bed and breakfast uses defined in this Land Development Code, a bed and breakfast and a bed and breakfast inn. A bed and breakfast is permitted in certain residential areas and intended to be residential in nature. Any slight diversion from the bed and breakfast parameters will change a residential use to a commercial use. A bed and breakfast inn is intended for commercial districts only. Therefore, there can be no variance from the regulations specific to a bed and breakfast. Such a variance will alter the use of the property and thus require a change in the zoning district. The regulations that list requirements for both types of bed and breakfast uses are as follows:

- (A) *Bed and breakfast (residential).*
- (1) Limited to no more than seven rental units consisting of sleeping and sanitary accommodations, and one dwelling unit to be owner occupied.
 - (2) The owner is required to live on premises and agree to make available proof of residency.
 - (3) Food service limited to breakfast for guests only and to be served between the hours of 5:00 a.m. to 12:00 noon and an afternoon snack.
 - (4) Under no circumstances will an alcoholic beverage license be issued.
 - (5) No less than one vehicle parking space per rental unit, and a minimum of two vehicle parking spaces for the owner are required on the property. Handicapped parking shall be provided as required by the O.C.G.A. Tit. 30, Accessibility Code.
 - (6) A buffer is required with a minimum height of six feet within each of the side and rear yard setbacks.
 - (7) One on-premises sign, not to exceed 12 square feet, may either be posted on the structure or on a post. A post sign may not exceed a height of six feet from the highest point of the sign. A post sign is to be located no nearer than ten feet of the right-of-way. No signs are to be allowed that are illuminated from within. Post signs may be downlit with no more than two spotlights with a maximum wattage of 75 watts per bulb located on each side of the sign. Signs posted on structure may be lit with no more than one spotlight with wattage not to exceed 75 watts. All sign designs must be submitted as a part of the conditional use permit drawn.
 - (8) A limited site plan approval is required to show the number and location of guest rooms, the parking plan, and the proposed design for the buffer. All site plans must be submitted on or along with a valid survey of the property.
 - (9) Small special events are permitted not to exceed 20 guests upon completion of a special review to include standards and restrictions to hours of operation, and requirements with respect to lighting, parking, signage, and buffering so as not to unreasonably interfere with the residential uses of abutting properties. During a special event the total number of guests on the property shall not exceed 20 people, including all occupants of rental units and all non-occupants attending a special event. Regardless of intent to shuttle people to the property, additional parking spaces on the property for four vehicles are required for special events. These four spaces are in addition to the off-street parking spaces required by subsection (5). Handicapped parking shall be provided as required by the O.C.G.A. Tit. 30, Accessibility Code.
 - (10) A public hearing before the mayor and council is required. This permit is only valid as long as all conditions specified are met. Any permitted use must adhere to the approved standards, restrictions and parking plans and any other conditions imposed by the mayor and council.
- (B) *Bed and breakfast inns (commercial).* These land uses are subject to an approved site development plan as required for all commercial development under section 5-080.

Sec. 3-165. Greenspace.

In all zoning districts, 65 percent of the designated setback area of a lot shall remain in a vegetative state. This greenspace requirement shall require that at least 65 percent of the required setback area for a parcel remain in a natural vegetative state, and is not to be reduced by setback area averaging or variances granted so that the square footage required is calculated without regard to the averaging or a variance granted.

Sec. 3-170. Home occupations and home business offices.

Profit-making activities conducted in homes fall into two classes: home occupations and home business offices.

- (A) *Home occupation.* If permitted in a land use district, it must comply with the following requirements. It shall be allowed, provided that it:
- (1) Is carried on by a member(s) of the family residing in the dwelling unit only. One employee who is not part of the family is permitted;
 - (2) Is conducted entirely within the principle structure;
 - (3) Utilizes not more than 25 percent of the total floor area of the principle structure;
 - (4) Produces no alteration or change in the character or exterior or change in the principle structure from that of a dwelling;
 - (5) Involves no sale or offering for sale of any article not produced or assembled by members of the family, or any service not entirely performed by members of the family, residing on the premises;
 - (6) Creates no disturbing or offensive noise, vibration, smoke, dust, odor, heat, glare, traffic hazard, unhealthy or unsightly condition;
 - (7) There shall be no sign or external indication of the business.
- (B) *Home business office.* If permitted in a land use district, it must comply with the following requirements:
- (1) There shall be no sign or external indication of the business office.
 - (2) No more than two vehicles and/or trailers used in the conduction of the business may be parked at the home location.
 - (3) The office may occupy no more than 25 percent of the floor area of the principle structure.
 - (4) The office must be located in the principle structure.
 - (5) Only residents of the dwelling may engage in work at the office.

Sec. 5-070. Standards for special review.

Land uses listed in Article 4 of this Land Development Code that are permitted after special review must follow an administrative procedure prior to the issuance of any land development permit.

- (A) *Review criteria.* The planning commission shall hear and make recommendation upon such uses in a district that are permitted after special review. The application to establish such use shall be approved by the mayor and council on a finding that:
- (1) The proposed use will not be contrary to the purpose of this Land Development Code;
 - (2) The proposed use will not be contrary to the findings and recommendations of the master plan;

-
- (3) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood or adversely affect the health and safety of residents and workers;
 - (4) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, vehicular movement associated with the use, noise or fumes generated by or as a result of the use, or type of physical activity associated with the land use;
 - (5) The proposed use will not be affected adversely by the existing uses of adjacent properties;
 - (6) The proposed use will be placed on a lot which is of sufficient size to satisfy the space requirements of said use;
 - (7) The parking and all development standards set forth for each particular use for which a permit may be granted will be met.
- (B) *Additional mitigation requirements.* The planning commission may suggest and the mayor and council may impose or require such additional restrictions and standards (i.e., increased setbacks, buffer strips, screening, etc.):
- (1) As may be necessary to protect the health and safety of workers and residents in the community; and
 - (2) To protect the value and use of property in the general neighborhood.
- (C) *Adherence to requirements.* Provided that wherever the mayor and council shall find in the case of any permit granted pursuant to the provisions of these regulations, noncompliance of any term, condition, or restrictions upon which such permit was granted, the mayor and council shall rescind and revoke such permit after giving due notice to all parties concerned and granting full opportunity for a public hearing.
- (D) *Permit longevity.* If a building permit or other preparations or conditions are required prior to implementing special review approval granted by the mayor and council such permitting or other preparations or conditions must occur within 12 months from the date of special review approval. Such approval is based on information provided in the application. Building permits may only be granted for plans consistent with the approved application. Any deviation from the information submitted will require separate approval by planning commission and mayor and council. In the event of a hardship or other extenuating circumstance the permit holder may apply to the designated city official for a one-time extension of permit approval. Permit extensions may not be approved in extenuating circumstances for a period of no more than 180 days. Should the permit not be exercised in the extension period it will expire.

Tybee Island LDC Districts + Uses

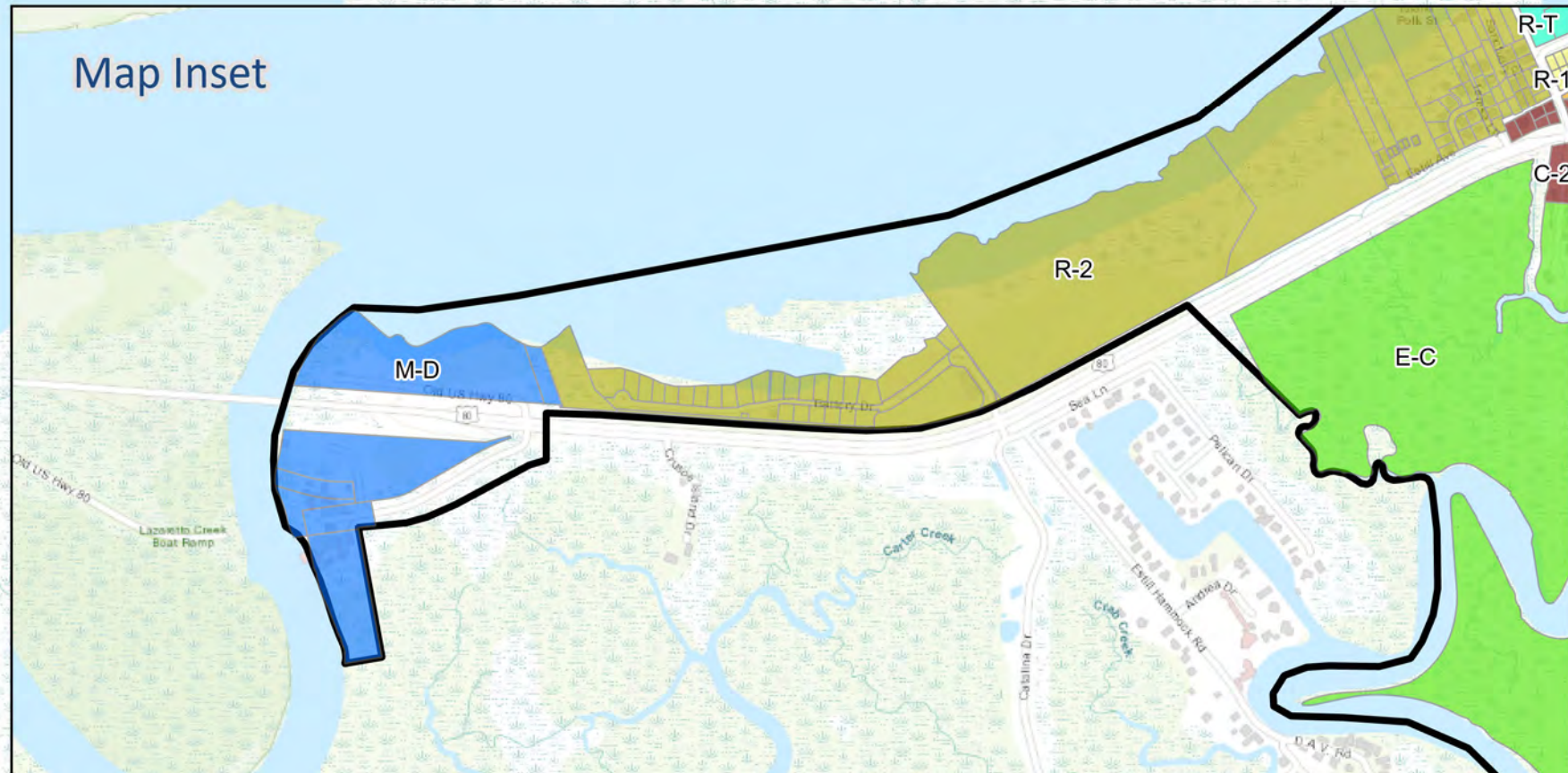
		R-1	R-010-B	R-2	R-T	C-1	C-2	NM	MD
		Single-Family Residential	Single-Family Residential	One and Two-family Residential	Residential Tourism	Beach business	Highway business	Neighborhood marina	Maritime district
RESIDENTIAL	Single-family dwellings	X	X	X	X	SP			
	Two-family dwellings			X	X	SP			
	Apartment homes and condominiums (2+ units)				SR_SP	SP*			
	Nonhabitable accessory buildings	X	X	X	X				
	Nursing homes and ancillary activities	SR_SP	SR_SP	SR_SP					
LODGING	Guest cottages	SR_SP	SR_SP	SR_SP		SP			
	Bed and breakfast, residential	SR_SP	SR_SP	SR_SP		SP			
	Bed and breakfast, 6+ units				SR_SP	SP	SP		
	Hotels					SP			
	Motels					SP			
	Time shares					SP			
	Tourist homes					SP	SP		
HOME BUSINESS	Home business offices	X	X	X	X				
	Home occupations	SR_SP	SR_SP	SR_SP					
COMMERCIAL	Apothecary shops					SP			
	Gift shops					SP			
	Barbershops, beauty shops					SP			
	Finance, investment and insurance offices					SP			
	Florist shops					SP			
	Retail stores					SP	SP		
	Service stations						SP		
	Grocery stores						SP		
	Professional and business offices						SP		
RESTAURANTS	Restaurants, concession stands					SP			
	Restaurants, including drive-in restaurants						SP		
	Restaurants							SR_SP	
	Restaurants - sit-down, no drive-through, no alcohol								SP
	Restaurants - sit-down, no drive-through, alcohol w/ Council approval								SP
	Lounges and package shops					SR_SP	SR_SP	SR_SP	
ENTERTAINMENT	Special event venues					SR_SP	SR_SP		
	Assembly hall, club, or lodge								SP
	Commercial amusements					SP			
	Recreational activities within a building								
	Theater facilities, historic				SR_SP				
MARITIME	Marinas						SP		SP
	Seafood warehouses, retail, and wholesale sales						SP	SR_SP	
	Boat launching facilities							SP	SP
	Bait shops							SP	SP
	Retail sale of boating provisions							SP	SP
	Watercraft and equipment rental							SR_SP	SP
	Watercraft sales and dry dock storage							SR_SP	
	Wholesale and retail seafood sales							SR_SP	SP
	Machine repair shops							SR_SP	
	Aquaculture projects								SP
	Boat building and repair facilities								SP
	Commercial charter or sightseeing watercraft facilities								SP
	Commercial fishing and crabbing								SP
Private or community dock									
PUBLIC	Public structures					SP			
	Public utility structures	X	X	X	X			SP	
	Public community buildings, libraries, recreation centers and museums.	X	X	X	X				
	Government buildings								SP
	Primary and secondary schools	SR_SP	SR_SP	SR_SP					
	Public parks and neighborhood playgrounds	SR_SP	SR_SP	SR_SP			SP		
	Churches, including Sunday schools or educational buildings	SR_SP	SR_SP	SR_SP					
Schools of general education, including kindergarten and day nurseries	SR_SP	SR_SP	SR_SP						

X Allowed by right
 SR_SP Requires special review + site plan approval
 SP Requires site plan approval



Zoning

- C-1
- C-1/SE
- C-2
- E-C
- N-M
- NG
- P-C
- PUD
- R-1
- R-1-B
- R-1/NEC
- R-1/NEP
- R-2
- R-T



Map Officially Adopted
Date: _____

Map Resolution with Amendment
Date: _____

Amended: _____

Mayor: _____

City Clerk: _____

