

AN ORDINANCE
To Be Entitled

AN ORDINANCE TO AMEND PART 8, CHAPTER 3, ZONING PERTAINING TO THE CREATION OF ARTICLE Q, CONSERVATION OVERLAY DISTRICT TO REGULATE THE DEMOLITION OF HISTORIC BUILDINGS WITHIN CERTAIN AREAS OF THE CITY; 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 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 enacted as follows:

ENACT

Article Q. Conservation Overlay District.

Sec. 8-3370. Purpose and Intent.

The purpose and intent of the Conservation Overlay District (CD) is to preserve the character of Savannah's older and historic neighborhoods which lack the protection of a local historic district overlay. The CD establishes a public process and standards to evaluate demolition of contributing buildings in order to ensure historic buildings are preserved and the character of the district is maintained.

Sec. 8-3371. Conservation District Eligibility

Any neighborhood or portion of a neighborhood is eligible for the Conservation Overlay District provided that:

- a. The majority of buildings within the proposed district are 50 years old or older; and
- b. The neighborhood association, or organization representing the majority of property owners, supports the designation.

Sec. 8-3372. Conservation Districts and Identification.

A Conservation District ("CD") is identified on the official zoning map as "CD" followed by a designated number (e.g., CD-1). The numerical designation identifies the geographic location of the overlay district. "CD" districts include:

- a. **CD-1 District.** This district includes portions of the Ardsley Park-Chatham Crescent neighborhood and the boundaries are shown on Map 1.
- b. **CD-2 District.** This district includes portions of the Ardmore and Chatham Terrace neighborhoods and the boundaries are shown on Map 2.

Sec. 8-3373. Relationship to Base Zoning Districts.

In addition to the requirements of this Article, existing and proposed uses within an “CD” Overlay District must also comply with the requirements of the base zoning district designated on the official zoning map for the City of Savannah. Should a conflict between any requirement(s) of the base and overlay districts exist, the more restrictive requirement(s) will apply.

Sec. 8-3374. Review Process

- a. **Staff Review:** All requests for demolition of any building within a Conservation District shall be reviewed by the City of Savannah’s Historic Preservation Officer prior to the issuance of a demolition permit. For the purposes of this section, demolition shall include the removal of 50% or more of a building. The Preservation Officer shall determine if a building is eligible for contributing status. If a building is determined to be eligible for contributing status, the application for demolition shall be referred to the Metropolitan Planning Commission for review.
- b. **Board Review:** All requests for demolition of any contributing building or building eligible to be contributing shall be reviewed and acted upon by the Metropolitan Planning Commission prior to the issuance of a demolition permit.

Sec. 8-3375. Public Notice

All Board Reviews shall be posted a minimum of 15 days in advance of the public hearing.

Sec. 8-3376. Time Limitation

Approval for demolition is valid for one year from the approval date. If demolition has not been completed in one year, one one-year extension may be granted, provided that the original approval has not expired.

Sec. 8-3377. Criteria for Contributing Status.

A building must meet one or more of the following criteria to be considered a contributing building within a “CD” district:

- i. The building is identified as contributing on the National Register Historic District or Property map;
- ii. The building is at least 50 years old; possesses integrity of location, design, setting, materials, workmanship, feeling, and association; and:
 - a. Is associated with events that have made a significant contribution to the broad patterns of our history; or
 - b. Is associated with the lives of significant persons in our past; or
 - c. Embodies the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
 - d. Has yielded or may be likely to yield, information important in history or prehistory;

- iii. The building has achieved significance within the past 50 years if it is of ‘exceptional importance’ as defined by the National Park Service.

Sec. 8-3378. Criteria for Demolition.

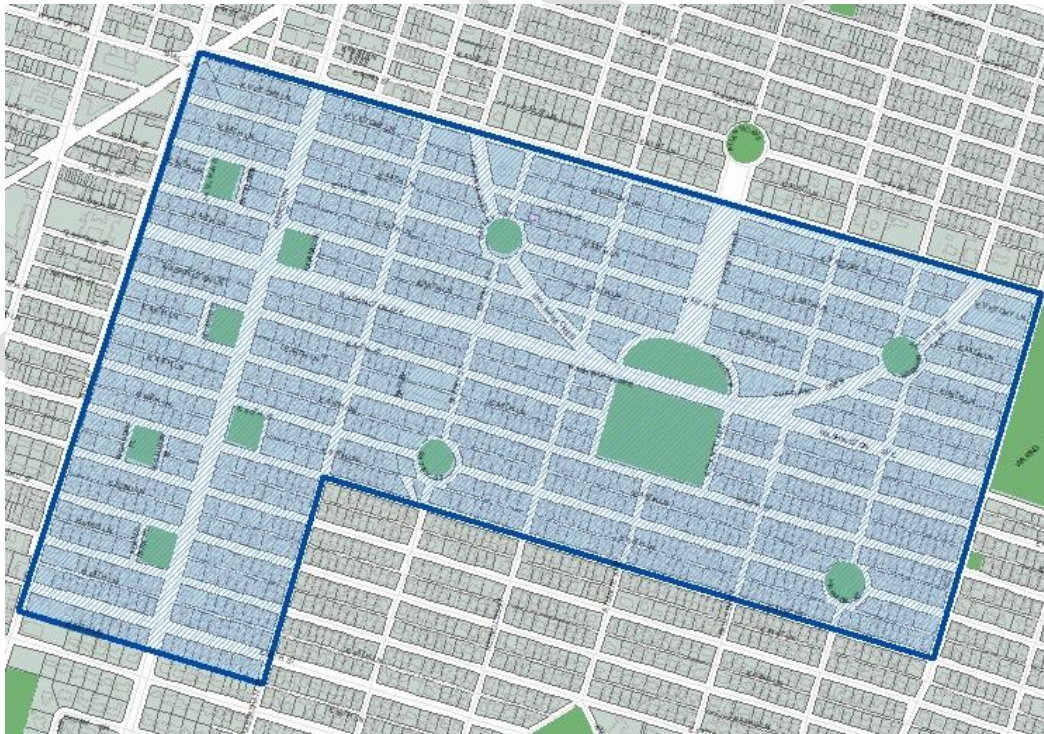
Approval for demolition of a contributing building shall only be issued by the Metropolitan Planning Commission when one of the following conditions has been established by clear and convincing evidence pursuant to the criteria established herein:

- i. The demolition is required to alleviate a threat to public health or public safety;
- 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.

Sec. 8-3379. Additional Stipulations.

In the approval of demolition, the Metropolitan Planning Commission may impose such reasonable and additional stipulations as will best fulfill the purpose of this ordinance, such as documentation of the building.

Conservation District (“CD”) Maps



Map 1: Ardsley Park-Chatham Crescent Conservation District (CD-1)



Map 2: Ardmore Conservation District (CD-2)

SECTION 2: That the requirement of Section 8-3182(f)(2) 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.: 17-007079-ZA

DRAFT