

## **Article 2.0 Review Bodies and Administrators**

### **Sec. 2.1 General Provisions**

#### **2.1.1 Purpose**

The purpose of this Article is to establish the authority for review and consideration of certain applications and other proposed actions, and to assign authority to the following:

- a.** Mayor and Aldermen of the City of Savannah;
- b.** The Chatham County-Savannah Metropolitan Planning Commission;
- c.** The City of Savannah Board of Zoning Appeals;
- d.** The Historic Preservation Commission;
- e.** The Savannah Downtown Historic Board of Review;
- f.** The Planning Director; and
- g.** The City Manager

#### **2.1.2 Rules Applicable to Review Bodies**

##### **a. Appointments**

All members of Review Bodies shall be appointed by the Mayor and Aldermen. The number of members of each body, and the qualifications of such members are specified in the provisions of this Article with respect to such body. In addition, the provisions of this section shall apply to members of all bodies except for the Mayor and Aldermen.

##### **b. Qualifications**

In considering appointees to the Review Bodies, the Mayor and Aldermen may, but are not required to give consideration to persons who have demonstrated a special interest in planning and zoning or who have personal or professional experience and expertise in planning and zoning, architecture, building construction, engineering, environmental science, historic preservation, landscape architecture, law, or urban design.

##### **c. Disclosure**

Applicants for appointment to the Review Bodies shall disclose whether or not they are currently elected or appointed to hold office in any public body or agency, including serving on an advisory board.

##### **d. Ethics**

Members of Review Bodies:

- i.** Shall not participate in the consideration of, or vote on any matter in which they have a conflict of interest, or in which any principal or

employee of any business in which they are a principal or an employee is representing any party, and

- ii. Shall comply with all applicable ethical rules and procedures established by state law, ordinance and the by-laws and procedures of the Review Body in which they are a member, and
- iii. Shall act in a courteous, professional, and respectful manner to other board members, applicants, citizens, staff members, and other persons in conducting the business of the Review Body in which they are a member.

**e. Removal from Office**

The Mayor and Aldermen, by majority vote, may remove any member of any Review Body from office if they find that:

- i. The member has been absent for more than one-third of the regular meetings of the Review Body within a 12-month period; or
- ii. The member has participated in or voted on any matter coming before the Review Body in which the member had a conflict of interest, or any matter in which he or any principal or employee of any business in which he is a principal or employee was representing any party; or
- iii. The member is convicted of a felony or any crime involving moral turpitude while serving on the Review Body; or
- iv. The member has misrepresented his credentials or qualifications in applying for his appointment to the body; or
- v. The member has acted in a discourteous, unprofessional, or disrespectful manner to another board member, applicant, citizen, staff member, or other person while conducting or participating in the business of the body, and has not ceased his discourteous, unprofessional, or disrespectful behavior after being requested to do so by the Chair, another member of the Review Body, or the Planning Director.

**2.1.3 Meetings and Rules of Procedures**

The following provisions shall be applicable to all Review Bodies described in this Ordinance with the exception of Mayor and Aldermen.

**a. Meetings**

**i. Regular Meetings**

Regular meetings shall be held each month and shall be set for a time, date and location certain.

**ii. Special Meetings**

**(1) Calling of Special Meetings**

Special meetings may be called by the Chair of the Review Body or a majority of the members of the Review Body.

**(2) Notice of Special Meetings**

The Planning Director shall provide public notice a minimum of two (2) days in advance of any special meetings. The content of the notice shall comply with the requirements of Sec. 3.2.1 of this Ordinance.

**b. Minutes and Public Records**

The Review Body shall keep minutes of its proceedings, showing the absence of members and the vote of each member, including the Chair and Vice-Chair.

**c. Meetings and Hearings to be Public**

All meetings and hearings of the Review Body shall be open to the public.

**d. Public Notice**

Public notice of the Review Body meeting shall be provided as required for each development application type as provided in Section 3.2., Public Notice, and the Georgia Open Meetings Law.

**e. Quorum**

A quorum for the transaction of business by any body shall be a majority of the authorized number of members of the board as set forth in this Chapter. In the absence of a quorum, the chair, or in their absence, any member may convene a meeting of the members present, for the limited purpose of designating a date, time, and location to which the meeting shall be continued.

**f. Consideration of Applications and Other Actions**

A Review Body may take action or make a decision or other determination by majority vote of the quorum present at the meeting.

## **Sec. 2.2 Governing Body**

### **2.2.1 Defined**

The Governing Body is the Mayor and Aldermen of the City of Savannah (hereinafter the Mayor and Aldermen).

### **2.2.2 Powers and Duties**

#### **a. General Authority**

The Mayor and Aldermen shall have the powers and duties listed below, in addition to those provided elsewhere in the City of Savannah Charter, Code of Ordinances, the Georgia Constitution, Georgia General Session Laws, and applicable local laws.

#### **b. Final Authority**

The Mayor and Aldermen shall be responsible for final action regarding:

- i.** Comprehensive plan amendments;
- ii.** Zoning text amendments;
- iii.** Zoning map amendments;
- iv.** Establishment of planned development districts;
- v.** Granting of special use permits;
- vi.** Establishment of local historic district designations;
- vii.** Establishment of local historic property designations; and
- viii.** Amendments to any of the actions described in this Section, and
- ix.** Appeals (as identified in Sec. 3.23, Appeals).

#### **c. Appointments**

The Mayor and Aldermen shall appoint members of commissions and boards as required by this Ordinance.

## Sec. 2.3 Planning Commission

### 2.3.1 Establishment

The Chatham County-Savannah Metropolitan Planning Commission (hereinafter the Planning Commission) was created by the Chatham County Board of Commissioners of Chatham County and the Mayor and Aldermen of the City of Savannah.

### 2.3.2 Powers and Duties

#### a. General Authority

- i. The Planning Commission shall perform duties as directed by each Governing Body.
- ii. The Planning Commission may exercise additional powers as may be described elsewhere in this Ordinance and as permitted by the County Code of Ordinances and City Code of Ordinances, as applicable.

#### b. Review Authority

With respect to this Ordinance and specifically for the City of Savannah, the Planning Commission shall review and make recommendations to the Mayor and Aldermen regarding:

- i. Comprehensive Plan amendments;
- ii. All zoning text amendments with the exception of text amendments to the articles and sections listed below. Such text amendments **shall** may be reviewed by the Historic Preservation Commission or the Savannah Downtown Historic Board of Review as provided in Sec. 2.5 and 2.6, respectively.
  - (1) Sec. 2.5, Historic Preservation Commission;
  - (2) Sec. 2.6, Savannah Downtown Historic District Board of Review;
  - (3) Sec. 3.16, Local Historic District Designation, including the creation of any local historic district height map or local historic district contributing resources map, or any amendments to such maps;
  - (4) Sec. 3.17, Local Historic Property Designation;
  - (5) Sec. 3.18, Certificate of Appropriateness for Local Historic Districts and Local Historic Properties;
  - (6) Sec. 3.19, Certificate of Appropriateness for the Savannah Downtown Historic District;
  - (7) Sec. 3.20, Proactive Preservation;
  - (8) Sec. 7.7, Historic Property Overlay District; and
  - (9) Any historic overlay district provided in Article 7.0, Overlay Districts.

**iii.** All rezoning map amendments with the exception of zoning amendments to the sections listed below. Such map amendments shall be reviewed by the Historic Preservation Commission or the Savannah Downtown Historic Board of Review as provided in Sec. 2.5 and 2.6, respectively.

**(1)** Sec. 3.16, Local Historic District Designation, and,

**(2)** Sec. 3.17, Local Historic Property Designation.

**iv.** Planned development districts; and

**v.** Special use permits.

**c. Final Authority**

With respect to this Ordinance, the Planning Commission shall be responsible for final action regarding:

**i.** Planning Commission Development Review plans, including variances as identified in Sec. 3.21, Variances;

**ii.** Special exceptions as identified in Sec. 3.12, Special Exceptions; and

**iii.** Minor changes to Small-Scale Planned Developments.

## **Sec. 2.4 Zoning Board of Appeals**

### **2.4.1 Establishment**

The Savannah Zoning Board of Appeals is hereby established.

### **2.4.2 Powers and Duties**

#### **a. General Authority**

- i.** The Zoning Board of Appeals shall perform duties as directed by the Mayor and Aldermen.
- ii.** The Zoning Board of Appeals may exercise additional powers as may be described elsewhere in this Ordinance and as permitted by the City Code of Ordinances.

#### **b. Final Authority**

With respect to this Ordinance, the Zoning Board of Appeals shall be responsible for final action regarding:

- i.** Variances (as identified in Sec. 3.21, Variances);
- ii.** Relief for Nonconforming Uses (as identified in Sec. 3.24, Relief for Nonconforming Uses); and
- iii.** Appeals (as identified in Sec. 3.23, Appeals).

### **2.4.3 Composition and Term of Office**

#### **a. Composition**

The Zoning Board of Appeals shall be composed of seven (7) members, who are selected by the Mayor and Aldermen.

#### **b. Term of Office**

Each member shall serve a term of three (3) years, and terms shall be staggered. Members shall not serve more than two (2) consecutive terms.

### **2.4.4 Residence of Members**

Members of the Zoning Board of Appeals shall reside within the city limits of Savannah.

## **Sec. 2.5 Historic Preservation Commission**

### **2.5.1 Establishment**

The Historic Preservation Commission (hereinafter Historic Preservation Commission) is hereby established in accordance with O.C.G.A. §44-10-21 (“Georgia Historic Preservation Act”), as amended. The Historic Preservation Commission is the review authority, as described in this section, for all local historic districts, properties in the city of Savannah, and conservation districts (Sec. 7.9, Sec. 7.10, Sec. 7.11, and Sec. 7.15) with the exception of the Savannah Downtown Historic Overlay District. The review authority for the Savannah Downtown Historic Overlay District is the Savannah Downtown Historic Board of Review (Sec. 2.6).

### **2.5.2 Powers and Duties**

The Mayor and Council shall create the Historic Preservation Commission with the following powers and duties:

#### **a. General Authority**

- i.** The Historic Preservation Commission shall perform related duties as directed by the Mayor and Aldermen.
- ii.** The Historic Preservation Commission may exercise additional powers as may be described elsewhere in this Ordinance and as permitted by the City Code of Ordinances, as applicable.
- iii.** The Historic Preservation Commission is responsible for preparing and maintaining an inventory of all properties within its jurisdiction having the potential for designation as a historic district or historic property.
- iv.** The Historic Preservation Commission may seek out local, state, federal or private funds for historic preservation, and make recommendations to the Mayor and Aldermen concerning the most appropriate uses of funds acquired.
- v.** The Historic Preservation Commission shall submit to the Historic Preservation Division of the Georgia Department of Natural Resources information on pending designations of historic districts and historic properties.

#### **b. Review Authority**

With respect to this Ordinance, the Historic Preservation Commission **shall** **may** review and make recommendations to the Mayor and Aldermen regarding:

- i.** Any application for a text amendment to the following articles or sections of this Ordinance:
  - (1)** Sec. 2.5, Historic Preservation Commission;
  - (2)** Sec. 3.16, Local Historic District Designation;
  - (3)** Sec. 3.17, Local Historic Property Designation;



- (4) Sec. 3.18, Certificate of Appropriateness for Local Historic Properties and Local Historic Districts;
  - (5) Sec. 3.20, Proactive Preservation;
  - (6) Sec. 7.7, Historic Property Overlay District; and,
  - (7) Any historic overlay district identified in Article 7.0, Overlay Districts, with the exception of Sec. 7.8, Savannah Downtown Historic Overlay District.
- ii. Any application to designate a local historic district or to amend the boundaries of an existing local historic district, with the exception of the Savannah Downtown Historic Overlay District (see. Sec. 2.6, Savannah Downtown Historic Board of Review); and
  - iii. Creation of and amendments to local historic district height maps and contributing resource maps in all local historic districts, with the exception of the Savannah Downtown Historic Overlay District.

**c. Final Authority**

With respect to this Ordinance, the Historic Preservation Commission shall be responsible for final action regarding:

- i. Certificates of Appropriateness for local historic districts and properties;
- ii. Special exceptions as identified in Sec. 3.12, Special Exceptions. and
- iii. Variances (as identified in Sec. 3.21, Variances).

**2.5.3 Composition and Terms of Office**

**a. Composition**

The Historic Preservation Commission shall be comprised of nine (9) members who are selected by the Mayor and Aldermen.

**b. Terms of Office**

Each member shall serve a term of three (3) years, and terms shall be staggered. Members shall not serve more than two (2) consecutive terms.

**2.5.4 Residence of Members**

Members of the Historic Preservation Commission shall reside within the city limits of Savannah.

## **Sec. 2.6 Savannah Downtown Historic District Board of Review**

### **2.6.1 Establishment**

The Savannah Downtown Historic District Board of Review was created by an amendment to the Georgia Constitution, Article XI, November 5, 1968 and by an amendment to the City Code of Ordinances, February 15, 1973. The Savannah Downtown Historic District Board of Review is the review authority, as described in this section, for only the Savannah Downtown Historic Overlay District. The review authority for all other local historic districts and properties is the Historic Preservation Commission (Sec. 2.5).

### **2.6.2 Powers and Duties**

As described below, the Historic Board of Review has certain authority only within the Savannah Downtown Historic Overlay District.

#### **a. General Authority**

- i.** The Historic Board of Review shall perform related duties as directed by the Mayor and Aldermen of the City of Savannah.
- ii.** The Historic Board of Review may exercise additional powers as may be described elsewhere in this Ordinance and as permitted by the City Code of Ordinances.

#### **b. Review Authority**

With respect to this Ordinance, the Historic Board of Review ~~shall~~ may review and make recommendations to the Mayor and Aldermen regarding:

- i.** Amendments to Sec. 2.6, Savannah Downtown Historic Board of Review;
- ii.** Amendments to Sec. 7.8, Savannah Downtown Historic Overlay District, including text amendments, amendments to the contributing resources and height maps, and boundary adjustments to the district;
- iii.** Sec. 3.19, Certificate of Appropriateness for the Savannah Downtown Historic District ~~Amendments to the contributing resources map~~; and
- iv.** Sec. 3.20, Proactive Preservation ~~Amendments to the height map~~.

#### **c. Final Authority**

With respect to this Ordinance, the Historic Board of Review shall be responsible for final action regarding:

- i.** Certificates of Appropriateness for new construction, alterations, relocation and demolition as identified in Sec. 3.19, Certificate of Appropriateness for the Savannah Downtown Historic District; and
- ii.** Variances (as identified in Sec. 3.21, Variances).

### **2.6.3 Composition and Term of Office**

#### **a. Composition**

The Historic Board of Review shall be composed of nine (9) members, who are selected by the Mayor and Aldermen; provided, however, that since the previous ordinance provided for 11 members, members serving on the Effective Date of this Ordinance shall continue in office for the remainder of their appointed terms, after the expiration of which, the number of board members will be reduced to nine (9).

#### **b. Term of Office**

Each member shall serve a term of three (3) years, and terms shall be staggered. Members shall not serve more than two (2) consecutive terms.

### **2.6.4 Residence of Members**

Members of the Historic Board of Review shall reside within the city limits of Savannah.

## **Sec. 2.7 Planning Director**

### **2.7.1 Defined**

The Executive Director of the Metropolitan Planning Commission shall be the Planning Director.

### **2.7.2 Delegation of Authority**

The Planning Director may designate any staff member to serve as his/her designee for those functions identified in this Ordinance. The Planning Director shall remain responsible for any final action, as applicable.

### **2.7.3 Powers and Duties**

#### **a. General Authority**

- i.** The Planning Director shall perform related duties as directed by the Planning Commission or any other applicable ordinances.
- ii.** The Planning Director shall have the powers and duties listed below, in addition to those provided elsewhere in this Ordinance and the City of Savannah Code of Ordinances, as applicable.

#### **b. Review Authority**

With respect to this Ordinance, the Planning Director shall review and make recommendations regarding:

- i.** Comprehensive plan amendments;
- ii.** Zoning map amendments;
- iii.** Planned development districts;
- iv.** Zoning text amendments;
- v.** Planning Commission Development Plans;
- vi.** City of Savannah Development Plans, as required by this Ordinance;
- vii.** Traffic impact analyses;
- viii.** Special use permits;
- ix.** Subdivisions;
- x.** Local historic district designations, including amendments to height and contributing resource maps;
- xi.** Local historic property designations;
- xii.** Certificates of Appropriateness for local historic districts and historic properties;
- xiii.** Certificates of Appropriateness for the Savannah Downtown Historic District with the exception of those listed below; and;
- xiv.** Other duties as specified by this Ordinance.

**c. Final Authority**

With respect to this Ordinance and the Subdivision Ordinance, the Planning Director shall be responsible for final action regarding:

- i. Certificates of Appropriateness for actions identified in Sec. 3.19.7; and
- ii. Other duties as specified by this Ordinance.
- iii. The following until such time that the Historic Preservation Commission is officially operating:
  - (1) Certificates of Appropriateness for local historic districts and properties;
  - (2) Special exceptions as identified in Sec. 3.12, Special Exceptions; and
  - (3) Variances (as identified in Sec. 3.21, Variances).

## **Sec. 2.8 City Manager**

### **2.8.1 Defined**

The City Manager is appointed by the Mayor and Alderman in accordance with the City Charter. The City Manager may delegate any of his/her authority or responsibility under this ordinance by designating one or more city staff members to exercise such authority or responsibility.

### **2.8.2 Powers and Duties**

#### **a. General Authority**

- i.** The City Manager shall perform related duties as directed by the Mayor and Aldermen.
- ii.** The City Manager or his or her designee shall have the powers and duties listed below, in addition to those provided elsewhere in the City Code of Ordinances.

#### **b. Final Authority**

With respect to this Ordinance, the City Manager or his or her designee shall be responsible for final action regarding:

- i.** City Development plans;
- ii.** Temporary Use permits;
- iii.** Home Occupation permits;
- iv.** Sign permits;
- v.** Proactive preservation;
- vi.** Written interpretations;
- vii.** Administrative adjustments;
- viii.** Wetlands assessments, as applicable;
- ix.** Wetland and marsh buffer modifications;
- x.** Traffic impact analyses; and
- xi.** Other duties as specified by this Ordinance.