

AN ORDINANCE

To Be Entitled

AN ORDINANCE TO AMEND PART 8, CHAPTER 3, ZONING, ARTICLE B (ZONING DISTRICTS), SECTION 8-3030 (HISTORIC DISTRICT): TO CORRECT INCONSISTENCIES, ESTABLISH NEW STANDARDS, STRENGTHEN EXISTING STANDARDS, AND CLARIFY STANDARDS; AND TO REPEAL ALL OTHER ORDINANCES IN CONFLICT HEREWITH AND FOR OTHER PURPOSES

BE IT ORDAINED by the Mayor and Aldermen of the City of Savannah, Georgia, in a regular meeting of Council assembled and pursuant to lawful authority thereof:

SECTION 1: That Part 8, Chapter 3, Zoning of the Code of the City of Savannah, Georgia (2003) hereinafter referenced as "Code," be amended as follows:

ENACT

Section 8-3030. Historic District

(a) *Definitions.*

Abutting Building. A building on a parcel which shares a parcel line with the subject parcel, or is located on the same parcel.

Accessory Building. A detached building or structure, which may include, but is not limited to, a garage, storage building, carriage house.

Active Use. For the purposes of this subsection, an active use is considered to be an allowed use under the zoning ordinance for a property that is open to and provides a sustained, regular activity or service for the general public (including, but not limited to, restaurant, retail, office, gallery), and maintains individual primary exterior entrances. Uses intended primarily for the buildings' occupants, such as meeting rooms, internal offices, hallways, storage areas, recreational facilities not open to the general public, etc., or are accessed primarily from the interior, are not considered active uses. A lobby shall be considered an active use provided that it is limited in area as determined in the large-scale development standards.

Adjacency. Abutting parcels, buildings, or buildings within the same parcel.

Adverse Effect. An effect on a historic property that diminishes the historic integrity of the property's location, design, setting, materials, workmanship, or association.

Appurtenance. Accessory object including, but not limited to, fences, light fixtures, signs, brackets, downspouts, and trellises.

Apron. A ramp providing access to a parking pad or building.

Awning. A lightweight, exterior roof-like shade that typically projects over a window or door, usually made of canvas or similar fabric on a metal frame, also may be wood, plastic or metal. Awnings are attached to buildings, typically on a vertical surface. See also *Shade Structures*.

Baluster. One of several small columns or rods that support a railing or balustrade.

Base Zoning District Development Standards. The development standards associated with the base zoning district, which includes lot coverage percentage and setbacks (front, rear, and side).

Beach Institute Character Area. A unique area within the Savannah National Historic Landmark district distinguished by its plan, architecture and historic ethnic diversity containing the greatest concentration of remaining one-story cottages. Originally part of privately owned garden lots, the area developed as a series of small neighborhood villages in the mid-19th century. The area is used for recreational purposes including, but not limited to viewing or enjoying historic, archaeological, and scenic sites.

Block. A block is a rectangular space bounded on three sides by a street and on the fourth by a street or lane and occupied by or intended for buildings.

Block front. A block front is the street fronting a block, excluding the lane frontage.

Building Form. The physical shape of a building resulting from its mass, height, and envelope.

Canopy. A canopy is a permanent projection over an entrance, which is architecturally and structurally integrated into the design of the building.

Carrera Glass. A trade name for thick, solid-color structural glass cast in panels and used as a wall veneer. Vitrolite® is a name brand for this product.

Central of Georgia National Historic Landmark District. A 33.2 acre historic industrial site originally operated by the Central of Georgia Railroad, consisting of the motive power, cotton yard and industrial warehouses, passenger facilities and two brick viaducts. The district is bounded by Martin Luther King, Jr. Boulevard on the east, Jones Street on the south, West Boundary Street on the west, and Turner Street on the north. The area is used for recreational purposes including, but not limited to viewing or enjoying historic, archaeological, and scenic sites.

Character Area. Predefined areas with special character-defining features.

Character-Defining Feature. An element or elements of a building, which convey its historical or architectural significance. These may include, but are not limited to, windows, window casings, doors, porch columns, handrails, scroll brackets, corner boards, rooflines, cornices, eaves, brackets, setbacks, height, form, and similar features.

City Market Character Area. A unique area within the Savannah National Historic Landmark District distinguished by commercial buildings associated with historical market functions. The area is used

for recreational purposes including but not limited to viewing or enjoying historical and scenic sites.

Commercial building. A building whose primary function is for business or retail use.

Compatibility. The positive relationship of alterations to existing buildings and designs for new construction to their environs; compatibility is measured by consistent application of accepted guidelines and standards defining the individual visual character of a specific area.

Deck. A structure without a roof directly attached to a principal building, which has an average elevation of 30 inches or greater from finished grade.

Demolition by Neglect. The consistent failure to maintain a structure that causes, or is a substantial contributing factor of, the deterioration of building materials to such an extent that the structure is no longer safe or renovation/restoration is no longer feasible, that ultimately leads to the need for physical demolition.

Directional Character. Structural shape, placement of openings, and architectural details that give a predominantly vertical, horizontal, or a non-directional character to the building's front façade. For example, a skyscraper would have a vertical character and a one-story ranch house would have a horizontal character.

EIFS. Exterior Insulation Finishing System.

Economic Hardship. The denial of all reasonable use or return on a piece of property by the application of regulation.

Elevation. An exterior façade of a building.

Entrance. See *Primary Entrances*.

Exceptional Importance. Structures of extraordinary importance because of an event or an entire category of resources so fragile that survivors of any age are unusual. The property is not required to be of national significance; the measure of a property's importance is within the historic context, whether the scale of that context is local, state, or national (National Park Service, National Register Bulletin).

Executive Director. The Executive Director of the Chatham County-Savannah Metropolitan Planning Commission.

Exterior Expression. Exterior building design features that visually define the number of stories.

Façade. Any exterior face of a building.

Factors Walk Character Area. A unique historic area within the Savannah National Historic Landmark District distinguished by its access to the Savannah River, parks and green space, proximity to commercial and shipping industry structures, historical structures, cobblestone rights-of-way, and

pedestrian bridges. The area is used for recreational purposes including, but not limited to, fishing, boating, picnicking, nature study, and viewing or enjoying historic, archaeological, and scenic sites.

Fronting. Facing.

Glazing. The clear or translucent material through which light passes into a building; most often glass.

Green Roof. See City of Savannah Green Roof Ordinance (Section 8-1178).

Height of building. The vertical distance measured from the mean finished ground level adjoining the building to the highest point of the roof.

Historic building. Structures, which possess identified historical or architectural merit of a degree warranting their preservation. A building which is classified as historic is identified on the City of Savannah's Historic Building Map, defined below.

Historic Building Map. A catalog of Historic Buildings in map form; a copy is attached to this ordinance.

Historic District Height Map. A map of the Historic District showing the maximum number permissible stories up to which buildings may be constructed in defined areas; a copy is attached to this ordinance.

High Stoop. An elevated entrance landing, typically nine feet (9') tall, accessed by stairs.

Historic Fabric. Original building materials of a historic building.

Historic Setback. The average setback of a group of historic buildings along a block front.

Individual Buildings. A building that meets the requirements for a stand-alone building by the building code. May be denoted by a firewall, setback, and/or property line.

In-kind Repairs. Minor repairs that do not involve a change in material, placement, or design.

Lane. The service corridor subdividing a tithing block in Oglethorpe's original ward plan. See *Street Types*.

Large-scale development. Development whose combined ground floor footprint is equal to or greater than 9,000 square feet within a single parcel, or is four stories or greater in 'R' zoning districts or is five-stories or greater in all other zoning districts. In the case of an addition to an existing building, the combined footprint and height of both the existing building and the addition located on the same parcel apply.

Material Change. A change that will affect the exterior architectural or environmental features of a building and may include any one or more of the following:

- 1) A reconstruction or alteration of a size, shape or façade of a building including any of its architectural elements or details;

- 2) Demolition of a building or portion of a building;
- 3) Commencement of excavation for construction purposes;
- 4) The introduction or change of signage on any building;
- 5) The erection, alteration, restoration, or removal of any building or structure including walls, fences, steps, pavement, or appurtenances.

Mechanical or Access Structure. An enclosed, non-habitable structure above the roof of a building, other than a tank, tower, spire, dome cupola, or bulkhead, occupying not more than one-third of the roof area. Mechanical or access structures used solely to enclose stairways or elevator machinery, ventilation or air conditioning apparatus shall not count as a story.

Meeting rail. The horizontal portion of a double hung window where the upper and lower sash meet.

Mezzanine. An intermediate level between the floor and ceiling of a story. Its aggregate floor area is not more than one-third of the area of the room or space in which it is located.

Monumental Building. An institutional building such as a church, sanctuary, governmental building, school, or institution of higher learning with the primary use as education, theater or museum, having special or unique form because of the nature of its use.

Mullion. The bar or divider that separates individual window frames within a series of paired (two) or grouped (three or more) window openings.

Muntin. The molding or bar that separates the individual panes of a multi-paned window sash.

Non-historic. A building or structure that does not add to the historic associations, historic architectural qualities, or archaeological values for which a property or area is significant because: it was not present during the period of significance, or does not relate to the documented significance of the property or area; due to alterations, disturbances, additions, or other changes, it no longer possesses historic integrity or is no longer capable of yielding important information about the period of significance; or it does not independently meet the National Register criteria for a contributing building.

Oglethorpe Plan Area. The original ward pattern of streets and lanes between Bay Street to the north, Gaston Street to the south, Martin Luther King, Jr., Boulevard to the west, and East Broad Street to the east.

Oglethorpe Plan Ward. A component of Oglethorpe's Plan for Savannah consisting of four tithing blocks (each containing ten tithing lots) and four trust blocks around a central square, with blocks divided by a series of streets and lanes. See *Street Types* for illustration.

Oriel. A projection from the main wall of a building in the form of a bay window that starts above the ground level; may be supported by corbels, brackets, or an engaged column.

Penthouse. See *Mechanical or Access Structure* and/or *Story*.

Portico. A columned porch or stoop, especially at the main entrance to a building.

Primary Entrance. A pedestrian entrance to a use that has an individual street address. Service doors, emergency exits, and similar ancillary ingress/egress doors are not primary entrances.

Primary Façade. In the context of an existing building and new construction, the façade on which the primary pedestrian entrance is located. For new construction, the orientation of the façade must be consistent with the primary facades of the majority of contributing structures within the visually related historic context. For buildings on corner lots, the building may have two primary facades. In areas which feature both residential and commercial uses, the primary façade shall be consistent with the primary facades of similar uses.

Pergola. An arbor with a latticework roof.

Raised basement. The lowest story of a building raised an entire story above ground level.

Retail structure. A building housing a use engaged in retail trade and/or services.

Roofline. The exterior form created where the building meets the sky, generally at the roof.

Roofline Variation. A significant change in the upper outline of buildings indicated by dormers, towers, bays, or roof shape. A change in the parapet height alone does not constitute a roofline variation.

Rooftop Garden. See *Green Roof*.

Savannah National Historic Landmark District (NHLD). The Savannah NHLD includes General Oglethorpe's plan of wards, squares, and garden lots. The boundaries are the Savannah River to the north, Martin Luther King, Jr. Boulevard to the west, Gwinnett Street to the south, and East Broad Street on the east, including the area in the northeast quadrant known as Trustees Garden.

Scale. The relationship of the size of units of construction and architectural detail to the size of a human, and the relationship of building mass to adjacent buildings and open spaces. Scale refers both to the overall building form and individual components of the building.

Secondary Façades. Façades that do not front the primary street.

Service Street. The north-south street bounding the east and west edges of a ward, usually a one-way street. See *Street Types*.

Shutter. A hinged panel that covers a window or door opening in addition to the standard window or door; may be solid panels, louvers, or cutouts or slats for ventilation; located on the exterior or interior; and sized to fit the opening when closed.

Sill. The horizontal section that forms the base of a storefront. Also the projecting horizontal base of a window or door.

Shade Structures. Similar to awnings, shade structures are permanent, freestanding structures intended to provide shade or shelter and are attached to the ground or horizontal surface of a building.

Square. Common public open space in the center of a ward, typically one acre in size.

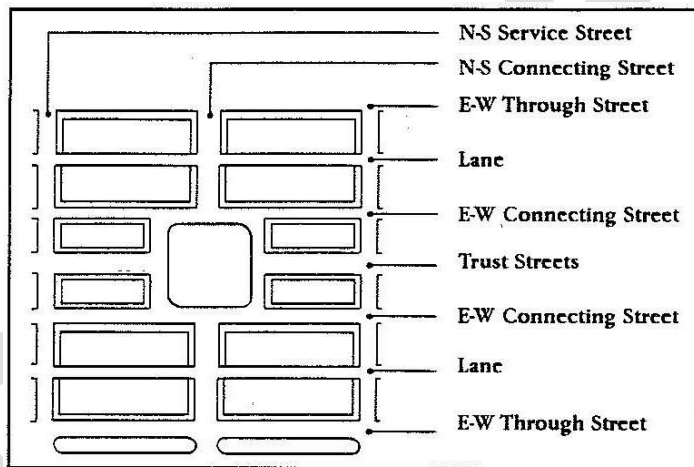
Steeple. A tall structure usually having a small spire at the top and surmounting a church tower.

Storefront. The ground floor area of a retail building featuring large glass windows.

Story. That portion of a building, other than the basement, included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling above the floor of such story.

A basement that is entirely underground; a crawl space or partial basement that is four feet or less above grade; and non-habitable rooftop structures such as church spires, cupolas, chimneys, tanks and supports, mechanical or access structures shall not count as a story.

Street Types. See illustration below.



Stucco. A type of exterior plaster; see *True Stucco*.

Through Street. See *Street Types*.

Tithing block. A component of Oglethorpe's Plan for Savannah. Tithing blocks are located on the north and south sides of a square and usually consist of two rows of five 60- by 90-foot lots, subdivided by a lane.

Temporary. For the purposes of requiring a Certificate of Appropriateness, any object, structure, sign, or fence erected for fewer than 60 days within a 12-month period, or timeframe otherwise agreed upon by the Preservation Officer. The object, structure, sign, or fence physically attached to a building, structure, or the ground for greater than 60 days within a 12-month period or the agreed upon timeframe shall be considered permanent and therefore subject to the provisions of this ordinance.

Trellis. Any screening device that has a foundation or is mounted to a wall, fence, building or structure.

True Stucco. Exterior plaster applied as a two- or three-part coating directly onto masonry. Historic stucco consisted primarily of hydrated or slaked lime, water, and sand with straw or animal hair as a binder.

Trust block. A component of Oglethorpe's Plan for Savannah. Trust blocks are located on the east and west sides of a square. There are four trust blocks in each ward.

Trust street. A component of Oglethorpe's Plan for Savannah. Trust streets are the streets that separate the trust blocks. See *Street Types*.

Visually Compatible. See *Compatibility*.

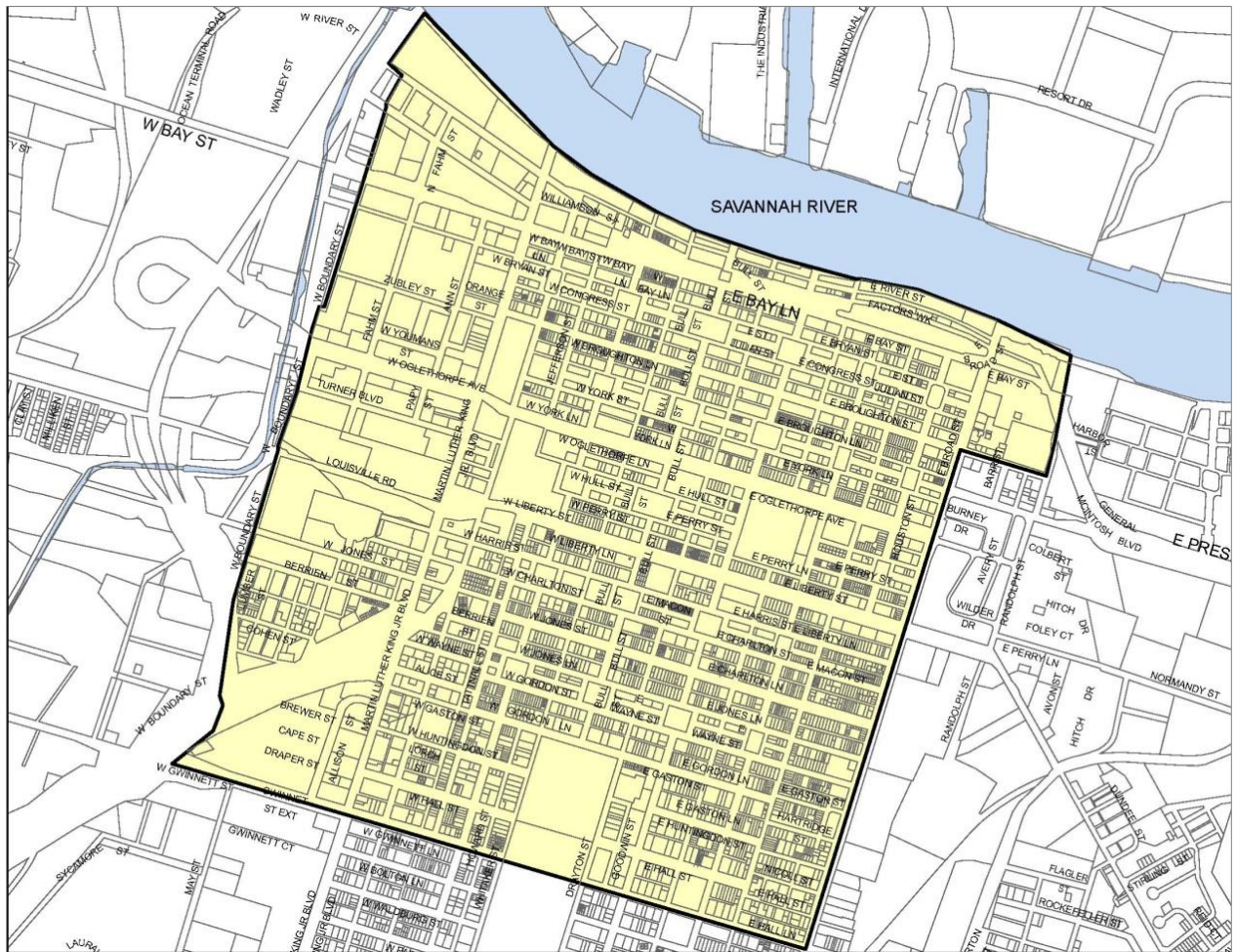
Visually Related. The relationship between buildings, structures, squares and places within view of the subject property. Greater weight is placed upon adjacent historic buildings and structures.

(b) *Purpose.* The purpose of the historic district is to promote the educational, cultural, economic, and general welfare of the city pursuant to the provisions of the amendment to Georgia Constitution Article XI, ratified November 5, 1968 (1968 Ga. Laws, p. 1591) and continued as part of the Constitution of the State of Georgia (GA. L. 1986, p. 5077).

These provisions provide for the preservation and protection of historic buildings, structures, appurtenances and places that are of basic and vital importance for the development and maintenance of the community's vacation-travel industry, its tourism, its culture, and for the protection of property values because of their association with history; their unique architectural details; or their being a part of or related to a square, park, or area, the design or general arrangement of which should be preserved and/or developed according to a fixed plan based on economic, cultural, historical or architectural motives or purposes.

(c) *Boundaries.* The boundaries of the historic district are defined in Georgia Constitution Article XI, ratified November 5, 1968 (1968 Ga. Laws, p. 1591), continued as part of the Constitution of the State of Georgia (GA. L. 1986, p. 5077), and shall be the area bounded on the north by the Savannah River; on the east by Randolph Street between the Savannah River and Broughton Street and by East Broad Street between Broughton and Gwinnett Streets; on the south by Gwinnett Street; and on the west by West Boundary Street, as illustrated in Figure 1.

Figure 1. Historic District Boundaries



(d) *Historic District board of review.*

- (1) *Creation and composition.* There is hereby created an historic district board of review (hereinafter referred to as the "Board") which shall consist of 11 members appointed by the Mayor and Aldermen who shall be residents of the City of Savannah interested in the preservation and development of the historic district. Such Board shall include one or more representatives from a preservation-related profession such as architect, architectural historian, or restoration contractor and an attorney.
- (2) *Jurisdiction.* The jurisdiction of the Board shall include those elements of development, rehabilitation, preservation, or demolition that affect the exterior visual quality of the historic district, specifically including exterior appearance of structures within the historic district. The Board shall not consider the interior arrangement of structures. For the purposes of evaluating the visual compatibility and design standards of exterior fenestration, where voids (windows, doors, and

storefronts) in the exterior façade are substantially blocked by interior walls or built-in furniture, these may be considered part of the exterior wall if they are built within three feet of the exterior wall. For example, if an interior wall is built abutting the storefront, that interior wall is impacting the exterior design of the fenestration and may be subject to review by the HDBR.

- (3) *Terms of office.* Board members shall serve a term of three years and shall be eligible for reappointment for an additional term of three years. A member who has served for two successive terms of three years each shall not be eligible for reappointment for a period of two years after the termination of his or her second term. The term of a board member may be terminated and a new member appointed in the event the board member fails to attend any three consecutive board meetings or in the event of failure to attend any four meetings in any 12-month period.
 - (4) *Serve without pay.* Members of the Board shall serve without pay.
 - (5) *Organization.* The Board shall elect from its membership a chairman and vice-chairman. The term of office for each such position shall be one year. No member shall serve for more than two successive terms in the same office.
 - a. *Chairman.* The chairman shall preside over the Board and shall sign all certificates of appropriateness approved by the Board.
 - b. *Vice-chairman.* In the absence or disability of the chairman, the vice-chairman shall perform the duties of the chairman and in so serving shall have the same duties and authorities as the chairman.
- The preservation officer shall serve as secretary to the Board and shall maintain the records and minutes of the Board.
- (6) *Quorum.* Six members of the Board shall constitute a quorum.
 - (7) *Rules of procedure.* The Board shall adopt rules, not inconsistent with the provisions set forth in this section, for the transaction of its business and consideration of applications. Such rules shall provide for the time and place of regular meetings and for the calling of special meetings. All meetings of the Board shall be open to the public; and a public record shall be kept of the Board's resolutions, proceedings, and actions.
 - (8) *City preservation officer.* The executive director of the metropolitan planning commission shall be the city preservation officer. The preservation officer shall receive and review all applications for certificates of appropriateness and shall make recommendations for approval or disapproval of the applications to the Board.
 - (9) *Meetings.* The Board shall hold regular meetings, but no less than one meeting each month, to review applications for certificates of appropriateness.

- (10) *Calendar.* Applications shall be docketed and placed upon the calendar of the Board, in numeric order, according to the serial numbers of the applications.

(e) *Relationship to zoning districts.* The historic district regulations are intended to preserve and protect historic or architecturally worthy buildings, structures, sites, monuments, streetscapes, squares, and neighborhoods of the historic district. In all zoning districts within the boundaries of the historic district, the regulations for both the zoning district and the historic district shall apply. Whenever there is conflict between the regulations of the zoning district and the regulations of the historic district, the regulations of the historic district shall apply.

(f) *Classification of structures.* All structures within the historic district shall be classified and designated on the Historic Building Map. As used in this subsection, the term "structure" shall include any "building", and shall be divided into two classes:

- (1) *Historic.* All buildings identified on the Historic Building Map as having historic significance shall be considered "rated" and worthy of preservation and shall be classified as "historic" for purposes hereunder. To be so rated, an historic structure must be fifty years old or older; a building less than fifty years old may be considered for listing on the Historic Building Map if it is found to have achieved Exceptional Importance. In addition to the foregoing, in order to be rated historic, a structure must meet one or more of the following criteria:

- a. Is associated with events that have made a significant contribution to the broad patterns of local, state or national history; or
- b. Is associated with lives of persons significant in our past; or
- c. Embodies the distinctive characteristics of a type, period, or method of construction, or that represents the work of a master, or that possesses high artistic values, or that represents a significant or distinguishable entity whose components may lack individual distinction.

- (2) *Non-historic.* All buildings not identified as historic on the Historic Building Map be classified as non-historic for zoning purposes hereunder.

(g) *Certificate of appropriateness required.*

- (1) Certificate of appropriateness approved and issued by the Board shall be required before a permit is issued for any of the following, except as hereinafter provided:
- a. Demolition of an historic structure located in the historic district.
 - b. Moving a structure into or within the historic district or moving an historic structure out of the historic district.

- c. Material change in the exterior appearance of existing structures located in the historic district by additions, reconstruction, or major alterations.
 - d. Any new construction of a building, appurtenance, or structure subject to view from a public street or lane.
 - e. Addition or change of awnings.
 - f. Material change in existing walls, fences or sidewalks, or construction of new walls, fences, or sidewalks subject to view from a public street or lane.
 - g. Erection or placement of any illuminated sign or of any other sign exceeding three square feet in size, except as provided for in section 8-3116.
- (2) A certificate of appropriateness shall be required before construction can begin, even in cases where a building permit is not required.
- (3) A certificate of appropriateness approved by the preservation officer, under procedures established in the rules of the Board, shall be required before a permit is issued for certain minor repairs. The list of minor repairs shall be set by a majority vote of the entire membership of the Board and may be added to or deleted from by a majority vote of the entire membership of the Board.
- (4) *Protective maintenance.* All buildings in the historic district rated historic under Section 8-3030 (g), shall be preserved against decay and deterioration in order to maintain property values, prevent hazards to public safety and health, and rid neighborhoods of negative visual appearances and unsafe conditions. Exterior walls, roofs, foundations, doors and windows shall be maintained in a weather tight condition to prevent structural decay. Lack of maintenance that leads to demolition by neglect shall be considered an exterior alteration requiring a Certificate of Appropriateness. Temporary boarding of openings, not to exceed 30 days, shall be permitted and does not require a Certificate of Appropriateness.
- a. Routine maintenance: Ordinary maintenance or repair of any historic property to correct deterioration, decay, or damage does not require a certificate of appropriateness if the work does not involve a change in design, material, or exterior appearance.
 - b. Securing vacant property: All windows and doors shall be maintained in a weather tight condition. At a minimum, the following must be done to secure vacant properties: a dead bolt lock or other locking device shall be installed on the front exterior door above the existing lockset; all exterior sheathing shall be painted with one coat of primer on exterior surfaces; leaking roofs shall be repaired so that water cannot enter, and; exterior wall covering shall be sheathed such that weather cannot penetrate.

(h) *Public Notice*

- (1) *Posting of property.* Except for minor repairs referred to in subsection (g)(3), a sign giving at least fifteen-days' notice of a public hearing on a request for a certificate of appropriateness shall be erected on the premises of the building or structure for which a certificate is being requested. Such sign(s) shall be furnished by the preservation officer; shall be weather resistant; shall have a minimum size of 22 by 28 inches; shall show the application number, a statement of the proposed action, the scheduled date, time, and place of the hearing, and the telephone number to call for further information. Such signs shall be erected within ten feet of any traveled public right-of-way or lane (if the proposed action is visible from such lane) to which the structure abuts and/or faces. The lower edge of the sign shall be of sufficient height to be read from the roadway.
- (2) *Removal of signs.* The applicant shall not remove the sign until a decision on the application has been rendered by the Board. If an application for demolition is denied by the Board, the applicant shall not remove the sign for the period of time set forth in subsection (1)(2), "Demolition of historic buildings".

(i) *Application for certificate of appropriateness.* Application for a certificate of appropriateness shall be made to the office of the preservation officer on forms obtainable at said office. Drawings, photographs, plans, and specifications shall show the proposed exterior alterations, additions, changes, or new construction in sufficient detail to enable the Board to make a decision as to the merits of the proposal. Such application, and supplementary information, must be filed no later than 28 days prior to any meeting of the Board at which such application is to be heard.

(j) *Action on application for certificate of appropriateness.* The preservation officer shall present the application for a certificate of appropriateness, together with a recommendation for approval or disapproval, to the Board. The Board shall act upon all applications meeting the filing requirements at the next scheduled meeting, or if a quorum is not present, at a special meeting held within 14 calendar days from such scheduled meeting. Nothing herein shall prohibit a continuation of the hearing on an application where the applicant consents. The Board may advise the applicant and make recommendations with regard to the appropriateness. If the Board approves the application, a certificate of appropriateness shall be issued. A copy of the certificate of appropriateness, together with a copy of the approved plans certified by the preservation officer, shall be forwarded to the zoning administrator prior to the issuance of a building permit or authorization to proceed by the preservation officer. If the Board disapproves the application, a certificate of appropriateness shall not be issued. The Board shall state its reasons in writing to the applicant and advise the zoning administrator.

(k) *Time Limitation.* Construction for which a certificate of appropriateness is issued shall begin within 12 months from the date of issuance of the certificate of appropriateness. A one-time extension may be granted by the Board for a period up to twelve months from the date of expiration provided that:

- (1) The original Certificate of Appropriateness has not expired at the time of application for an extension is filed; and
- (2) The site or building conditions have not changed on the subject property and adjacent properties.

Upon expiration of the extension, the applicant must reapply for a Certificate of Appropriateness.

(1) *Criteria for a Certificate of Appropriateness.* The issuance of a Certificate of Appropriateness shall be determined by the following criteria:

- (1) *Preservation of historic structures within the historic district.* An historic structure, portion of a structure, additions, outbuildings, or any appurtenance related thereto which meet the historic criteria defined in Section 8-3030(d)(f)(1), visible from a public street or lane, including but not limited to walls, fences, light fixtures, steps, paving, sidewalks, and signs, shall only be moved, reconstructed, altered, or maintained in a manner that will preserve the historical and exterior architectural features of the historic structure or appurtenance thereto and are consistent with the current edition of the Secretary of the Interior's Standards and Guidelines for Rehabilitation published by the U.S. Department of the Interior. The visual compatibility factors [Section (m)] and the design standards [Section (n)] shall apply.

For the purposes of this section, exterior architectural features shall include but not be limited to the architectural style, scale, general design, and general arrangement of the exterior of the structure, including the kind and texture of the building material, the type, and style of all roofs, windows, doors, and signs. In considering proposals for the exterior alterations of historic structures in the historic district, the documented original design of the structure may be considered.

- (2) *Demolition in the historic district.* Demolition of is deemed detrimental to the public interest and shall only be permitted pursuant to prescriptions of this section.
 - a. All requests for demolition of any building, wall, fence, porch, or stoop within the historic district shall come before the Board.
 - b. Any structure not designated as historic must first be evaluated and considered for historic designation prior to issuance of a Certificate of Appropriateness for demolition. Should the Board determine that a structure should be considered historic; the Board shall direct the preservation officer to prepare a text amendment to amend the Historic Building Map. No further action on the demolition request shall be taken until City Council acts on the text amendment.

- c. A certificate of appropriateness for demolition of a structure rated as historic shall be issued by the Board only when one of the following conditions has been established by clear and convincing evidence pursuant to criteria established herein.
 - i. The demolition is required to alleviate a threat to public health or public safety; and/or
 - ii. The demolition is required to avoid exceptional practical difficulty or undue hardship upon any owner of any specific property. If the difficulty or hardship claimed is economic, the applicant shall be required to submit sufficient evidence to demonstrate that the application of the standards and regulations of this section deprives the applicant of a positive economic use or return on the subject property.
- d. In granting a certificate of appropriateness for demolition, the Board may impose such reasonable and additional stipulations as will best fulfill the purposes of this ordinance.

A certificate of appropriateness for demolition of a structure rated as historic shall not be issued by the Board until a certificate of appropriateness has been issued approving the replacement structure, except in the case of emergency demolition.

- e. Application requirements to demolish a building rated as historic.

Except for buildings and structures or parts of structures determined by the City Manager to pose an immediate threat to public safety, all demolition applications shall include the following information.

 - i. Name and address of the owner of the property.
 - ii. The applicant's written statement regarding his knowledge of the historic designation at the time of acquisition.
 - iii. A report from a licensed structural engineer in the State of Georgia with demonstrated experience in renovation, restoration or rehabilitation, as to the structural soundness of the building and its adaptability for continued use, renovation, restoration or rehabilitation. Any dangerous conditions should be identified.
 - iv. Appraised fair market value of the property from a qualified professional appraiser. The appraisal must include a full market sales report to include comparable sales.

- v. Amount paid for the property. Remaining balance on any mortgage or other financing secured by the property and annual debt service for the previous two years.
 - vi. If the property is income producing, the annual gross income from the property for the previous two years; the itemized operating and maintenance expenses for the previous two years; and depreciation deduction and annual cash flow before and after debt service for the previous two years. The Board may require details of past rental history.
 - vii. Price asked and offers received within the previous two years. Most recent assessed values of the property and real estate taxes. Include evidence of listing for sale.
 - viii. Economic incentives and/or funding available to the applicant through federal, state, city, or private programs.
 - ix. Information documenting the construction date, history, and development of the property.
- f. Demolition due to imminent threat to public safety.

Any order for demolition in whole or in part, of any historic building or structure in the historic district due to a dangerous, hazardous or unsafe condition shall not be issued until the order has been reviewed and signed by a licensed structural engineer in the state of Georgia and the city manager.

- (3) *Relocation of historic structures.* An historic structure shall not be relocated on another site unless it is shown that
- a. The preservation of such a structure, at its current location is no longer necessary to preserve, or is no longer consistent with, the historic integrity of the area in which it is located; and
 - b. Such relocation would not negatively affect the historic integrity of the Historic District, generally, nor the area of relocation, specifically.

Relocation of historic structures should be considered a remedy of last resort.

(m) *Visual compatibility factors.* New construction and existing buildings and structures and appurtenances thereof in the historic district which are moved, reconstructed, materially altered, repaired or changed in color shall be visually compatible with structures, squares and places to which they are visually related. The following factors shall be considered in determining the visual compatibility of such a building, structure, or appurtenance. These factors shall not be the basis for appeal of an adverse decision. Greater weight shall be given to adjacent historic structures.

- (1) *Height.* New construction shall be permitted to build to the number of stories as shown on the Historic District Height Map [see Height (n)(2)] and the Height of a building and the height of individual components of a building shall be visually compatible to the contributing structures to which it is Visually Related.
- (2) *Proportion of structure's front facade.* The relationship of the width of a structure to the height of its front facade shall be visually compatible to the contributing structures to which it is Visually Related.
- (3) *Proportion of openings.* The relationship of the width of the windows to height of windows within a structure shall be visually compatible to the contributing structures to which the structure is Visually Related.
- (4) *Rhythm of solids to voids in front facades.* The relationship of solids to voids in the facades visible from the public right-of-way of a structure shall be visually compatible with the contributing structures to which the structure is Visually Related.
- (5) *Rhythm of structures on streets.* The relationship of a structure to the open space between it and adjacent structures shall be visually compatible with the open spaces between contributing structures to which it is Visually Related.
- (6) *Rhythm of entrance and/or porch projection.* The relationship of entrances, porch projections, and walkways to structures shall be visually compatible with the contributing structures to which they are Visually Related.
- (7) *Relationship of materials, texture, and color.* The relationship of materials, texture and color of the facade of a structure shall be visually compatible with the predominate materials, textures, and colors used on contributing structures to which the structure is Visually Related.
- (8) *Roof shapes.* The roof shape of a structure shall be visually compatible with the contributing structures to which it is Visually Related.
- (9) *Walls of continuity.* Appurtenances of a structure such as walls, wrought iron, fences shall form consistent walls of enclosure along a street.
- (10) *Scale of a building.* The mass of a structure and size of windows, door openings, porches column spacing, stairs, balconies, and additions shall be visually compatible with the contributing structures to which the structure is Visually Related.
- (11) *Directional expression of front elevation.* A structure shall be visually compatible with the structures to which it is visually related in its directional character, whether this be vertical character, horizontal character, or nondirectional character.

(n) *Design standards.* The following design standards shall apply to new construction, additions, and alterations to historic and non-historic buildings and structures unless otherwise described herein. Though certain building materials are prescribed herein, the Board may approve alternative materials that are not listed as prohibited upon a showing by the applicant that the material or product is visually compatible with historic building materials and has performed satisfactorily in the local climate.

(1) *Streets and Lanes.*

- a. Development shall preserve or reconstruct the historic ward pattern of streets and lanes within the Oglethorpe Plan Area bounded by the centerline of the following streets: Gaston Street on the South, Bay Street on the North, Martin Luther King, Jr., Boulevard on the West, and East Broad Street on the East as shown in Figure 2.
- b. Streets and lanes shall not be bridged by development, except on Factor's Walk. Such bridges shall be for pedestrian use only. Factor's Walk bridges shall not be covered by a roof, awning, or any other type of extension from a building.

(2) *Height.* The number of stories as shown on the Historic District Height Map (illustrated in Figure 3) shall be permitted. Variances from the Historic District Height Map shall not be permitted. Additionally, the following standards shall apply:

- a. Large-Scale Development [see Definitions (a)] shall also be subject to the provisions of section (n)(16), Large-Scale Development.
- b. Stories are further clarified as follows:
 - i. Buildings throughout the Historic District, which front a street, shall be at least two stories, except in the Beach Institute Character Area or for accessory buildings which front a lane.
 - ii. Accessory buildings which front a lane shall be no taller than two stories.
 - iii. A mezzanine shall not count as a story. Mezzanines are limited in area; see Section (a) Definitions.
 - iv. A basement that is entirely underground shall not count as a story.
 - v. A crawl space or partial basement that is four feet or less above grade shall not count as a story.
 - vi. Non-habitable rooftop structures such as church spires; cupolas; chimneys; tanks and supports; parapet walls not over 4 feet high; and

Mechanical or Access Structures [see Definitions (a)] shall not be considered a story.

- vii. Habitable space such as restrooms, bars, dining areas, etc. within a roof or structures above a roof used other than to enclose stairways or elevator machinery shall be considered a story.

Figure 2. Map of closed or privately-owned streets and lanes in the Oglethorpe Plan Area.

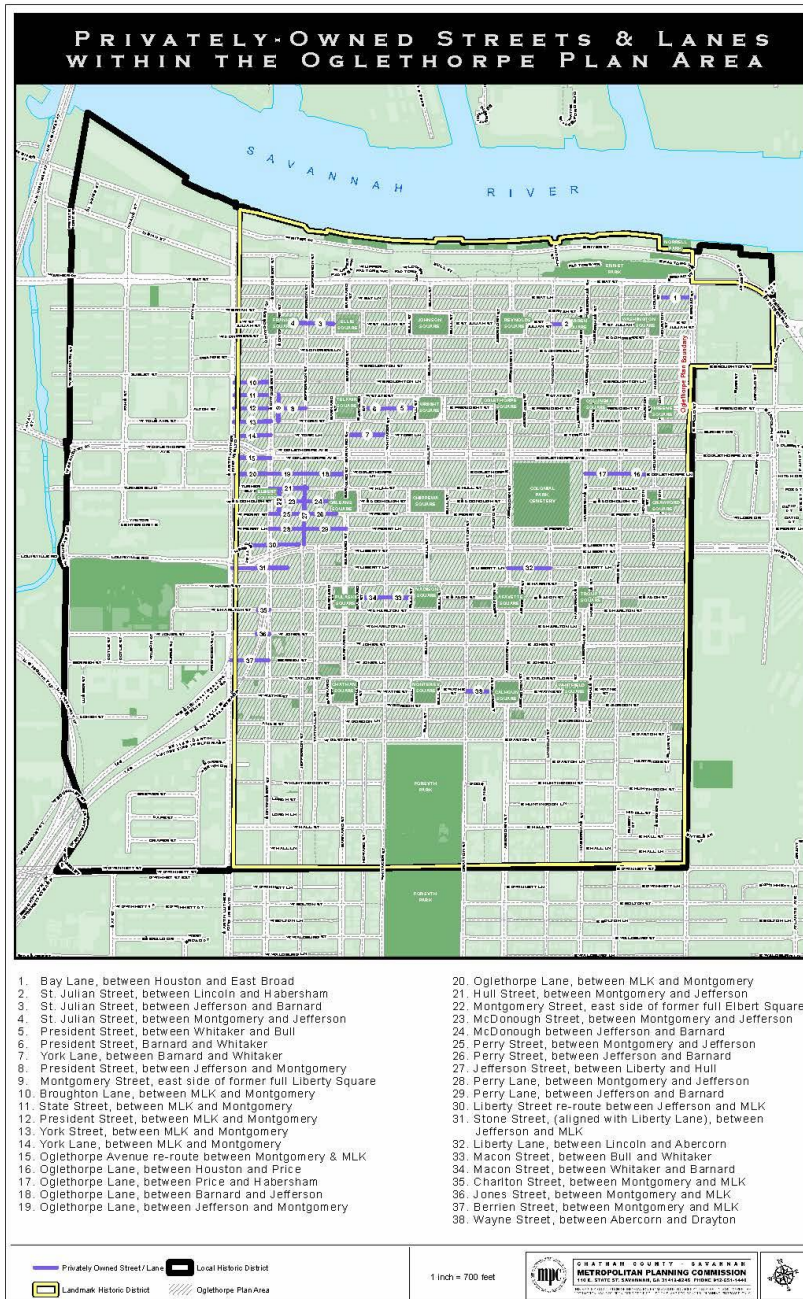
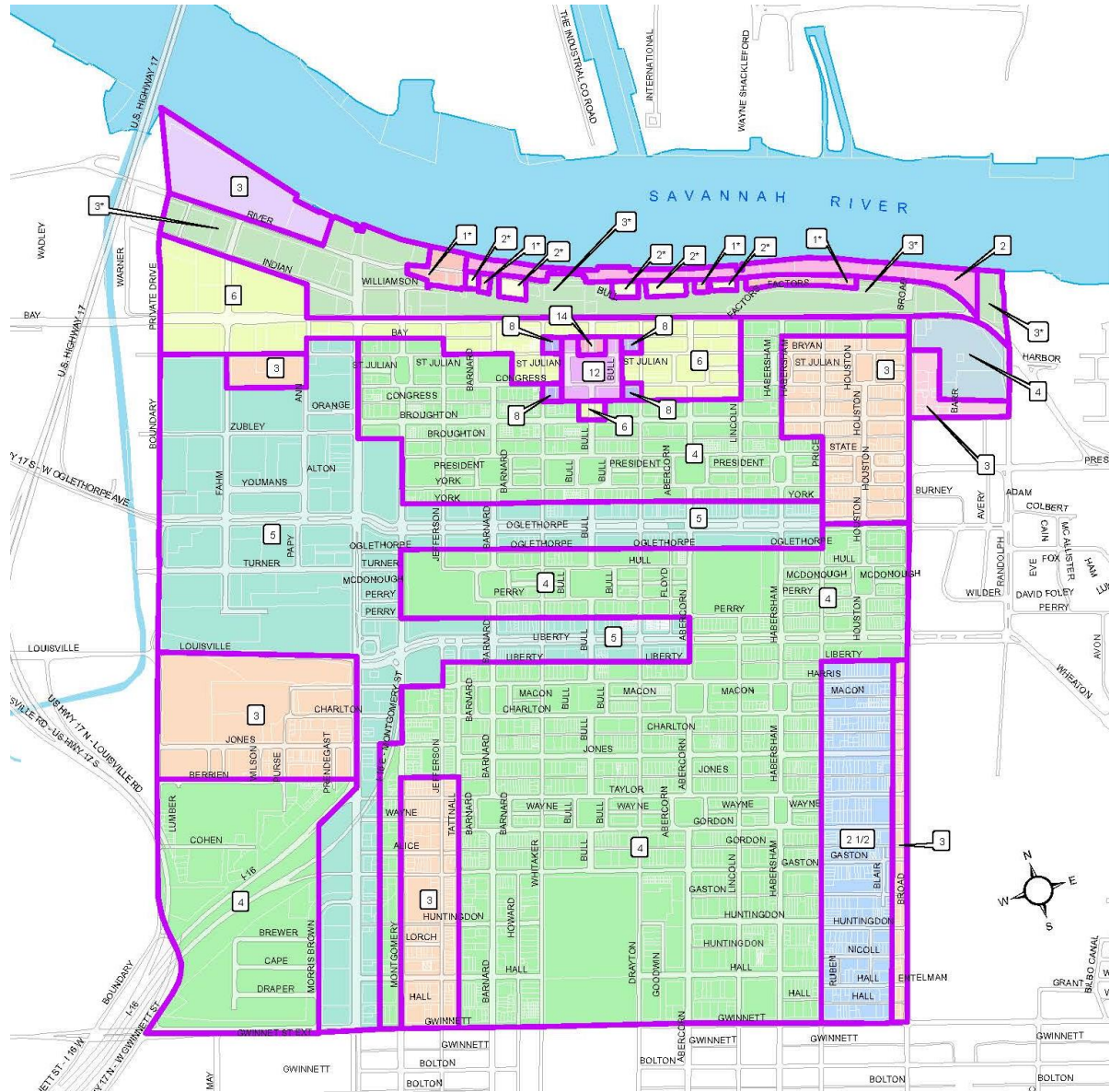


Figure 3. Historic District Height Map



*Denotes the maximum number of stories above Bay Street as measured at City Hall.

viii. In calculating the dimensions of a story, the following provisions shall apply (except in cases where the floor-to-floor heights can be shown to be historically predominately lower, such as in the Beach Institute Character Area):

- (1) Residential buildings:
 - (i) The exterior expression of the height of raised

basements shall be not less than 6'-6" and not higher than 9'-6".

- (ii) The exterior expression of the height of the first story, or the second story in the case of a raised basement shall be not less than 11 feet.
- (iii) The exterior expression of the height of each story above the second shall not be less than 10 feet.

(2) Commercial buildings:

- (i) The exterior expression of the height of the ground floor shall not be less than 14'-6".
- (ii) The exterior expression of the height of the second story shall be not less than 12 feet.
- (iii) The exterior expression of the height of each story above the second shall be not less than 10 feet.

ix. For commercial buildings, stories shall be configured as provided below:

- (1) The first story shall be designed as a storefront [see Commercial Storefronts (n)(7)].
- (2) Subdivide the façade horizontally into base, middle, and top. The first story shall be separated from the upper stories by an architectural feature such as a string course (i.e. projecting horizontal band) or change in material. Such feature may be placed at the top of the second story when the first and second stories have the visual appearance of a unified exterior expression.
- (3) The height of the first story shall not be less than the exterior visual expression of the height of any single story above the first story.
- (4) The exterior visual expression of the top story of buildings over three stories shall be distinctive from the stories below the top story.

(3) *Building Form.* The proposed building form for new construction shall comply with the following:

- a. A proposed building on an east-west connecting street shall utilize an existing historic building form located within the existing block front or on an immediately adjacent tithing or trust block.
- b. A proposed building located on an east-west through street shall utilize an historic building form fronting the same street within the same ward or in an adjacent ward.
- c. A proposed building located on a trust block which fronts into a tithing block shall utilize an historic building form within such trust block. If, however, no historic buildings exist on such trust block, an historic building form from the tithing block across the street shall be utilized.
- d. A proposed building located on a trust block which fronts another trust block shall utilize an historic building form from the same trust block. If, however, no historic building exists on the trust block, an historic building form from the trust block across the street shall be utilized. If, however, no historic building exists on such trust block, a historic building form from the tithing block across the street shall be utilized.

(4) *Setbacks.* Setbacks shall comply with the following:

- a. *Front yards.* There shall be no front yard setbacks except as follows:
 - i. On tithing lots where there is a historic setback along a particular block front, such setback shall be provided.
 - ii. On a trust lot fronting a square, proposed buildings may establish a front yard setback not to exceed 20 feet.
- b. *Side yards.* A side yard setback shall not be required.

(5) *Entrances.* Building entrance locations shall comply with the following:

- a. *Location.*
 - i. A building on a trust lot facing a square shall locate its primary entrance to front the square.
 - ii. A building on a trust lot not facing a square shall locate its primary entrance so that it fronts the same street as the other historic buildings on the same block.
 - iii. A building on a tithing block shall locate its primary entrance to front the east-west street.

- iv. A building on Broughton Street shall locate its entrances at no greater intervals than 50 feet; provided, however, that for a corner entrance the interval to the next entrance may be increased to 60 feet.
 - v. North of Broughton Street a corner building located adjacent to a north-south service street shall have an entrance on the service street.
 - vi. A building along an east-west connecting street fronting a square shall have entrances at intervals not to exceed 50 feet.
 - vii. If none of the above conditions applies, the building entrance shall be consistent with contributing buildings within the context.
- c. Placement. Door frames shall be inset not less than three (3) inches from the exterior surface of the façade of a building, excluding façades with wood siding.
 - d. Materials
 - i. Permitted: Doors shall be made of wood, clad wood, glass, or steel. For commercial storefronts see Section (n)(7).
 - ii. Prohibited: Vinyl doors; sliding glass door visible from a street; steel-pressed doors simulating wood grain; half-moon, semi-circular, diamond or similar glass insets in doors; boarded-up doors or entrance ways.

(6) *Exterior walls.* Exterior walls of new construction shall comply with the following:

- a. On lots less than 60 feet in width, the front facade shall be constructed so as to form a continuous plane parallel to the street. Bays and porches attached to such elevation may project streetward of the plane.
- b. Wood siding is permitted on row houses only in wards where wood-sided row houses already exist or where more than 75 percent of the lot frontage in the ward contains wood-sided buildings.
- c. Residential exterior walls shall be finished in brick, wood, or true stucco. Commercial exterior walls shall be finished in brick, concrete formed or assembled as stone, precast concrete panels with finish to simulate stucco texture, polished stone and glazed brick or tile where similar historic examples exist along the same block front.
- d. Where wood siding has been determined to be appropriate (see “b” above), smooth finish fiber cement siding may be used on new residential construction, which includes additions. The use of fiber cement siding is

prohibited on historic buildings as a replacement for existing wood siding. Fiber cement panels shall not be used in any case in the district.

- e. Ceramic based coatings and sealers used on siding are inappropriate on buildings in the historic district and shall be prohibited.

(7) *Windows, Shutters, and Commercial Storefronts.* The following standards shall apply to all development.

a. Windows

- i. Windows facing a street shall be double or triple hung, awning, casement or Palladian.
- ii. Historic windows, frames, sashes, and glazing shall not be replaced unless it is documented and verified by the Preservation Officer that they have deteriorated beyond repair. Replacement windows on historic buildings shall replicate the original historic windows in composition, design, and material.
- iii. The boarding of windows and/or window openings shall not be permitted [exceptions may be made for emergency situations as provided in Section on Protective Maintenance (g)(4)]. Windows and frames shall be weather-tight and free from cracks. Openings shall contain windows, doors, or storefronts.
- iv. Double glazed (simulated divided light) windows are permitted on nonhistoric facades and on new construction, provided, however, that the windows meet the following standards: the muntin shall be no wider than 7/8 inch; the muntin profile shall simulate traditional putty glazing; the lower sash shall be wider than the meeting and top rails; extrusions shall be covered with appropriate molding.
- v. "Snap-in" or between-the-glass muntins shall not be used.
- vi. The centerline of window and door openings shall align vertically on the primary façade.
- vii. All windows facing a street, exclusive of storefronts, basement and top story windows, shall be rectangular and shall have a vertical to horizontal ratio of not less than 5:3; provided, however, nothing in this section precludes an arched window being used. Accent windows may be round or other shapes. Original openings in historic buildings are exempt.
- viii. Window sashes shall be inset not less than three inches from the

exterior facade of a building, excluding exterior surfaces with wood siding.

- ix. The distance between windows shall be not less than for adjacent historic buildings, nor more than two times the width of the windows on primary facades. The Board may waive strict compliance with this standard where historic precedent exists within the visually-related context and is visually compatible.
- x. Paired or grouped windows are permitted, provided the individual sashes have a vertical to horizontal ratio of not less than 5:3.
- xi. Bay windows shall extend to the ground unless they are oriel, beveled, or are supported by brackets.
- xii. In new construction windows shall be constructed of wood, wood clad, or metal. Solid vinyl windows shall be prohibited.

b. Shutters

- i. Shutters shall be hinged and operable and sized to fit the window opening. The placement of the horizontal rail shall correspond to the location of the meeting rail of the window.
- ii. Shutters shall be constructed of durable wood.

c. Commercial Storefronts

i. Storefront windows and doors

- 1. Storefront area glazing shall be not less than 55 percent of surface area. Such glazing shall be transparent; provided, however, opaque glass may be used in the storefront window transoms. Storefront glazing shall extend from the sill, or from an 18 to 24 inch tall base of contrasting design or material, to the lintel.
- 2. Storefront glazing in subdivided sashes shall be inset a minimum of four inches from the face of the building; provided, however, that continuously glazed storefronts may be flush with the face of the building.
- 3. Entrances fronting Broughton Street shall be recessed and centered within the storefront.

ii. Materials

1. Storefronts shall be constructed of wood, cast iron, Carrera glass, aluminum, steel or copper as part of a glazed storefront system; bronze, wood, masonry, glazed brick or tile as a base for the storefront.
 2. Exterior burglar bars, fixed or roll-down security shutters, or similar security devices shall not be installed in any commercial storefront.
- (8) *Awnings, Canopies, and Shade Structures.* Awnings, canopies, and shade structures shall be subject to the following criteria:
- a. Installations extending above the public right-of-way shall have a minimum vertical clearance of eight feet (8') above the sidewalk.
 - b. Installations shall be constructed of canvas, other equivalent cloth, metal, or glass.
 - c. Awnings and canopies shall be integrated structurally and architecturally into the design of the façade.
 - d. Installations shall not obscure the character-defining features of historic façades.
 - e. The following shall be prohibited:
 - i. A single continuous awning that connects two buildings.
 - ii. Back-lit or internally lit awnings.
 - f. Installations within the public right-of-way shall be required to obtain an encroachment license from the City of Savannah.
 - g. Supports shall consist of metal or wood. PVC shall not be permitted.
 - h. Prefabricated shade structures not specifically custom designed for a particular site or building shall be located to the rear of the property, minimally visible, or screened from view. The maximum height shall be 11 feet and the maximum area shall be 100 square feet on any property, unless specifically required by state law for playground equipment. Colors shall be neutral.
- (9) *Roofs.* Roofs shall comply with the following:
- a. Gable roof pitches shall be between 4:12 and 8:12. Gable and hip roofs in

excess of 8:12 pitch are permitted only where a similar historic building roof pitch exists within the same block front.

- b. Pitched roofs parallel to the street with less than 4:12 pitch shall have an overhang or otherwise projecting eave detail and be bracketed, or be screened from the street by a parapet wall.
- c. Parapets shall have a string course and a coping.
- d. Skylights on historic buildings shall only be visible from a lane.
- e. On historic buildings, roof decks and pergolas shall not be visible from the front elevation.
- f. Mansard roofs shall slope from all detached sides to a flat or low hipped plane, shall have a molded cornice both above and below the lower roof slope, and shall be used only in conjunction with a habitable story.
- e. Roofs shall be covered with standing seam metal, slate, tile, or asphalt shingles.

(10) *Balconies, stairs, stoops, porticos, and porches.* Balconies, stairs, stoops, porticos, and porches shall be subject to the following criteria:

- a. Wrought iron brackets shall not be used with wood balcony railings.
- b. Residential balconies shall not extend more than three feet in depth from the face of a building and shall be supported by brackets or other types of architectural support.
- c. Stoop piers and base walls shall be the same material as the foundation wall facing the street. Infill between foundation piers shall be recessed so that the piers are distinguishable.
- d. Front stair treads and risers shall be constructed of brick, wood, precast stone, marble, sandstone, or slate.
- e. Wood portico posts shall have cap and base molding. The column capital shall extend outward of the porch architrave.
- f. Balusters shall be placed between upper and lower rails, and the distances between balusters shall not exceed four inches. For one and two family dwellings, the height of the railing shall not exceed 36”.
- g. Supported front porticos shall be constructed of wood unless the proposed material matches other facade details on the same building, such as terra

cotta, marble, or metal.

- h. Stoop heights shall be visually comparable to other historic stoops to which they are visually related and shall not exceed 9'-6".
- i. Front porches shall not be enclosed in any manner. Historic side and rear porches may be screened with fine wire mesh, lattice, or shutters, provided that the porch continues to read as a porch and historic materials and features are retained to the maximum extent possible. Historic rear porches may also be enclosed with glazing.
- j. Decks shall be screened from areas visible from the street.
- k. Decks shall be stained or painted to blend with the colors of the main building.
- l. Openings for new exterior basement stairs within the public right-of-way may be established in the BC-1 district provided that the following criteria are met:
 - i. A minimum of three feet (3') of unobstructed sidewalk shall be maintained between the edge of the exterior basement stairs and the tree lawn. A minimum of six feet (6') shall be maintained if no tree lawn is present. No portion of any tree lawn may be used for exterior basement stair space.
 - ii. New exterior basement stairs shall be placed only on a secondary façade.
 - iii. An exterior basement stair shall not dominate the exterior secondary façade of a building or interfere with the visual expression or architectural features of a building.
- m. Balconies, stoops, stairs (including basement stairs), porticos, and porches within the public right-of-way shall be required to obtain an encroachment license from the City of Savannah.

(11) *Additions.* Additions shall comply with the following:

- a. Additions on the front of historic buildings shall not be permitted.
- b. Additions to historic buildings shall be located to the rear of the structure or the most inconspicuous side of the building. Additions to roofs shall not be visible from the front elevation. The addition shall be sited such that it is clearly an appendage and distinguishable from the existing main building.

- c. Additions shall be constructed with the least possible loss of historic building material and without damaging or obscuring character-defining features of the building, including, but not limited to, rooflines, cornices, eaves, brackets. Additions shall be designed to be reversible with the least amount of damage to the historic building.
- d. Additions, including multiple additions to structures, shall be subordinate in mass and height to the main structure.
- e. Designs for additions may be either contemporary or reference design motifs of the historic building. However, the addition shall be clearly differentiated from the historic building and be compatible as set forth in the visual compatibility factors.

(12) *Fences, Trellises and Walls.* Fences, trellises and walls shall comply with the following:

- a. Fences, trellises and walls shall not extend beyond the facade of the front elevation except in the following cases:
 - i. A building set back on a trust lot with a front garden;
 - ii. A building set back on an east-west street with a front garden.
- b. The height of any fence, trellis, or wall shall not exceed 11 feet or the maximum permitted in Section 8-3051. Rooftop trellises may exceed 11 feet in height, provided they are visually compatible.
- c. Walls and fences facing a public street shall be constructed of the material and color of the primary building; provided, however, iron fencing may be used with a masonry structure.
- d. A masonry base shall be used with iron fencing.
- e. Wood fences shall be painted or stained.
- f. Trellises shall be wood, metal, or wire.
- g. Barbed wire, razor wire, chain link, vinyl, and PVC fencing are prohibited.

(13) *Lanes, garages and carriage houses.* Lanes, garages and carriage houses shall comply with the following:

- a. In historic carriage houses or accessory structures, original entry dimensions shall not be modified.

- b. Where carriage houses are to be expanded in depth, such expansion shall not occur on the lane side of the building.
 - c. New carriage houses and garages may have up to a five-foot setback to allow a turning radius into the garage.
 - d. Garage openings shall not exceed 12 feet in width.
 - e. Where garage doors front streets or are adjacent to sidewalks, they shall resemble carriage house doors.
 - f. Roofs shall be side gable, hip with parapet, flat or shed hidden by a parapet.
 - g. Carriage houses, garages, and accessory buildings shall be located to the rear of the property, even in the case that there is no access from a lane.
 - h. Sloped aprons to garages and carriage houses shall not be erected on the public right-of-way.
- (14) *Parking Areas.* Parking areas shall comply with the standards set forth in Section 8-3081 through Section 8-3083 and the following:
- a. Access to parking shall be from lanes or north-south service streets. When a property does not front a lane or north-south service street, parking may be accessed from east-west connecting streets or trust streets.
 - b. Parking within the ground floor of a building shall be setback a minimum of 30 feet from property lines along all public rights-of-way (not including lanes). This standard does not apply to structured parking on the same lot as single family and two family residential dwellings that are either on a corner lot with lane access or on a parcel that does not have access to a lane.
 - c. Curb cuts shall be permitted only where access to a lane does not exist, unless required by the City Traffic Engineer or GA Department of Transportation for commercial uses.
 - d. Curb cuts shall not exceed 20 feet in width.
 - e. Where intersected by a new driveway, the sidewalk shall serve as a continuous uninterrupted pathway across the driveway in materials, configuration, and height.
 - f. Asphalt strips or tabs shall not be permitted. Loose paving materials, such as crushed shell or gravel, shall not be permitted within 18 inches of the public-right-of-way.

- g. Vehicle and pedestrian drop-off areas shall not be accommodated within the footprint of the building on the primary façade, unless the Board determines that there are site-specific constraints which require it.

(15) *Service Areas, Utilities, and Mechanical Systems.* Service Areas, Utilities, and Mechanical Systems shall comply with the following:

- a. Electrical vaults, meter boxes, communications devices, and similar equipment shall be located on secondary and rear facades and shall be minimally visible from view.
- b. HVAC units shall be screened from the public right-of-way.
- c. Through-the-wall air conditioners may be installed in new construction when they are incorporated into the design and screened by a decorative grate.
- d. Refuse storage areas shall be located within a building or shall be screened from the public right-of-way.
- e. Alternative energy source devices, such as photovoltaic panels, may be permitted on new construction and non-historic buildings. Such devices may be permitted on historic buildings provided they are not visible from a street fronting elevation, excluding lanes.

(16) *Large Scale Development.* Large-Scale Development [see Definitions (a)] shall comply with the following standards. New construction on Factors Walk and monumental buildings shall be exempt from Large-Scale Development standards.

- a. Visual Compatibility Factors [Section (m)].
- b. Design Standards [Section (n)]. Should there be a conflict, the large-scale development standards shall take precedence.
- c. Footprint. Building footprints shall not exceed 13,500 square feet within the National Historic Landmark District boundaries. Building footprints shall not exceed 40,500 square feet outside the National Historic Landmark District boundaries. Multiple buildings, as defined by the Building Code, with building footprints equal to or less than the maximum permitted may be constructed for shared use(s).
- d. Mass. A minimum of two (2) of the following devices shall be incorporated into the design:
 - i. Subdivide Horizontally (for residential buildings only). Subdivide the façade horizontally into base, middle, and top (Figure 4). The first story shall be separated from the upper stories by an architectural

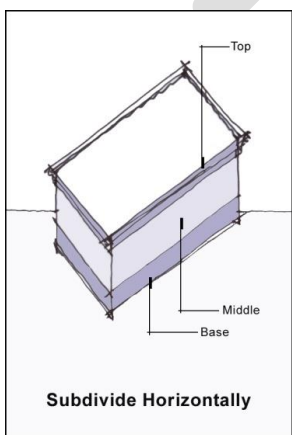


Figure 4

feature such as a string course (i.e., a projecting horizontal band) or change in material. Such architectural feature may be placed at the top of the second story when the first and second stories have the visual appearance of a unified exterior expression.

ii. **Multiple Volumes.** Use multiple detached volumes made up of two or more separate forms to break up the building into two or more structures (Figure 5).

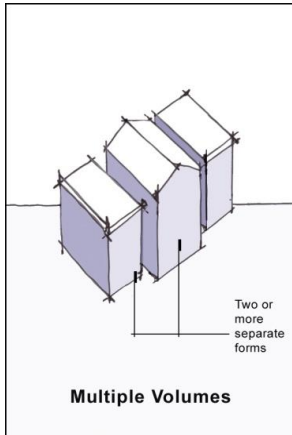


Figure 5

iii. **Roofline Variation.** Frontage may be continuous, provided that the roofline shall be varied through the use of volumetric forms and roof shapes of varying heights. The roofline shall provide a minimum one-half story height variation within the street fronting façade (Figure 6).

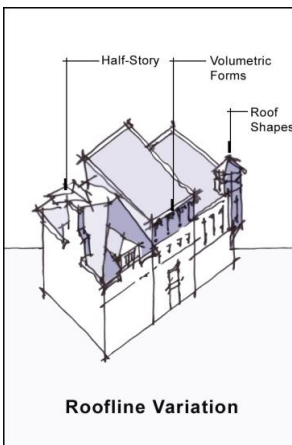


Figure 6

iv. **Setback Standard.** Incorporate setbacks within the façade. Setbacks between street fronting walls shall be at least 24 feet wide and eight (8') feet deep and contain windows in the walls perpendicular to the street (Figure 7). Setbacks shall extend to the ground or begin immediately above the ground floor.

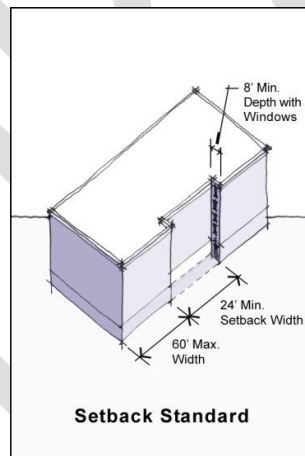


Figure 7

v. **Recess Standard.** Incorporate recesses within the wall plane. Building frontage shall be limited to 30 feet with recesses of at least 12 feet in width and four feet (4') in depth (Figure 8). Recesses shall extend to the ground or begin immediately above the ground floor.

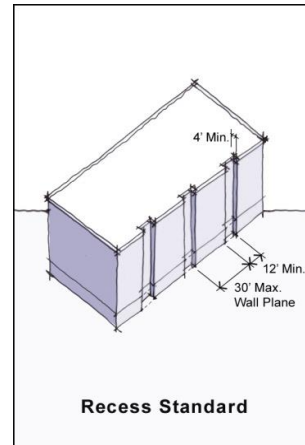
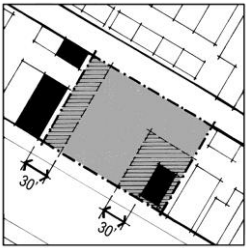
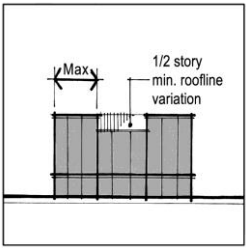

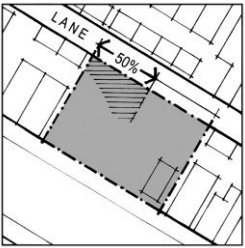


Figure 8

e. Height.

- i. Large-Scale Development shall be subject to the Height standards in Section (n)(2) and the provisions of Table 1. The base zoning district determines if the property is in an “R” zoning district (“R” zoning districts have the word “residential” in the zoning district nomenclature) (See Section 8-3025, Development Standards).

Table 1.

	Historic Building	Roofline Variation	Lane Adjacency	Lane Massing
				
All “R” Zoning Districts	Maximum height shall not exceed one-story greater than a principal historic building (excluding non-historic additions and appendages; see Historic Building Map) on same or abutting lot, for a minimum distance of 30 feet, provided that the height does not exceed limit on the Historic District Height Map (Figure 3).	Maximum frontage of 60 linear feet of continuous height shall be permitted before a minimum one-half story variation is required. This variation shall be expressed in the roofline [see Definitions (a)].	Maximum height shall not exceed two stories within 20 feet of a lane.	Building footprint shall occupy a minimum of 50 percent of the lot width along the lane.
All Other Zoning Districts	--	Maximum frontage of 120 linear feet of continuous height shall be permitted before a minimum one-half story variation is required. This variation shall be expressed in the roofline [see Definitions (a)].	Maximum height shall not exceed two stories within 20 feet of a lane when across the lane from an “R” zoning district.	--

ii. Additional stories above the Historic District Height Map [Section (n)(2)] for **non-historic** Large-Scale Development.

1. The following properties are eligible for an additional story on the area of the building that is unaffected by Table 1.
 - (i) 'R' Zoning Districts: A maximum of one-story above the Historic District Height Map may be permitted for properties located on Oglethorpe Avenue, Liberty Street, Trust Lots, and outside the National Historic Landmark District boundaries.
 - (ii) All other Zoning Districts: A maximum of one-story above the Historic District Height Map may be permitted.
2. Access above the bonus story shall be the minimum necessary for mechanical maintenance and repairs only. Only one point of access (excluding hatch access) shall be permitted above the bonus story.
3. One or more of the criteria below must be met to qualify for an additional story:
 - (i) An historic street or lane, as identified on Figure 2, is restored and dedicated back to the City of Savannah as a public right-of-way;
 - (ii) Affordable Housing, as defined and quantified by the City of Savannah, is provided within the development and so certified by the City Manager;
 - (iii) Multiple ground floor active uses (as defined) permitted in the base zoning district span the length of the façade on all street fronting elevations (not including lanes) and maintain individual primary exterior entrances. For rehabilitations, the active ground floor uses must replace previously inactive uses to qualify.

Lobbies shall not occupy more than 30% or 60 linear feet (whichever is greater) on any primary façade. For buildings facing two or more streets, lobbies shall not occupy more than 50% or 90 linear feet (whichever is greater) on the secondary façades provided that the total linear feet of the lobby area on the street-facing exterior does not exceed 120 linear feet.

At least 50% (linear measurement) of active use space shall be designed so that their primary entrance is only accessed from the exterior.

Additionally, exterior building walls incorporate 100 percent modular masonry materials [see (n)(16)(f)(ii) Exterior Walls] on all sides with the use of granite, marble, or other natural quarried stone over a minimum of 30 percent of all street fronting facades.

- (iv) Achieve LEED Gold Certification, or verified equivalent, on the building. Substantial completion of certification requirements, and confirmation from the awarding agency, shall be required before a Certificate of Occupancy is issued. Additionally, exterior building walls incorporate 100 percent modular masonry materials [see (n)(16)(f)(ii) Exterior Walls] on all sides with the use of granite, marble, or other natural quarried stone over a minimum of 30 percent of all street fronting facades.

f. Exterior Walls

i. Configuration

- 1. The frontage of buildings shall be divided into architecturally distinct sections no more than 60 feet in width with each section taller than it is wide.
- 2. Exterior building walls shall use window groupings (including curtain walls), columns, and/or pilasters to create multiple bays not less than 15 feet nor more than 20 feet in width. The Board may vary this spacing requirement if historic precedent exists within the visually-related context and it is visually compatible.

ii. Materials

- 1. Required. Building walls on street fronting façades shall incorporate modular masonry materials in the form of brick, cast stone, stone, concrete formed or assembled as stone to achieve a human scale over a minimum of 75 percent of surface area (excluding windows, doors, and curtain walls). The remainder of wall surface may incorporate other materials [see (n)(6) Exterior walls].

2. EIFS (Exterior Insulation Finishing System) shall be prohibited on wall surfaces and exterior details including, but not limited to, cornices, sills, lintels, window hoods, string courses, and brackets.
- g. Entrances. Entrances for large-scale development shall comply with Section (n)(5) (Entrances). When those conditions do not apply, the following standards shall be met.
- i. A minimum of one (1) primary entrance shall be provided for every 60 feet of street frontage, excluding lanes. Intervals between entrances shall not be less than 15 feet nor exceed 90 feet. On Trust Blocks, a minimum of one primary entrance shall be provided for every 100 feet of street frontage. For development on Broughton Street or on east-west connecting streets, the Entrance standards [see Section (n)(5)] shall take precedence.
 - ii. Buildings greater than four (4) stories and less than 60 feet wide located on a corner tithing lot abutting a north-south connecting street shall locate primary entrances on both the east-west and north-south streets unless a corner entrance is utilized. Buildings greater than 60 feet in width shall have an entrance located on the east-west street regardless of the location of any other entrances. See Section (n)(5) Entrances, for location of building entrances on Trust Lots and Tithing Lots.
- h. Windows and Doors.
- i. Façades fronting streets shall incorporate windows and doors over the following minimum percentage of surface area:
 1. Ground level commercial uses – 55 percent;
 2. Ground level residential uses – 25 percent;
 3. Ground level all other uses – 35 percent; and
 4. Upper levels all uses – 20 percent.
 - ii. Window sashes and door frames shall be inset not less than four inches (4”) from all façade surfaces.
 - iii. Materials. Wood, clad wood, and metal windows shall be permitted. Solid vinyl windows shall be prohibited.
- i. Refuse Storage Areas.

The refuse storage area shall be located within the building.

(17) *Monumental Buildings.* Monumental Buildings shall comply with:

- a. The Streets and Lanes provisions as set forth in subsection (n)(1).
- b. The height requirements as set forth in subsection (n)(2).
- c. Setbacks as identified in subsection (n)(4).
- d. The visual compatibility factors as set forth in subsection (m).

(18) *Character Areas.*

- a. *Factors Walk.* The boundaries of the Factors Walk Character Area are the Savannah River on the north; the centerline of Bay Street on the South; the centerline of Montgomery Street on the West and the centerline of East Broad Street extended on the East. Development within the Factors Walk Character Area shall comply with the following:
 - i. New construction along Factors Walk shall front both Bay Street and River Street at their respective levels. Entrances to uses above River Street shall be from upper and lower Factors Walk or from private property; provided, however, entrances to end units may front onto the public ramps.
 - ii. A 10-foot pedestrian setback shall be provided along the river's edge and on the north side of River Street.
 - iii. New construction north of River Street shall be placed perpendicular to the river and shall not exceed two stories in height, unless otherwise indicated on the Height Map as amended August 2014.
 - iv. Buildings shall be made of brick, ballast stone, or wood. The Board may approve alternative materials provided that the material is visually compatible with contributing buildings within the character area and has performed satisfactorily in the local climate.
 - vi. New construction on the south side of River Street shall not exceed three stories or 45 feet above Bay Street.
- b. *Beach Institute.* The boundaries of the Beach Institute Character Area shall be the centerline of the following streets: Liberty Street on the North; Gwinnett Street on the South; East Broad Street on the East and; Price Street on the West. One (1) story buildings shall be permitted as principal use

buildings. All other parts of this ordinance shall apply.

- c. *City Market.* The boundaries of the City Market Character Area shall be parcels fronting St. Julian Street from Montgomery Street on the west to Barnard Street on the east. Signage within the boundaries of the City Market Character Area shall comply with the City Market Sign Criteria as adopted by the Board. All other parts of this ordinance shall apply.

(o) *Appeals.* Appeals from decisions made pursuant to the requirements of this ordinance and from the design standards contained therein shall be made as follows:

- (1) *Applicability.* Any person adversely affected by any determination made by the Board may appeal such determination. Visual Compatibility Factors shall not be the basis for appeal. An appeal shall follow the procedure established in Sections 8-3165 through 8-3168 except where procedures are provided otherwise in this Subsection. If there are conflicting standards in this Subsection and Sections 8-3165 through 8-3168, the more restrictive standards apply.
- (2) *Review Authority and Timing for Hearing an Appeal.* An appeal of a decision of the Board shall be made to the Zoning Board of Appeals; however, an appeal relating to demolition of a historic building or structure shall be made to the Mayor and Aldermen. The appeal shall be filed within 30 calendar days of the date of the Board's decision.
- (3) *Application Requirements*
 - a. *Application.* An appeal shall be made by filing a written notice detailing the specific error allegedly made by the Board and the different result which would have occurred if the appropriate procedures had been followed.
 - b. *Filing.* A notice of appeal shall be considered filed when a complete application is received by the City of Savannah, Development Services Department. For appeals of decisions regarding demolition, the application shall also include a copy of the entire record. The record shall consist of all submittals and filings upon which the action appealed from was taken.
- (4) *Effect of an Appeal.* The effect of an appeal shall be the same as identified in Section 8-3165(b) (Appeals, Legal Proceeding Stayed).
- (5) *Process for Review of an Appeal*
 - a. *Appeals to the Zoning Board of Appeals.* The Zoning Board of Appeals shall review the appeal at a public hearing, as required by Section 8-3167 (Public Hearings), and determine if the Board abused its discretion in reaching a decision and/or a procedural error has occurred. If it is

determined that an abuse of discretion or procedural error occurred, the Zoning Board of Appeals may approve, modify and approve, reject or remand the application to the Board for reconsideration of any elements of the application that were affected by the error. If the applicant presents new information to the Board, the Board may, at its sole discretion, reconsider the application in its entirety. The applicant may appeal the reconsidered decision of the Board to Superior Court.

- b. Appeals to the Mayor and Aldermen. The Mayor and Aldermen shall review the appeal at a public hearing, as required by Section 8-3167 (Public Hearing).
- c. Appeals of the Zoning Board of Appeals or of the Mayor and Aldermen may be made to Superior Court and pursuant to Section 8-3167(g) (Public Hearing, Appeals).

(p) Variances.

(1) Applicability.

- a. Projects seeking a variance(s) from the Design Standards and/or the base zoning district lot coverage standard (Section 8-3025) shall be reviewed by the Board, concurrent with the submittal of an application for a Certificate of Appropriateness.
- b. Other Variances: Requests for all other variances shall be submitted directly to the Zoning Board of Appeals.

(2) Pre-Application Conference. Prior to the submittal of an application for a variance, the applicant shall request and participate in a pre-application conference with the City Preservation Officer.

(3) Application Requirements. An application for a variance shall be submitted in accordance with Section 8-3168 (Forms).

(4) Public Hearing Process.

- a. Once an application has been determined to be complete, a public hearing shall be scheduled and notice provided in accordance with Section 8-3167 (Public Hearings).
- b. A variance request within the historic district is a two-part process that requires a finding-of-fact and recommendation from the Board prior to review by the Zoning Board of Appeals. A public hearing and public notice for review by the Board shall follow the same process as provided in Section 8-3167 (Public Hearings) and Article M. (Public Notification).

- (5) Review Process. When considering an application for a variance, the Board and Zoning Board of Appeals shall make a finding for each criterion provided in section (6) below as they relate to the variance request. The findings made by the Board shall be placed in a report and attached to the staff recommendation provided to the Zoning Board of Appeals. The findings made by the Board are intended to assist the Zoning Board of Appeals in its decision-making and shall not be binding on the Zoning Board of Appeals.

A request for a variance shall follow the procedure established in Section 8-3163(c) (Powers and Duties Generally, Request for a Variance). If there are conflicting standards in this Subsection and Section 8-3163(c), the more restrictive standards shall apply.

- (6) Variance Criteria. The Board shall make a finding for each criterion below and submit a recommendation to the Zoning Board of Appeals.
- a. Special Conditions.
 - i. Special conditions and/or circumstances exist which are peculiar to the land, buildings, or structures involved and which are not applicable to other lands, buildings or structures in the same zoning district; and
 - ii. The special conditions and/or circumstances do not result from the actions of the applicant; and
 - iii. The special conditions and/or circumstances are not purely financial in nature so as to allow the applicant to use the land, buildings, or structures involved more profitably or to save money.
 - b. Literal Interpretation. Literal interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district within the same or immediately adjacent ward under the terms of the Ordinance and would result in unreasonable hardship on the applicant.
 - c. Minimum Variance. The variance, if granted, shall be the minimum variance necessary to make possible the reasonable use of land, buildings, or structures.
 - d. Special Privilege Not Granted. The variance shall not confer on the applicant's property any special privilege that is denied by this Ordinance to other lands, buildings, or structures in the same zoning district.

- e. General Consistency. The variance shall be consistent with the intent of this Ordinance and the Comprehensive Plan, and shall not be detrimental to the public health, safety, or welfare.
- (7) Time Limitation. If a variance is granted by the Board to the Zoning Board of Appeals, such variance shall be valid one year from the date of the decision granting the variance. Variances are project specific. A one-time extension may be granted by the Board for a period up to twelve months from the date of expiration provided that:
- a. The original determination has not expired at the time of application for an extension is filed; and
 - b. The site or building conditions on the subject property and adjacent properties, and criteria supporting the decision to grant the variance, have not changed.

Upon expiration of the extension, the applicant must reapply for a Certificate of Appropriateness.

(q) Amendments. Amendments to this ordinance shall first be reviewed by the Historic District Board of Review and a recommendation provided to the Planning Commission and City Council. This review and recommendation may occur concurrent with the review and recommendation by the Planning Commission.

SECTION 2: That the requirement of Section 8-3341 of said Code and the law in such cases made and provided has been satisfied. That an opportunity for a public hearing was afforded anyone having an interest or property right which may have been affected by this zoning amendment, said notice being published in the *Savannah Morning News* on the _____ day of _____, 2018, a copy of said notice being attached hereto and made a part hereof.

SECTION 3: Upon the effective date of the ordinance all ordinances or parts of ordinances in conflict herewith are hereby repealed.

ADOPTED AND APPROVED: _____, 2018.

MAYOR

ATTEST:

CLERK OF COUNCIL
FILE NO.: 18-002327-ZA