

AN ORDINANCE
TO BE ENACTED

AN ORDINANCE TO AMEND ARTICLE 2.0 REVIEW BODIES AND ADMINISTRATORS, ARTICLE 3.0 APPLICATION AND REVIEW PROCEDURES, ARTICLE 6.0 SPECIAL PURPOSE DISTRICTS, 7.0 OVERLAY DISTRICTS, ARTICLE 8.0 USE STANDARDS, ARTICLE 9.0 GENERAL SITE STANDARDS, AND ARTICLE 13.0 ABBREVIATIONS AND DEFINITIONS, OF CHAPTER 3, ZONING, OF PART 8, PLANNING AND REGULATION OF DEVELOPMENT, OF THE CODE OF THE CITY OF SAVANNAH, GEORGIA, TO AMEND CERTAIN PROVISIONS CONCERNING PUBLIC NOTIFICATION, APPLICATION INTAKE AND REFERENCES TO THE PLANNING DIRECTOR; TO PROVIDE FOR EFFECTIVE DATES; TO REPEAL ALL ORDINANCE 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 the lawful authority thereof;

SECTION 1: That Part 8, Planning and Regulation of Development, Chapter 3, Zoning, of the Code of the City of Savannah, Georgia, Article 2.0 Review Bodies and Authorities, Section 2.1 Purpose, 2.3 Planning Commission, and Section 2.7 Planning Director, are hereby amended as set forth below, with additions shown in red, bold, and underlined and deletions shown in blue, bold, and strikethrough.

ARTICLE 2.0 REVIEW BODIES AND ADMINISTRATORS

Sec. 2.1 General Provisions

2.1.1 Purpose

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

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

2.1.2 Rules Applicable to Review Bodies

e. Removal from Office

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

- v. The member has acted in a discourteous, unprofessional, or disrespectful manner to another board member, applicant, citizen, staff member, or other person while conducting or participating in the business of the body, and has not ceased his discourteous, unprofessional, or disrespectful behavior after being requested to do so by the Chair, another member of the Review Body, or the ~~Planning~~ MPC Director.

2.1.3 Meetings and Rules of Procedures

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

a. Meetings

ii. Special Meetings

2. Notice of Special Meetings

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

Sec. 2.3 Planning Commission

2.3.2 Powers and Duties

b. Review Authority

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

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

Sec. 2.5 and 2.6, respectively.

1. Sec. 3.16, Local Historic District Designation, and,
 2. Sec. 3.17, Local Historic Property Designation.
- iv. Planned development districts; and
 - v. Special use permits.

Sec. 2.7 ~~Planning~~ MPC Director

2.7.1 Defined

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

2.7.2 Delegation of Authority

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

2.7.3 Powers and Duties

a. General Authority

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

b. Review Authority

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

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

- with the exception of those listed below; and;
- xiv. Other duties as specified by this Ordinance.

c. **Final Authority**

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

- i. Certificates of Appropriateness for actions identified in Sec. 3.19.7; and
- ii. Other duties as specified by this Ordinance.

SECTION 2: That Part 8, Planning and Regulation of Development, Chapter 3, Zoning, of the Code of the City of Savannah, Georgia, Article 3.0 Application and Review Procedures, Section 3.1 Purpose, Section 3.2 Public Notice, Section 3.4 Comprehensive Plan Amendment, Section 3.5 Rezoning (Map Amendment), Section 3.6 Rezoning (Map Amendment), Planned Development District, Section 3.7 Zoning Text Amendment, Section 3.8 Development Plan Review, Section 3.9 Traffic Impact Analysis, Section 3.10 Special Use Permit, Section 3.11 Temporary Use Permit, Section 3.12 Special Exception, Section 3.13 Home Occupation Permit, Section 3.14 Wireless Communication Facilities, Section 3.15 Sign Permit, Section 3.16 Local Historic District Designation, Section 3.17 Local Historic Property Designation, Section 3.18 Certificate of Appropriateness for Local Historic Districts and Local Historic Properties, Section 3.19 Certificate of Appropriateness for the Savannah Downtown Historic District, Section 3.20 Proactive Preservation, Section 3.21 Variances, Section 3.22 Written Interpretations, Section 3.23 Appeals, and Section 3.24 Relief for Nonconforming Uses and Structures, are hereby amended as set forth below, with additions shown in red, bold, and underlined and deletions shown in blue, bold, and strikethrough.

~~Section~~ **Sec. 3.1 Purpose**

3.1.2. Pre-application Conference

Before submitting an application for development approval, an applicant shall ~~schedule~~**attend** a pre-application conference with the ~~Planning~~**MPC** Director to discuss procedures, standards and regulations required for approval in accordance with this Ordinance. **The City Manager or his or her designee shall be invited to pre-application conferences applicable to all items listed in this section.** The pre-application meeting may be in person or via conference call. A mandatory pre-application meeting conference is required for the following applications and where specified elsewhere in this Ordinance:

- a. **Development of Regional Impact;**
- b. **Comprehensive Plan Amendment;**
- c. Rezoning (Map Amendment);
- d. Rezoning, Planned Development District;
- e. Zoning Text Amendment;
- f. Planning Commission Development Plan Review (Variance requested);
- g. **Special Use Permit;**
- h. **Special Exceptions;**
- i. Local Historic District Designation;

- j. Local Historic Property Designation;
- k. Amendment to Local Historic District Contributing Resources Map or Height Map; and
- l. Certificate of Appropriateness for Local Historic District;
- m. Variances, and**
- n. Relief for uses and structures.**

3.1.3 Forms and Fees

- a. Applications required under this Ordinance shall be submitted on standardized forms approved by the ~~Planning~~ **MPC** Director.

3.1.4 Determination of Completeness

a. Completeness Determination

Applications **for items listed in 3.1.2 and Sec. 3.23 Appeals** will be submitted to the **MPC Director** ~~City Manager or his or her designee~~ and checked for completeness within three (3) working days of submittal. An application is determined to be complete if all required information and documents have been prepared in accordance with the specific application requirements outlined in this Article.

b. Complete Application

Once an application has been deemed to be complete, ~~MPC Director~~ **MPC Director** ~~City Manager or his or her designee~~ shall transmit the application to the appropriate reviewing authority for review and recommendation. The ~~MPC Director~~ **MPC Director** ~~City Manager or his or her designee~~ shall notify the applicant **and the City Manager or his or her designee** that the application is complete.

If an application requires a public hearing, the application shall be placed on the next available agenda of the appropriate reviewing body.

Sec. 3.2 Public Notice

3.2.1 Applicability

All hearings of the Mayor and Aldermen and the Planning Commission which involve rezonings, zoning map amendments, zoning text amendments and special use permits are public and are subject to notification requirements under the State Zoning Procedures Law, O.C.G.A Chapter §36-66-1, et seq., where applicable. All hearings of the Mayor and Aldermen, Historic Preservation Commission and the Savannah Downtown Historic District Board of Review which involve historic designations and certificates of appropriateness are public and subject to notification requirements of the State Historic Preservation Act. **The MPC Director shall provide public notice as required by this section unless otherwise specified by this Ordinance. Where a zoning action is initiated by or on behalf of the Mayor and Aldermen, and Planning Commission review is not requested, notice shall be provided by the City Manager or his or her designee.**

3.2.5 Published Notice

a. Publishing of Public Notice

When required, as shown in Table 3.2-1, public notice shall be published in accordance with the standards established by the O.C.G.A. § 36-66-1 et seq. and this Ordinance.

b. Preparation of Notice Content and Publishing Responsibility

The ~~Planning~~ MPC Director or Governing Body, as applicable, shall prepare the content of the notice and be responsible for publishing the notice in a local newspaper of general circulation within the boundaries of Chatham County.

c. Timing of Published Notice

i. Public Hearings

1. All applications that require published notice, except as hereinafter provided, the notice shall be published at least 15, but no more than 45 days prior to the public hearing.
2. For applications to designate a local historic district or to designate a local historic property, notice of the public hearing shall be published at least 10 but not more than 20 days prior to the public hearing as provided in O.C.G.A. §44-10-26 (“Georgia Historic Preservation Act”), or as amended. Notice of the public hearing shall be published on at least three (3) occasions prior to the public hearing.
3. ~~Except as provided hereinafter, all Zoning Board of Appeals, Savannah Downtown Historic District Board of Review, and Historic Preservation Commission applications for variances, special administrative permits, special exceptions, conditional use permits, other similar permits not enumerated in the Zoning Procedures Law, O.C.G.A. §36-66-1 et seq., applications for appeal of administrative decisions, and Planning Commission review of Development Plans provided in Sec. 3.8.3.b.ii. shall require at least 30 days published notice prior to the public hearing which shall include the time, place, and purpose of the public hearing. In addition, notice shall be mailed to the owner of the property that is the subject of the application.~~ Notwithstanding any provision to the contrary, where the grant or denial of a variance or condition concurrent is considered in conjunction with a decision to adopt or deny an amendment to the zoning ordinance to rezone property or in conjunction with the decision to grant or deny a special use permit, only one public hearing is required and notice of the public hearing shall be published at least 15 but not more than 45 days prior to the date of the hearing which shall state the time place and purpose of the hearing.

3.2.6 Posted Notice

a. Posting of Notice

Posting of property shall comply with the requirements listed below.

i. Responsibility for Posting

Signs shall be posted by the applicant, except applications initiated by the Mayor and Aldermen shall be exempt from this requirement.

ii. Form of Required Signs

Notice shall be posted on weather resistant signs in a form established by the City Manager or his or her designee.

iii. Preparation of Signs

Signs shall be prepared by the MPC Director or City Manager or his or her designee, as applicable.

3.2.7 Neighborhood Meetings

b. General Requirements

Prior to the public hearing, the applicant shall offer to hold a neighborhood meeting consistent with the following:

i. Timing of Meeting

The neighborhood meeting shall occur at least seven (7) days prior to the public hearing.

ii. Neighborhood Notification

1. The applicant shall notify the neighborhood president by email or mail.
2. Within the notification, the address and/or property identification number of the subject property, contact information for the applicant of the subject property, zoning districts, nature of application, intended public hearing date, and an offer to meet with the applicant shall be included.
3. The notification shall be sent to the neighborhood president and a copy sent to the Planning MPC Director at least fourteen (14) days before the scheduled public meeting.
4. If a neighborhood meeting is scheduled, the applicant shall notify the Planning MPC Director of the time and location of the meeting within two (2) working days prior.

Sec. 3.4 Comprehensive Plan Amendment

3.4.1 Purpose

An application for a Comprehensive Plan amendment, text or map, may be initiated by the Mayor and Aldermen or the Planning Commission. Any person owning property within the City, or agent for such property owner, may initiate an application for a Comprehensive map amendment to change the Future Land Use Map category for their own property only.

Updates to the text or Future Land Use Map of the Comprehensive Plan shall occur every five years based on O.C.G.A. § 110-12-1.

3.4.2 Pre-Application Conference Required

Prior to the submittal of an application for a comprehensive plan amendment, the applicant shall request and participate in a pre-application conference in accordance with Sec. 3.1.2, Pre-application Conference.

3.4.3 Comprehensive Plan Amendments Initiated by the Mayor and Aldermen

Notwithstanding any other provision in this ordinance to the contrary, any amendment initiated by or on behalf of the Mayor and Aldermen shall not be submitted to or considered by the Planning Commission unless specifically requested by the City Manager or his or her designee.

Sec. 3.5 Rezoning (Map Amendment)

3.5.3 Application Procedures

- a. Prior to the submittal of an application for a rezoning, the applicant shall participate in a pre-application conference ~~with the Planning Director~~ **as described in Sec. 3.1.2.**

3.5.7 Action by the Mayor and Aldermen

Upon receipt of the recommendations from the reviewing bodies, the ~~Planning~~**MPC** Director shall forward the recommendation(s) to the Mayor and Aldermen for final action.

3.5.8 Review Standards for Rezoning Applications

f. Proximity to a Military Base, Installation or Airport

In accordance with the O.C.G.A. § 36-66-6, when a rezoning is proposed for property located within 3,000 feet of a military base, installation or airport, or within the 3,000 foot Clear Zone and Accident Prevention Zones Numbers I and II as prescribed in the definition of an Air Installation Compatible Use Zone that is affiliated with such base, installation or airport the following shall occur:

- i. The commander of such military base, installation or airport, including Hunter Army Airfield, shall be requested to provide a written recommendation and supporting facts at least 30 days prior to the public hearing.
- ii. If there is no response from the commander, there shall be a presumption that the proposed rezoning will not have any adverse effect relative to the standards listed below and the ~~Planning~~**MPC** Director shall make such investigation and recommendation with respect to the standards listed below.

3.5.10 ~~Rez~~Zoning Applications Initiated by the Mayor and Aldermen

- a. One purpose of a ~~rezoning~~ initiated by ~~or on behalf of~~ the Mayor and Aldermen may be to rezone areas in conformance with the principles of comprehensive land use planning and staged development as reflected by established plans and policies, as well as planned public

- facilities.
- b. Notwithstanding any other provision in this ordinance to the contrary, any rezoning initiated by or on behalf of the Mayor and Aldermen shall not be submitted to or considered by the Planning Commission unless specifically requested by the City Manager or his or her designee ~~Mayor and Aldermen~~.
 - c. The same review criteria shall apply to rezonings initiated by or on behalf of the Mayor and Aldermen as to all other rezonings as set forth in Sec. 3.5.8 Review Standards for Rezoning Applications.

Sec. 3.6 Rezoning (Map Amendment), Planned Development District

Sec. 3.7 Zoning Text Amendment

3.7.2 Initiation of Text Amendment

An application for a text amendment may be initiated by any of the following:

- a. The Mayor and Aldermen;
- b. The Planning Commission;
- c. The ~~Planning~~ MPC Director;
- d. City Manager or his or her designee;
- e. Any person owning property within Savannah or agent for such person.

3.7.3 Application Procedures

- a. Prior to the submittal of an application for a text amendment, the applicant shall participate in a pre-application conference ~~with the Planning Director~~ as described in Sec. 3.1.2.

3.7.5 Review by the Planning Commission

- a. **Consideration by Planning Commission**
All text amendment applications shall be considered by the ~~Planning Commission~~ at a public hearing, prior to public hearing by the Mayor and Aldermen. The Planning Commission public hearing shall be held no more than 150 days after the receipt of a completed application.
- b. **Standards and Criteria**
The Planning Commission shall review and make a recommendation on the proposed text amendment based upon the standards in Sec. 3.7.7, Review Criteria for Text Amendment Applications. The Planning Commission shall make a recommendation no more than 150 days after the first meeting during which a public hearing is held for a rezoning.
- c. **Planning Commission Recommendation**
~~After consideration of the review criteria in Sec. 3.7.7, the Planning Commission shall provide a recommendation which~~ A recommendation shall be prepared and forwarded

to the Mayor and Aldermen. The recommendation shall indicate that the proposed text amendment should be:

- i. Approved as submitted by the applicant;
- ii. Approved as recommended by the ~~Planning-MPC~~ Director;
- iii. Approved with modifications;
- iv. Continued to the next meeting or a date certain or
- v. Denied

3.7.6 Action by the Mayor and Aldermen

Within seven (7) days of the recommendation of the review authority, the ~~Planning-MPC~~ Director shall forward the recommendation to the Mayor and Aldermen for final action.

a. Public Hearing

The Mayor and Aldermen shall hold a minimum of one (1) public hearing to consider the proposed text amendment after receiving a recommendation from the responsible review authority. Within seven (7) days of receiving the recommendation, the Mayor and Aldermen shall notify the applicant of the scheduled date for the public hearing. Notwithstanding any other provision in this ordinance to the contrary, any text amendment initiated by or on behalf of the Mayor and Aldermen shall not be submitted to or considered by the Planning Commission unless specifically requested by the ~~Mayor and Aldermen~~ City Manager or his or her designee.

Sec. 3.8 Development Plan Review

3.8.3 Review Authority for Development Plans

There are two review authorities for Development Plans with varying review and approval procedures. The authorities are provided below:

a. City of Savannah Development Plans (Minor)

Prior to the submittal of an application for a Development Plan listed in part i.3 below, the applicant shall participate in a pre-application conference as organized by the City Manager or his or her designee.

- i. **Final Authority:** Development Plans that are reviewed and approved by the City Manager or his or her designee include the following:
 - 1. Temporary use permits (see Sec. 3.11, Temporary Use Permits);
 - 2. Accessory structures or uses as provided in Sec. 8.7 Accessory Structures and Uses as determined by the City Manager or his or her designee; or
 - 3. Development Plans that do not require Planning Commission level review described below. The ~~Planning-MPC~~ Director may participate in the City of Savannah Development Plan Review for such plans.

b. Planning Commission Development Plan Review (Major)

Development Plans that are reviewed and approved by the Planning Commission. Prior to the submittal of an application for any Development Plan listed in parts i and ii below, the applicant shall participate in a pre-application conference as described in Sec. 3.1.2. The MPC Director may waive the pre-application conference requirement for variances, special exceptions, and major subdivisions.

i. Review Authority:

The Planning Commission shall review the following Development Plans and make recommendations to the Mayor and Aldermen:

1. Rezoning for a Planned Development District (see Sec. 3.6 Planned Developments); and
2. Special use permits (see Sec. 3.10, Special Use Permits).

ii. Final Authority

The Planning Commission shall review and have the final authority to approve or deny the following Development Plans:

1. Any special exception that requires a Development Plan (see Sec. 3.12, Special Exceptions);
2. Any use that requires a Development Plan as provided in Article 8.0, Use Standards;
3. Any variance requested for any Development Plan; or
4. Major subdivisions in accordance with the requirements of the Subdivision Regulation Ordinance, Savannah City Code, Part 8, Chapter 2.

c. ~~Planning~~-MPC Director Administrative Review

The ~~Planning~~-MPC Director shall review and provide comment on Development Plans that are not listed in 3.8.3 above.

3.8.5 City of Savannah Development Plan Review Process

a. Pre-application Conference

A petitioner may request a pre-application conference with the ~~Planning~~-MPC Director prior to the submittal of a Development Plan.

3.8.6 Planning Commission Development Plan Review Process

a. Pre-application Conference

Prior to the submittal of an application for a Development Plan submitted to the Planning Commission, the applicant shall participate in a pre-application conference with the ~~Planning~~-MPC Director.

c. Public Notice

- i. After the application has been deemed complete by the ~~Planning~~-MPC Director, the Development Plan will be scheduled for a public hearing before the Planning Commission.

Sec. 3.9 Traffic Impact Analysis

Sec. 3.10 Special Use Permit

3.10.3 ~~Reserved~~ Pre-Application Conference Required

Prior to the submittal of an application for a special use permit, the applicant shall request and participate in a pre-application conference in accordance with Sec. 3.1.2, Pre-application Conference.

c. Planning Commission Recommendation

A recommendation shall be prepared and forwarded to the Mayor and Aldermen after consideration of the review criteria required by Sec. 3.10.8. The recommendation which shall indicate if the Special Use Permit should be:

- i. Approved as submitted by the applicant;
- ii. Approved as recommended by the ~~Planning~~ **MPC** Director;
- iii. Continued to the next meeting or to a date certain;
- iv. Approved with modifications and/or conditions; or
- v. Denied.

3.10.7 Action by the Mayor and Aldermen

Within seven (7) days of the Planning Commission's recommendation, the ~~Planning~~ **MPC** Director shall forward the recommendation of the Planning Commission to the Mayor and Aldermen for final action.

Sec. 3.11 Temporary Use Permit

Sec. 3.12 Special Exceptions

3.12.1 Purpose

This Section establishes procedures for providing relief from specified standards within this Ordinance. It is not the intent of the special exception to eliminate such standards, but rather to provide a process by which exceptions can be made for individual circumstances. **Prior to the submittal of an application for a special exception, the applicant shall request and participate in a pre-application conference in accordance with Sec. 3.1.2, Pre-application Conference.**

3.12.2 Applicability

- a. Special exceptions to specific provisions of this Ordinance may be considered only for the following:
- a. Special exceptions to specific provisions of this Ordinance may be considered only for the following:
 - i. To extend the hours of operation required for certain uses where hours are limited.
 - ii. To reduce the minimum distance between certain uses when a separation is required by Secs. 8.1 thru 8.8.
 - iii. To provide alternate buffering and/or screening for certain uses when either is required by

- Secs. 8.1 thru 8.8.
- iv. To decrease the distance from a property line required for certain uses and activities as required by Sec. 8.1 thru 8.8.
 - v. To increase the maximum number of fuel pump stations within a TC- or D- zoning district.
 - vi. To increase the height of items being stored for certain uses when height is limited by Secs. 8.1 thru 8.8.
 - vii. To increase the percentage of building permitted to be used for a specific use or activity where the percentage is limited.
 - viii. To increase the amount of outdoor storage area in the IL-R zoning district.
 - ix. To increase the maximum building footprint where the footprint is limited in Article 5 or Secs. 8.1 thru 8.8.
 - x. To adjust non-measurable standards of Secs. 7.8.10, 7.9.10, 7.10.10, and 7.11.10 Design Standards.
 - xi. To adjust side, front, and rear yard setback requirements where limited in Article 5.0 Base Zoning Districts as follows:
 - 1. Up to a one (1) foot adjustment may be approved by the **Planning MPC** Director in all local historic districts.
 - 2. More than one (1) foot up to a two (2) foot adjustment may be approved by the Historic Preservation Commission or Historic District Board of Review.
 - xii. To adjust development standards in Article 5.0 Base Zoning Districts and 9.3 Off-Street Parking and Loading when the development includes affordable housing as provided in Sec. 7.6 Affordable Housing Overlay District.
- b. When a special use includes any of the above use standards, any proposed change to the standard shall be reviewed under the special use permit process (See Sec. 3.10).

Sec. 3.13 Home Occupation Permit

Sec. 3.14 Wireless Communications Facilities

Sec. 3.15 Sign Permit

Sec. 3.16 Local Historic District Designation

3.16.3 Designation of a Local Historic District

- b. **Pre-application Conference**
Prior to the submittal of an application for a local historic district, the applicant shall participate in a pre-application conference with the **Planning MPC** Director.
- c. **Neighborhood Meeting**
The **Planning MPC** Director shall hold a neighborhood meeting in accordance with Sec. 3.2, Public Notice. The **Planning MPC** Director shall send a notice of such meeting to all property owners within the proposed local historic district.

d. Interim Protection

- i. Upon receipt of the completed application for designation of a local historic district, the **Planning MPC** Director shall prepare a resolution for the Mayor and Aldermen to provide interim protection measures for the proposed local historic district during the preparation of the Historic Designation Report. The Mayor and Aldermen shall approve or deny the resolution for the proposed designation for one (1) year from the date of the receipt of the completed application or until final action has been taken on the property designation by the Mayor and Aldermen.
- ii. Once a resolution has been approved by the Mayor and Aldermen for interim protection of the designation of a local historic district, any material change during the evaluation process shall be evaluated by the **Planning MPC** Director according to the U.S. Secretary of the Interior Standards and Guidelines for Rehabilitation before a building permit is issued. If the proposed material change is not in compliance with the Standards and Guidelines for Rehabilitation, no building permit shall be issued.

e. Preparation of a Historic Designation Report

- i. Upon receipt of the application for designation of a local historic district, the **Planning MPC** Director shall prepare a Historic Designation Report. The Historic Designation Report shall address the minimum requirements of O.C.G.A. §44-10-21, as amended, including:
 1. A description of the proposed boundaries of the historic district;
 2. A description of the historic buildings, structures, sites and objects within the proposed district, to include the identification of contributing or non-contributing status of each;
 3. A contributing resource map;
 4. The name(s) of the owner(s) of each property; and
 5. Specific design standards that reflect the individual character of the historic district to evaluate a requested material change.
- ii. Upon completion of the Historic Designation Report, the plan shall be forwarded to the Georgia Division of Historic Preservation of the Department of Natural Resources or its successor.
- iii. Upon receipt of comments from the Division of Historic Preservation, the **Planning MPC** Director shall amend the Historic Designation Report, if required, and prepare a recommendation to the Historic Preservation Commission.

f. Review by the Historic Preservation Commission

- i. **Public Hearing and Public Notice**

The **Planning MPC** Director shall schedule the public hearing and give public notice in accordance with **Sec. 3.2, Public Notice**, that the designation of a local historic district will be considered by the Historic Preservation Commission. Public notice shall be provided that is consistent with the Georgia Historic Preservation Act.
- ii. **Standards and Criteria**

The Historic Preservation Commission shall evaluate the proposed local historic district based upon the criteria in Sec. 3.16.4.

iii. **Action by the Historic Preservation Commission**

After consideration of the review criteria required by Sec. 3.16.4, the Historic Preservation Commission shall provide its recommendation to the Mayor and Aldermen of one of the following:

1. Approval as recommended by the **Planning MPC** Director;
2. Continue to the next meeting or to a date certain;
3. Approval with modifications; or
4. Denial.

3.16.6 Removal of Designation of a Local Historic District

c. **Review by the Historic Preservation Commission**

i. **Public Hearing and Public Notice**

The **Planning MPC** Director shall schedule the public hearing and give public notice in accordance with Sec. 3.2, Public Notice, that the removal of the designation as a local historic district or portions of such district shall be considered by the Historic Preservation Commission.

3.16.7 Amendments to a Contributing Resources Map

a. **Initiation of Amendment**

The Mayor and Aldermen, **Planning MPC** Director, Historic Preservation Commission, Savannah Downtown Historic District Board of Review or the property owner of the subject property within a designated local historic district may initiate the process of amending the Contributing Resources Map for a local historic district.

b. **Pre-application Conference**

Prior to the request to amend a Contributing Resources Map, the applicant shall participate in a pre-application conference with the **Planning MPC** Director. The **Planning MPC** Director shall determine whether a complete survey of the local historic district is required. The property owner may be required to complete the survey and/or provide additional information verifying that the proposed contributing resource(s) meet the designation criteria provided in Sec. 3.16.4.b.

c. **Amendment Request**

An application to amend a Contributing Resources Map shall be submitted to the **Planning MPC** Director including any supporting documentation requested.

d. **Review by the Historic Preservation Commission (Sec. 2.5) or the Savannah Downtown Historic District Board of Review (Sec. 2.6)**

i. **Public Hearing and Public Notice**

The **Planning MPC** Director shall schedule the public hearing and give public notice in accordance with Sec. 3.2, Public Notice, that the revision to the Contributing Resources Map shall be considered by the Historic Preservation Commission or Savannah Downtown Historic District Board of Review, as applicable.

ii. **Standards and Criteria**

The Historic Preservation Commission or the Savannah Downtown Historic District Board of Review shall evaluate the request based upon the criteria in Sec. 3.16.4.b.

iii. **Action by the Savannah Downtown Historic District Board of Review or Historic**

Preservation Commission

A recommendation shall be prepared and forwarded to the Mayor and Aldermen which shall review the criteria required by Sec. 3.16.4.b., and shall make a recommendation of whether the Contributing Resources Map should be:

1. Approved as recommended by the **Planning MPC** Director;
2. Continued to the next meeting or to a date certain;
3. Approved with modifications; or
4. Denied.

e. Action by the Mayor and Aldermen

Within seven (7) days of the recommendation of either the Historic Preservation Commission or Savannah Downtown Historic District Board of Review, the **Planning MPC** Director shall forward such recommendation to the Mayor and Aldermen for final action.

Sec. 3.17 Local Historic Property Designation

3.17.3 Designation of a Local Historic Property

b. Pre-application Conference

Prior to the submittal of an application for a local historic property designation, the applicant(s) shall participate in a pre-application conference with the **Planning MPC** Director.

c. Required Public Notice

Public notice shall be provided in accordance with the procedures in Sec. 3.2, Public Notice.

d. Interim Protection

- i. Upon receipt of the completed application for designation of a local historic property, interim protection measures shall be immediately in effect to preserve the historic integrity of the property during the evaluation process.
- ii. Any material changes in appearance shall be evaluated by the **Planning MPC** Director according to the U.S. Secretary of the Interior Standards and Guidelines for Rehabilitation before a building permit is issued. If the proposed material change is not in compliance with the Standards and Guidelines for Rehabilitation, no building permit shall be issued.
- iii. The interim protection shall be removed when final action has been taken on the property designation by the Mayor and Aldermen (either to approve or reject the designation) or one (1) year from date of receipt of a completed application, whichever is sooner.

e. Preparation of a Historic Designation Report

- i. Upon receipt of the application for designation of a local historic property, the **Planning MPC** Director shall prepare a Historic Designation Report. The Historic Designation Report shall address the minimum requirements of O.C.G.A. §44-10-21, as amended, including:
 1. A description of the proposed boundaries of the historic property or properties;
 2. The name(s) of the owner(s) of the property;
 3. A description of the historic buildings, structures, sites and objects within the proposed property, to include the identification of contributing or non-contributing status of each;
 4. Specific design standards that reflect the individual character of the historic

- property to evaluate a requested material change.
 - ii. Upon completion of the Historic Designation Report, the plan shall be forwarded to the Georgia Division of Historic Preservation of the Department of Natural Resources or its successor.
 - iii. Upon receipt of comments from the Division of Historic Preservation, the **Planning MPC** Director shall amend the Historic Designation Report, if required, and prepare a recommendation to the Historic Preservation Commission.
- f. **Review by the Historic Preservation Commission**
 - i. **Public Hearing and Public Notice**

The **Planning MPC** Director shall schedule the public hearing and give public notice in accordance with Sec. 3.2, Public Notice, that the designation of a local historic property overlay district shall be considered by the Historic Preservation Commission.
 - ii. **Standards and Criteria**

The Historic Preservation Commission shall evaluate the proposed local historic property based upon the criteria in Sec. 3.17.4.
 - iii. **Action by the Historic Preservation Commission**

After consideration of the review criteria required by Sec. 3.17.4, the Historic Preservation Commission shall adopt a recommendation which shall indicate if the historic property designation should be:

 - 1. Approved as recommended by the **Planning MPC** Director;
 - 2. Approved with modifications;
 - 3. Continued to the next meeting or to a date certain; or
 - 4. Denied.

3.17.6 Removal of a Local Historic Property Designation

- c. **Review by the Historic Preservation Commission**
 - i. **Public Hearing and Public Notice**

The **Planning MPC** Director shall schedule the public hearing and give public notice in accordance with Sec. 3.2, Public Notice, that the removal of the designation as a local historic property shall be considered by the Historic Preservation Commission.

Sec. 3.18 Certificate of Appropriateness for Local Historic Districts and Local Historic Properties

3.18.3 Exemptions

- a. A Certificate of Appropriateness is not required for:
 - i. General exterior maintenance or minor, in-kind repairs; however, consultation with the **Planning MPC** Director is advised to discuss the extent of the work and the maintenance method or materials to be applied prior to beginning the work;

3.18.4 Pre-application Conference

- a. **Required Conference**

Prior to the submittal of an application for a Certificate of Appropriateness, the applicant shall

participate in a pre-application conference with the **Planning MPC** Director for major material changes in appearance alterations as identified on the application.

b. Recommended Conference

Prior to the submittal of an application for a Certificate of Appropriateness, it is recommended that the applicant participate in a pre-application conference with the **Planning MPC** Director for minor alterations material changes in appearance as identified on the application.

3.18.5 Coordination with Development Plan Review

The **Planning MPC** Director shall determine at the pre-application conference whether an application for a development plan is required in addition to the application for a Certificate of Appropriateness. If such plan is required, it shall be submitted in accordance with Sec. 3.8, Development Plan Review.

3.18.6 Required Public Hearing and Public Notice

Once the application has been deemed sufficient, the **Planning MPC** Director shall schedule a public hearing and give public notice in accordance with Sec. 3.2, Public Notice.

3.18.7 Review by the Historic Preservation Commission

a. Review Responsibility

- i. The Historic Preservation Commission shall review all material changes in appearance except those that are exempted in Sec. 3.18.3. An application for a Certificate of Appropriateness shall be submitted for such changes.
- ii. Once the application has been deemed complete by the **Planning MPC** Director, the application shall be scheduled for a public hearing before the Historic Preservation Commission as required by O.C.G.A. §44-10-21, or as amended.
- iii. Based on the applicable review criteria in Sec. 3.18.7.b., the **Planning MPC** Director shall present the application together with a recommendation for approval, continuance or denial to the Historic Preservation Commission. The recommendation may include modifications and/or conditions.
- iv. Final action by the Historic Preservation Commission shall be made within 30 days of receipt of a complete application as required by O.C.G.A. §44-10-21, or as amended.

d. Action by the Historic Preservation Commission

After consideration of the applicable review criteria, the Historic Preservation Commission shall adopt one of the following actions:

- i. Approval as recommended by the **Planning MPC** Director;
- ii. Approval with modifications and/or conditions;
- iii. Denial; or
- iv. Continued to the next meeting or to a date certain upon the request or agreement of the applicant.

3.18.8 Criteria for Relocation or Demolition

e. Demolition Due to Immediate Threat

Any order for demolition by the City Manager or his or her designee in whole or in part, of any contributing resource within a local historic district or local historic property due to a dangerous, hazardous or unsafe condition shall not be issued until the order has been reviewed and signed by a Georgia-licensed structural engineer, ~~Planning~~ **MPC** Director and the City Manager.

3.18.12 Enforcement

- c. For any work requiring a Certificate of Occupancy or Completion, the City Manager or his or her designee will not issue a Certificate of Occupancy or Completion until the ~~Planning~~ **MPC** Director has verified the work was performed in compliance with a Certificate of Appropriateness.

3.18.13 Violation and Penalty

- a. Where work is performed without issuance of a Certificate of Appropriateness, the owner shall apply for a Certificate of Appropriateness within five (5) working days of notification by the ~~Planning~~ **MPC** Director or City Manager or his or her designee. If the application is denied, or portion of the application is denied, the owner shall be required to return the denied portion of the work to its state prior to the work within 30 days of the denial or as specified by the Historic Preservation Commission.

Violations of any provision of this Ordinance shall be punished in accordance with Article 12.0, Violations, Penalties and Enforcement.

Sec. 3.19 Certificate of Appropriateness for the Savannah Downtown Historic District

3.19.3 Exemptions

A Certificate of Appropriateness is not required for:

- a. General exterior maintenance or minor, in-kind repairs; however, consultation with the ~~Planning~~ **MPC** Director is advised to discuss the extent of the work and the maintenance method or materials to be applied prior to beginning the work;

3.19.4 Pre-application Conference

a. Required Conference

Prior to the submittal of an application for a Certificate of Appropriateness that will require review by the Savannah Downtown Historic District Board of Review (hereafter Historic Board of Review), the applicant shall participate in a pre-application conference with the ~~Planning~~ **MPC** Director.

b. Recommended Conference

Prior to the submittal of an application for a Certificate of Appropriateness that does not require review by the Savannah Downtown Historic Board of Review, it is recommended that the applicant request and participate in a pre-application conference with the ~~Planning~~ **MPC** Director.

3.19.5 Coordination with Development Plan Review

The **Planning MPC** Director shall determine at the pre-application conference whether an application for a development plan is required in addition to the application for a Certificate of Appropriateness.

3.19.6 Required Public Hearing and Public Notice

Once the application has been deemed sufficient, the **Planning MPC** Director shall determine whether the application requires review by the Historic Board of Review or by the **Planning MPC** Director based on the criteria established in Sec. 3.19.8.

For any application requiring review by the Historic Board of Review, the **Planning MPC** Director shall schedule a public hearing and give public notice. For any application being reviewed by the **Planning MPC** Director, public notice shall not be required.

3.19.7 Review by the **Planning MPC Director**

a. Review Responsibility

The following shall be reviewed by the **Planning MPC** Director:

- i. Minor changes to contributing and noncontributing resources including color changes, window and door replacement (provided the opening size remains the same), roof replacement and shutter installations;
- ii. A material change to, or the new construction of walls, fences, screens or paving;
- iii. The erection, placement or alteration of any non-illuminated sign exceeding three (3) square feet except for those identified in Sec. 3.19.8.a.ii.; and
- iv. The erection, placement or alteration of awnings.

b. Review Criteria

The **Planning MPC** Director shall review and take final action on the proposed Certificate of Appropriateness by applying the applicable standards and criteria below. Depending on the specific nature of the proposed material change, one or more of the standards and criteria below may apply (see application for more information on which standards and criteria to apply).

- i. The design standards and visual compatibility criteria established for the district as provided in Sec. 7.8, Savannah Downtown Historic Overlay District;
- ii. The Secretary of the Interior's Standards and Guidelines for Rehabilitation, where applicable;
- iii. The sign criteria in Sec. 9.9, Signs;
- iv. The relocation or demolition standards identified in Sec. 3.19.9;
- v. Development standards within applicable zoning districts as identified in Article 5.0 Base Zoning Districts; and/or
- vi. Accessory structure and accessory dwelling unit standards in Sec. 8.7.

c. Special Exceptions

The **Planning MPC** Director shall be permitted to grant certain adjustments as identified in Sec. 3.12.2.a.ix. – xi., Special Exceptions.

d. Action by the Planning MPC Director

Based on the applicable review criteria, findings shall be provided with the following action which shall indicate if the application should be:

- i. Approved as proposed by the applicant within 45 days of receipt of a complete application;
- ii. Approved with modifications or conditions within 45 days of receipt of a complete application;
- iii. Denied; or
- iv. Referred to the Historic Board of Review at the discretion of the Planning MPC Director. Public notice shall be consistent with Sec. 3.2, Public Notice.

3.19.8 Review by the Historic District Board of Review

a. Review Responsibility

- i. The Historic District Board of Review shall review all material changes in appearance except those that are exempted by this Section or described in Sec. 3.19.7.
- ii. The Historic District Board of Review shall review all illuminated signs as well as signs painted on a building and marquee signs.
- iii. Based on the review criteria in Sec. 3.19.8.b., the Planning MPC Director shall present the application together with a recommendation for approval, continuance or denial to the Historic District Board of Review. The recommendation may include modifications and/or conditions.
- iv. Final action by the Historic District Board of Review shall be made within 30 days of receipt of a complete application.

d. Action by the Historic District Board of Review

- i. After consideration of the applicable review criteria, the Historic District Board of Review shall make the final decision that the application should be:
- ii. Approved as recommended by the Planning MPC Director;
- iii. Approved with modifications and/or conditions;
- iv. Denied; or
- v. Continued to the next meeting or to date certain upon the request or agreement of the applicant.

3.19.13 Enforcement

- c. The City Manager or his or her designee will not issue a Certificate of Occupancy or Completion until the Planning MPC Director has verified the work was performed in compliance with Certificate of Appropriateness.

3.19.14 Violation and Penalty

- a. Where work is performed without issuance of a Certificate of Appropriateness, the owner shall apply for a Certificate of Appropriateness within five (5) working days of receiving notification by the Planning MPC Director or City Manager or his or her designee. If the application is denied, or portion of the application is denied, the owner shall be required to return the denied portion of the work to its state prior to the work within 30 days of the denial or as specified by the Historic

Board of Review or the **Planning MPC** Director.

Sec. 3.20 Proactive Preservation

3.20.6 Undue Economic Hardship

b. Review Process

The **Planning MPC** Director shall review the application and decide as to whether undue economic hardship exists.

3.20.7 Development of a Preservation Plan

- a. If it is determined that an undue economic hardship exists, the **Planning MPC** Director will develop a Preservation Plan for the property which may include, but will not be limited to, the following:
 - i. A detailed list of work to be completed to alleviate the determination of demolition by neglect;
 - ii. Any loans or grants available;
 - iii. Acquisition by purchase options;
 - iv. Time frame for rectification.
- b. Should the **Planning MPC** Director find that undue economic hardship does not exist, the City Manager or his or her designee shall notify the property owner and provide a time frame for rectification.
- c. Should the property owner(s) fail to respond within the given time frame, regardless of the determination of economic hardship, the Mayor and Aldermen may cause such property to be repaired and rely on other legal remedies to recover the cost of repair.

Sec. 3.21 Variances

3.21.3 Application Process

As described below, an application for a variance shall be submitted to the applicable review authority.

a. Zoning Board of Appeals

Prior to the submittal of an application for a variance, the applicant shall participate in a pre-application conference ~~with the Planning Director~~ **in accordance with Sec. 3.1.2, Pre-application Conference.**

b. Planning Commission

Prior to the submittal of an application for a variance, the applicant shall participate in a pre-application conference ~~with the Planning Director~~ **in accordance with Sec. 3.1.2, Pre-application Conference.**

c. Savannah Downtown Historic Board of Review

Prior to the submittal of an application for a variance, the applicant shall participate in a pre-application conference in accordance with the process for a Certificate of Appropriateness for the Savannah Downtown Historic District, as specified in Sec. 3.19.4, Pre-application Conference.

3.21.5 Required Public Hearing/Public Hearing and Public Notice

Once the application has been determined complete, the **Planning MPC** Director shall schedule a public hearing, as applicable, and give public notice in accordance with Sec. 3.2, Public Notice.

Sec. 3.22 Written Interpretations

3.22.1 Applicability

The City Manager or his or her designee shall be authorized to make all interpretations concerning the provisions of this Ordinance. As needed, the City Manager may confer with the **Planning MPC** Director when rendering an interpretation. Interpretations include, but are not limited to:

- a. The text of this Ordinance;
- b. Zoning district boundaries; and,
- c. A use not listed in this Ordinance.

3.22.3 Rendering of an Interpretation

- a. The City Manager or his or her designee shall render a written interpretation within 30 business days of the request for interpretation.
- b. The written interpretation shall be mailed or emailed to the applicant. If the interpretation relates to a specific property or properties and the applicant is not the owner of such property, the written interpretation shall also be mailed or emailed to the property owner(s).
- c. The City Attorney and **Planning MPC** Director shall also receive a copy of the written interpretation.

Sec. 3.23 Appeals

Sec. 3.24 Relief for Nonconforming Uses and Structures

3.24.10 Public Notice Requirements

- a. After the application has been deemed complete by the **Planning MPC** Director, the petition will be scheduled for a public hearing before the Zoning Board of Appeals.
- b. Notice shall be required in accordance with the procedures in Sec. 3.2, Public Notice.

SECTION 3: That Part 8, Planning and Regulation of Development, Article 6.0 Special Purpose District, Section 6.1 Planned Development District, is hereby amended as set forth below, with additions shown in red, bold, and underlined and deletions shown in blue, bold, and strikethrough.

Sec. 6.1 Planned Development District

6.1.3 Initiation of a Planned Development Rezoning

An application for a Planned Development rezoning may be initiated by any person, or agent for such person, who seeks to rezone his or her own property. **Prior to the submittal of an application for a Planned Development rezoning, the applicant shall participate in a pre-application conference as described in Sec. 3.1.2.**

6.1.10 Large-Scale Planned Development (L-PD) Procedures

The Large-Scale PD approval process shall require that the applicant participate in a pre-application conference with the **Planning MPC** Director and follow these procedures:

a. **General Master Plan - Consideration by Planning Commission**

The petitioner shall submit to the Planning Commission a completed Large-Scale Planned Development application and a General Master Plan, subject to the submittal requirements of Sec. 6.1.17. General Master Plans for Large-Scale Planned Development shall be considered by the Planning Commission at a public hearing prior to a public hearing by the Mayor and Aldermen.

d. **Action by the Mayor and Aldermen**

Within seven (7) days of the Planning Commission's recommendation, the **Planning MPC** Director shall forward the recommendation of the Planning Commission to the Mayor and Aldermen for final action.

6.1.11 Small-Scale Planned Development (S-PD) Procedures

The Small-Scale PD approval process shall require that the applicant participate in a pre-application conference with the **Planning MPC** Director and follow these procedures:

6.1.21 Conditions in the Master Plan

In some cases, the ability to implement or strictly follow approved General Master Plan conditions can be problematic due to circumstances in the field (e.g. undisturbed buffers or streetscapes required by the General Master Plan) which may not be possible to implement due to road widenings, utility relocation, driveways and/or visibility triangles). In such cases, the **Planning MPC** Director shall establish an alternative to the conditions in a way that most closely meets its original intent.

6.1.22 Amendments to an Approved Master Plan

Amendments to General Master Plans and Final Master Plans shall be reviewed as follows:

a. **Amendments to General Master Plans**

Amendments to General Master Plans may be classified as minor or major amendments, as determined by the **Planning MPC** Director. Minor amendments to General Master Plans shall be subject to Planning Commission approval. Major amendments to General Master Plans shall be subject to Planning Commission review and Mayor and Aldermen approval as contained in Sec. 6.1.10.

b. **Amendments to Final Master Plans**

Amendments to Final Master Plans may be classified as minor or major amendments as determined by the **Planning MPC** Director. Minor amendments to Final Master Plans shall be subject to approval by the **Planning MPC** Director. Major amendments to Final Master Plans shall be subject to Planning Commission approval, as contained in Sec. 6.1.10.

SECTION 4: That Part 8, Planning and Regulation of Development, Article 7.0 Overlay Districts, Section 7.2 Airport, Airfield Overlay District, Section 7.8 Savannah Downtown Historic Overlay District, Section

7.9 Victorian Historic Overlay District, Section 7.10 Cuyler-Brownville Historic Overlay District, and Section 7.13 Hotel Development Overlay District, are hereby amended as set forth below, with additions shown in red, bold, and underlined and deletions shown in blue, bold, and strikethrough.

ARTICLE 7.0 OVERLAY DISTRICTS

Sec. 7.2 Airport, Airfield Overlay District

7.2.3 Applicability

The standards for the AOD shall apply to those properties that lie within the overlay district boundaries. When a property is split by the boundary of the AOD, only that portion of the property within the overlay district shall be required to meet the provisions of the district.

For aviation safety and air service considerations, aircraft operations within a five-mile radius of the airport shall comply with FAA and Airport Commission standards as published. Plans for zoning, rezoning, and site development shall be sent to the Airport Commission for review and comment. Comments shall be submitted to the **Planning MPC** Director within ten days.

Sec. 7.8 Savannah Downtown Historic Overlay District

7.8.7 Criteria for a Certificate of Appropriateness

The Historic Board of Review or the **Planning MPC** Director shall review and take final action on a proposed Certificate of Appropriateness by applying the applicable standards and criteria below. Depending on the specific nature of the proposed material change, one or more of the standards and criteria may apply. The application for a Certificate of Appropriateness will indicate which standards and criteria apply based on the work proposed.

- a. Secretary of the Interior's Standards and Guidelines for Rehabilitation (Sec. 7.8.8)
- b. Visual Compatibility Criteria (Sec. 7.8.9);
- c. Savannah Downtown Historic District Design Standards (Sec. 7.8.10);
- d. Relocation Standards (Sec. 3.19.9);
- e. Demolition Standards (Sec. 3.19.9);
- f. Sign Standards (Sec. 9.9); and
- g. Subdivision and Recombination Standard (7.8.12).

e. Foundations

- i. Alterations to contributing resources
 1. Foundations shall be repaired with in-kind materials rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director and the new foundation shall be of the same materials and configuration as the original foundation.
 2. If the original foundation material and/or configuration is unknown, the new foundation material and configuration shall be based on historic context.
 3. The space between piers may be filled with heavy gauge wood lattice with at least

one-half (0.5) inch thick lattice boards, horizontal boards, brick, or true stucco over concrete block. Infill material shall be recessed a minimum of three inches behind the front edge of the pier so that the piers are clearly visible and differentiated.

f. Exterior Walls

i. Alterations to contributing resources

1. Materials

- a. Exterior walls shall be repaired with in-kind materials rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director, and the replacement materials and configuration shall be of the same materials and configuration as the original wall.

g. Entrances and Doors

i. Alterations to contributing resources

1. Doors shall be repaired rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation of the door shall be photographically documented and verified by the **Planning MPC** Director, and the new door shall be of the same material and configuration as the original.

h. Windows, Shutters and Commercial Storefronts

i. Windows

1. Alterations to contributing resources

- a. Windows shall be repaired rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation of each window shall be photographically documented and verified by the **Planning MPC** Director, and the new window shall be of the same materials and configuration as the original (including single-gazed and true-divided lights, when appropriate).

iii. Commercial Storefronts

1. Alterations to contributing resources

- a. Original storefronts shall be repaired rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director, and the new storefront shall be the of same materials and configuration as the original.

i. Porches, Stoops, Balconies, Porticos, Exterior Stairs and Decks

i. Alterations to contributing resources

1. Porches shall be repaired rather than replaced, provided however, if the degree of degradation does not allow for repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director, and the new porch materials and configuration shall be the same of the same materials and configuration as the original.

k. Roofs

i. Contributing Resources

2. Materials

- a. Original roof material shall be repaired rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director, and the new roof shall be of the same material and configuration as the original (except wood or asbestos).

Sec. 7.9 Victorian Historic Overlay District

7.9.10 Victorian Historic District Design Standards

a. New Construction, Additions, and Alterations

iii. Foundation

The intent of these standards is to ensure that foundations match the traditional pattern of construction in height and materials and complement the craftsmanship of contributing buildings.

1. Alterations to contributing resources
 - a. Foundations shall be repaired rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director and the new foundation shall be of the same materials and configuration as the original foundation.

iv. Exterior Walls

The intent of these standards is to ensure that exterior building walls reflect and complement the traditional materials and construction techniques of the district's architecture.

1. Alterations to contributing resources

- a. Exterior walls shall be repaired rather than replace, provided however, if the degree of degradation does not allow repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director, and the new wall shall be of the same materials and configuration as the original wall

v. Windows, Shutters and Storefronts

The intent of these standards is to ensure that windows, shutters and storefronts reinforce a sense of rhythm and continuity in architecture and enhance pedestrian activity at the street level.

1. Windows

a. Alterations to contributing resources

- i. Windows shall be repaired rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation of each window shall be photographically documented and verified by the

Planning MPC Director, and the new window shall be of the same materials and configuration as the original (including single-glazed and true-divided lights, when appropriate).

3. Storefronts

a. Alterations to contributing resources

- i. Original storefronts shall be repaired rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director, and the new storefront shall be of the same materials and configuration as the original.

vi. Doors/Entrances

The intent of these standards is to ensure that the placement of doors and entrances provides a sense of rhythm and continuity in architecture.

1. Alterations to contributing resources

- a. Doors shall be repaired rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation of the door shall be photographically documented and verified by the **Planning MPC** Director, and the new door shall be of the same material and configuration as the original.

vii. Porches, Stoops, Balconies and Decks

1. Alterations to contributing resources

- a. Porches shall be repaired rather than replaced, provided however, if the degree of degradation does not allow for repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director, and the new porch shall be of the same material and configuration as the original.

ix. Roof

The intent of these standards is to ensure that roof forms are designed to provide visual interest and coherence in a manner that is consistent with contributing resources.

1. Contributing Resources

a. Materials

- i. Original roofs shall be repaired rather than replaced provided however, if the degree of degradation does not allow repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director, and the new roof shall be the same material and configuration as the original (except wood or asbestos).

b. Parking and Paving

The intent of these standards is to create and protect contiguous, active pedestrian street fronts. The use of pervious paving shall be encouraged. In addition to the requirements set forth in Sec. 9.3, Off-Street Parking and Loading, parking and paving shall comply with the following:

- i. New construction shall include a private sidewalk that connects the main entrance of the principal structure to the public sidewalk. Private sidewalks shall be constructed of brick, concrete, stone or other materials as approved by the **Planning MPC** Director.
- v. **Vehicular Access**
 - 1. For single and two-family dwellings, where a site has access to a lane, the lane shall be the sole means of vehicular access to the site. Where lane access is not available, a driveway shall be permitted from the street provided that it is a ribbon strip design. The driveway shall be no wider than 12 feet and the area between the strips shall be planted with grass or plants that grow or are maintained to no taller than one-half foot.
 - 2. For uses other than single and two-family dwellings, vehicular access shall be from the lane. Where there is no lane, the **Planning MPC** Director and the City Manager or his or her designee shall consult with each other to determine the most appropriate access location.

Sec. 7.10 Cuyler-Brownville Historic Overlay District

7.10.10 Cuyler-Brownville Historic District Design Standards

a. New Construction, Additions and Alterations

iii. Foundation

The intent of these standards is to ensure that foundations match the traditional pattern of construction in height and materials and complement the craftsmanship of contributing buildings.

1. Alterations to contributing resources

- a. Foundations shall be repaired rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director and the new foundation shall be of the same materials and configuration as the original foundation.

iv. Exterior Walls

The intent of these standards is to ensure that exterior building walls reflect and complement the traditional materials and construction techniques of the district's architecture.

1. Alterations to contributing resources

- a. Exterior walls shall be repaired rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director, and the replacement wall shall be of the same materials and configuration as the original wall.

v. Windows, Shutters and Storefronts

The intent of these standards is to ensure that windows, shutters, and storefronts reinforce a sense of rhythm and continuity in architecture and enhance pedestrian activity at the street level.

1. Windows

- a. Alterations to contributing resources

- 1. Windows shall be repaired rather than replaced, provided however, if the degree

of degradation does not allow repair, the degradation of each window shall be photographically documented and verified by the **Planning MPC** Director, and the new window shall be of the same materials and configuration as the original (including single-glazed and true-divided lights, when appropriate).

3. Storefronts

a. Alterations to contributing resources

- i. Original storefronts shall be repaired rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director, and the new storefront shall be of the same materials and configuration as the original.

vi. Doors/Entrances

The intent of these standards is to ensure that the placement of doors and entrances provides a sense of rhythm and continuity in architecture.

1. Alterations to contributing resources

- a. Doors shall be repaired rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation of the door shall be photographically documented and verified by the **Planning MPC** Director, and the new door shall be of the same material and configuration as the original.

vii. Porches, Stoops, Balconies and Decks

1. Alterations to contributing resources

- a. Porches shall be repaired rather than replaced, provided however, if the degree of degradation does not allow for repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director, and the new porch shall be of the same material and configuration as the original.

ix. Roof

The intent of these standards is to ensure that roof forms are designed to provide visual interest and coherence in a manner that is consistent with contributing resources.

1. Contributing Resources

a. Materials

- i. Original roof material shall be repaired rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director, and the new roof shall be of the same material as the original (except wood or asbestos).

b. Parking and Paving

The intent of these standards is to create and protect contiguous, active pedestrian street fronts. In addition to the requirements set forth in Sec. 9.3, Off-Street Parking and Loading, parking and

paving shall comply with the following:

- i. New construction shall include a private sidewalk that connects the main entrance of the principal structure to the public sidewalk. Private sidewalks shall be constructed of brick, concrete, stone or other materials as approved by the **Planning MPC** Director.

iii. Vehicular Access

1. For single- and two-family dwellings, where a site has access to a lane, the lane shall be the sole means of vehicular access to the site. Where lane access is not available, a driveway shall be permitted from the street provided that it is a ribbon strip design. The driveway shall be no wider than 12 feet and the area between the strips shall be planted with grass or plants that grow or are maintained to no taller than one-half foot.
2. For uses other than single and two-family dwellings, vehicular access shall be from the lane. Where there is no lane, the **Planning MPC** Director and the Governing Body Engineer shall consult with each other to determine the most appropriate access location.

iii. Foundation

The intent of these standards is to ensure that foundations match the traditional pattern of construction in height and materials and complement the craftsmanship of contributing buildings.

1. Alterations to contributing resources
 - a. Foundations shall be repaired rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director and the new foundation shall be of the same materials and configuration as the original foundation.

iv. Exterior Walls

The intent of these standards is to ensure that exterior building walls reflect and complement the traditional materials and construction techniques of the district's architecture.

1. Alterations to contributing resources

- a. Exterior walls shall be repaired rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director, and the new wall shall be of the same materials and configuration as the original wall.

v. Windows, Shutters and Storefronts

The intent of these standards is to ensure that windows, shutters, and storefronts reinforce a sense of rhythm and continuity in architecture and enhance pedestrian activity at the street level.

1. Windows

- a. Alterations to contributing resources
 - i. Windows shall be repaired rather than replaced, provided however, if the degree

of degradation does not allow repair, the degradation of each window shall be photographically documented and verified by the **Planning MPC** Director, and the new window shall be of the same materials and configuration as the original (including single-glazed and true-divided lights, when appropriate).

3. Storefronts

- a. Alterations to contributing resources:
 - i. Original storefronts shall be repaired rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director, and the new storefront shall be of the same materials and configuration as the original.

vi. Doors/Entrances

The intent of these standards is to ensure that the placement of doors and entrances provides a sense of rhythm and continuity in architecture.

1. Alterations to contributing resources

- a. Doors shall be repaired rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation of the door shall be photographically documented and verified by the **Planning MPC** Director, and the new door shall be of the same material and configuration as the original.

vii. Porches, Stoops, Balconies and Decks

1. Alterations to contributing resources

- a. Porches shall be repaired rather than replaced, provided however, if the degree of degradation does not allow for repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director, and the new porch shall be of the same material and configuration as the original.

ix. Roof

The intent of these standards is to ensure that roof forms are designed to provide visual interest and coherence in a manner that is consistent with contributing resources.

1. Contributing Resources

- a. Materials
 - i. Original roof material shall be repaired rather than replaced, provided however, if the degree of degradation does not allow repair, the degradation shall be photographically documented and verified by the **Planning MPC** Director, and the new roof shall be of the same material as the original (except wood or asbestos).

b. Parking and Paving

The intent of these standards is to create and protect contiguous, active pedestrian street fronts. In addition to the requirements set forth in **Sec. 9.3, Off-Street Parking and Loading**, parking and paving shall comply with the following:

- i. New construction shall include a private sidewalk that connects the main entrance of the principal structure to the public sidewalk. Private sidewalks shall be constructed of brick, concrete, stone or other materials as approved by the **Planning MPC** Director.

iv. Vehicular Access

2. For uses other than single and two-family dwellings, vehicular access shall be from the lane. Where there is no lane, the **Planning MPC** Director and the City Traffic Engineer shall consult with each other to determine the most appropriate access location.

Sec. 7.13 Hotel Development Overlay District

7.13.5 Hotel Use Conditions

b. Re-establishment of a Historic Hotel

An existing contributing building located within the Hotel Development Overlay District, that was constructed as a hotel within the Period of Significance, as defined in Sec. 7.8.5, and subsequently converted to another use, may be re-established as a hotel. Section 7.13.5 (a) criteria does not apply to the re-establishment of a historic hotel. In such case, the **Planning MPC** Director, shall validate the prior historic use prior to the issuance of a Building Permit.

SECTION 5: That Part 8, Planning and Regulation of Development, Article 8.0 Use Standards, Section 8.2 Agriculture and Resource Extraction Use Standards for Limited and Special Uses, Section 8.6 Transportation, Communication and Utilities Use Standards for Limited and Special Uses, Section 8.9 Wireless Communications Facilities and Section 8.10 Cluster Development Standards, are hereby amended as set forth below, with additions shown in red, bold, and underlined and deletions shown in blue, bold, and strikethrough.

Article 8.0 Use Standards

Sec. 8.2 Agriculture and Resource Extraction Use Standards for Limited and Special Uses

8.2.2 Surface Mine / Borrow Pit

1. Certification of Approved Plans

Site development plans approved by the Planning Commission, as certified by the **Planning MPC** Director, shall be submitted to the City Manager or his or her designee for the issuance of applicable permits and for monitoring and enforcement of the provisions of these regulations and approved development plans.

A certified copy of the approved development plans including a land use plan and any protective covenants on the property, permitted uses and development standards, protecting buffer easements, permanent open spaces, and other easements, shall be forwarded by the **Planning MPC** Director to the Clerk of Superior Court of Chatham County, Georgia, to be recorded. The MPC shall provide the developer and the City Manager or his or her designee with the

subdivision map book number and page number in which the development plan and covenants have been recorded by the Clerk of Superior Court. The cost of such recording shall be paid by the developer and shall be deposited with the MPC prior to such recording.

Sec. 8.6 Transportation, Communication and Utilities Use Standards for Limited and Special Uses

8.6.2 Parking Facility

In Downtown districts, surface parking facilities approved after the Effective Date of this Ordinance shall be screened from streets (excluding lanes) with a combination of masonry wall, decorative fencing, and/or landscaping, as deemed appropriate by the ~~Planning~~ **MPC** Director. Pre-existing (nonconforming) parking facilities in existence as of the Effective Date of this Ordinance shall not be required to comply with the requirements of this Section unless substantial modifications are proposed.

Sec. 8.9 Wireless Communications Facilities

8.9.4 Submittal Requirements

An application for a WCF shall include the applicable items listed in this section, in addition to other requirements within this Section.

c. Evidence of Need Report

ii. Graphics to be provided shall include:

1. A map of the GSA to include the location of the proposed WCF and all existing WCFs (including those not owned by the applicant). The exact location of the facility (in longitude and latitude, to degrees, minutes and seconds to the nearest tenth) including the height of the antenna support structure and height, type and number of antennas shall be provided.
2. A color plot demonstrating the existing coverage of all WCFs owned by the applicant within the GSA.
3. A color plot demonstrating the existing coverage of all WCFs owned and proposed by the applicant within the GSA.
4. Additional maps and calculations as may be deemed necessary by the ~~Planning~~ **MPC** Director.

f. Visual Impact Analysis

For all freestanding non-concealed WCFs, a visual impact analysis shall be performed. All or a portion of the analysis shall be performed for other WCFs when, in the opinion of the ~~Planning~~ **MPC** Director, the proposed type of WCF and its location requires additional assessment (i.e., within a Residential district, recognized historic area, or scenic vista/landscape). The analysis shall include the following:

iii. Balloon Test

A balloon test may be required subsequent to the receipt of the photo simulations in order to demonstrate the proposed height of the WCF. The applicant shall arrange to raise a colored balloon (no less than three (3) feet in diameter) at the maximum height

of the proposed WCF and within 50 horizontal feet of the center of the proposed antenna support structure.

The date, time and location of the balloon test shall be advertised by the applicant at least seven (7) but no more than 14 days in advance of the test date in the official legal organ for the City of Savannah. The applicant shall inform the **Planning MPC** Director and abutting property owners in writing of the date and times of the test at least 14 days in advance. The balloon shall be flown for at least two (2) consecutive hours during daylight hours on the date chosen. The applicant shall record the weather during the balloon test.

8.9.6 Modifications

- c. The **Planning MPC** Director shall have the discretion to determine if a proposed change is a modification.

8.9.7 Maintenance

- b. If maintenance will impede access used by others, create noise in excess of 60 dB (at the property line) between the hours of 7:00 p.m. to 7:00 a.m., or have other potential nuisance effects during the period of maintenance, the owner of the facility undergoing maintenance shall notify the **Planning MPC** Director and adjacent property owners in writing at least five (5) days before maintenance is scheduled.

8.9.8 Abandonment and Discontinuation of Use

- a. At such time that an antenna support structure owner or wireless provider plans to abandon or discontinue operation of a WCF, said owner shall notify the **Planning MPC** Director by certified U.S. mail of the proposed date of abandonment or discontinuation of operations.
- b. In the event all legally approved use of any WCF has been discontinued for a period of six (6) months and the antenna support structure owner or wireless provider has not notified the **Planning MPC** Director, the facility shall be deemed to be abandoned. Determination of the date of abandonment shall be made by the **Planning MPC** Director who shall have the right to request documentation and/or affidavits from the facility owner regarding the issue of usage, including evidence that use of the facility is imminent.
- c. At such time as the **Planning MPC** Director determines a WCF is abandoned, the **Planning MPC** Director shall provide the facility owner and property owner with written notice of an abandonment determination by certified mail addressed to all applicants at the addresses on file with the MPC and to the owner of the property at the address on file with the MPC, the property address and at the address to which tax notices are sent; additionally, notice shall be made by publication in the Savannah Morning News, or such other newspaper that is the official newspaper for the publication of legal notices. Failure or refusal by the facility owner or any other co-applicant to respond to such notice within 60 days of the receipt of the certified letter, or within 30 days of the last published notice, whichever is later, shall constitute prima facie evidence that the WCF has been abandoned.
- e. Upon a determination of abandonment by the **Planning MPC** Director, pursuant to this Section, and the failure of the WCF owner or other co-applicant to remove the facility in accordance

with this Section, the facility and related structures shall be deemed unfit for use and in violation of the permit requirements so as to be deemed a danger to public health and a public and private nuisance. Failure of the WCF owner or other co-applicant to dismantle and physically remove the facility and related structures in accordance with the terms of this Section shall authorize the governing jurisdiction to do so in order to abate the nuisance and/or ensure compliance with this Section. The dismantling and the physical removal of such abandoned WCFs is the responsibility of the WCF owner and other co-applicants and shall become a lien upon the property. If the cost of such dismantling and physical removal is borne by the governing jurisdiction, the cost therefore shall be charged to the WCF owner and all co-applicants. The governing jurisdiction shall have the authority to enforce the collection of the charges associated with the dismantling and physical removal of abandoned WCFs by any and all means provided by law when such charges are due and remain unpaid for a period of thirty (30) days.

8.9.6 Modifications

- a. A modification is a proposed change to any portion of a WCF from its description in a previously approved permit that:
 - i. When viewed from ground level from surrounding properties, appears to be a different height, size, type or appearance than what exists on or is associated with the WCF.
 - ii. Increases the number of antennas on an array, change in antenna type(s), repositions of antenna(s) or change in number of channels per antenna above the maximum number approved; or
 - iii. Changes structural wind-loading;
- b. All modifications shall comply with any conditions or provisions of the existing permit, for the property or WCF and with applicable standards of this Section, including the lighting and safety markings (taping) as described in Sec. 8.9.5.f.
- c. The ~~Planning~~ **MPC** Director shall have the discretion to determine if a proposed change is a modification.
- d. For the purposes of this subsection, mere collocation shall not be considered a modification.

8.9.7 Maintenance

- b. If maintenance will impede access used by others, create noise in excess of 60 dB (at the property line) between the hours of 7:00 p.m. to 7:00 a.m., or have other potential nuisance effects during the period of maintenance, the owner of the facility undergoing maintenance shall notify the ~~Planning~~ **MPC** Director and adjacent property owners in writing at least five (5) days before maintenance is scheduled.

8.9.8 Abandonment and Discontinuation of Use

- a. At such time that an antenna support structure owner or wireless provider plans to abandon or discontinue operation of a WCF, said owner shall notify the ~~Planning~~ **MPC** Director by certified U.S. mail of the proposed date of abandonment or discontinuation of operations.

- b. In the event all legally approved use of any WCF has been discontinued for a period of six (6) months and the antenna support structure owner or wireless provider has not notified the **Planning MPC** Director, the facility shall be deemed to be abandoned. Determination of the date of abandonment shall be made by the **Planning MPC** Director who shall have the right to request documentation and/or affidavits from the facility owner regarding the issue of usage, including evidence that use of the facility is imminent.
- c. At such time as the **Planning MPC** Director determines a WCF is abandoned, the **Planning MPC** Director shall provide the facility owner and property owner with written notice of an abandonment determination by certified mail addressed to all applicants at the addresses on file with the MPC and to the owner of the property at the address on file with the MPC, the property address and at the address to which tax notices are sent; additionally, notice shall be made by publication in the Savannah Morning News, or such other newspaper that is the official newspaper for the publication of legal notices. Failure or refusal by the facility owner or any other co-applicant to respond to such notice within 60 days of the receipt of the certified letter, or within 30 days of the last published notice, whichever is later, shall constitute prima facie evidence that the WCF has been abandoned.
- d. If the owner of the WCF fails to respond or fails to demonstrate that the WCF is not abandoned, the facility shall be considered abandoned and the owner of the facility shall have an additional 120 days to:
 - i. Reactivate the use of the WCF or transfer the WCF to another owner who makes actual use of the facility, subject to permit approval, within a 120-day period; or
 - ii. Dismantle and physically remove the WCF. "Physically remove" shall include, but not be limited to removal of antennas, antenna support structures, equipment shelters and any associated materials from the subject property, where applicable. Physically remove shall also include restoration of the location of the WCF to its natural condition, where applicable, except that any landscaping and grading shall remain in post-development condition.
- e. Upon a determination of abandonment by the **Planning MPC** Director, pursuant to this Section, and the failure of the WCF owner or other co-applicant to remove the facility in accordance with this Section, the facility and related structures shall be deemed unfit for use and in violation of the permit requirements so as to be deemed a danger to public health and a public and private nuisance. Failure of the WCF owner or other co-applicant to dismantle and physically remove the facility and related structures in accordance with the terms of this Section shall authorize the governing jurisdiction to do so in order to abate the nuisance and/or ensure compliance with this Section. The dismantling and the physical removal of such abandoned WCFs is the responsibility of the WCF owner and other co-applicants and shall become a lien upon the property. If the cost of such dismantling and physical removal is borne by the governing jurisdiction, the cost therefore shall be charged to the WCF owner and all co-applicants. The governing jurisdiction shall have the authority to enforce the collection of the charges associated with the dismantling and physical removal of abandoned WCFs by any and all means provided by law when such charges are due and remain unpaid for a period of thirty (30) days.
- f.

8.9.10 Review Procedures

a. Pre-Application Conference

Prior to the submission of an application, the applicant shall have a pre-application conference with the **Planning MPC** Director to discuss a new WCF and the filing requirements. It shall be the discretion of the **Planning MPC** Director to waive this requirement.

b. Application Submission

- i. An application shall be reviewed for completeness. If any required item fails to be submitted, the application shall be deemed incomplete. The **Planning MPC** Director shall advise an applicant, in writing, within 15 business days after submittal of an application regarding completeness. If the application is incomplete, such notice shall set forth the missing items or deficiencies in the application which the applicant must correct and/or submit in order for the application to be deemed complete. If the application is complete, the notification will identify completeness and the type of review to be conducted.
- ii. Upon resubmittal of an application, the **Planning MPC** Director shall have an additional 15 business days to give notice as to the completeness of the amended application.

8.9.11 Reserved

8.9.12 Review Responsibility

Review procedures vary by the type of WCF facility proposed. Where due to the complexity of the methodology or analysis required to review an application for a WCF requiring radio frequency analysis, the **Planning MPC** Director may require a technical expert review as described in Sec. 8.9.13 Review procedures are as follows:

Table 8.9-4 Review Responsibility by Facility Type

Facility Type	Review Responsibility	Other Considerations
Concealed Attached	Planning MPC Director	
Collocation or Combined on Existing Antenna Support Structure	Planning MPC Director	
Non-concealed Attached	Planning MPC Director	Planning Commission review required if proposed in a recognized historic area.
Concealed Freestanding	Planning Commission	
Non-concealed Freestanding	Planning Commission	Not allowed within a residential district, a recognized historic area as identified in Sec. 8.9.5.g, within 100 feet of either, or within a scenic vista or landscape as identified in Sec. 8.9.5.h.

Table 8.9-4 Review Responsibility by Facility Type

Facility Type	Review Responsibility	Other Considerations
Modification	Planning MPC Director	
Exceptions to the Above Facilities		
A request for any waiver identified in this Section	Planning Commission	
Replacement or reconstruction of existing antennas and monopoles	Planning Commission	Sec. 8.9.9

8.9.13 Notification

An application that requires review by the Planning Commission (not to include reviews by the ~~Planning~~ **MPC** Director) shall have public notice to include:

8.9.14 Supplemental Review

A supplemental review will be required for a freestanding WCF and may be required for all other types of WCFs, when determined necessary, subject to the following:

- a. Where due to the complexity of the methodology or analysis required to review an application for a WCF, the ~~Planning~~ **MPC** Director or Planning Commission may require a supplemental review by a third-party expert, the costs of which shall be borne by the applicant and be in addition to other applicable fees.
- b. The applicant shall submit a deposit towards the costs of such supplemental review upon written notification from the ~~Planning~~ **MPC** Director that such review is required.

Sec. 8.10 Cluster Development Standards

8.10.4 Density

a. Determining Permitted Density

- i. The permitted number of dwelling units shall not exceed the number of units that would be permitted if the land were subdivided into lots conforming to the minimum lot size and density requirements of the base zoning district and all other requirements of the City Code. To determine density, the applicant shall submit a yield plan meeting the following requirements:
 1. At a minimum, yield plans shall be prepared as a conceptual sketch plan in accordance with the minimum development standards for the zoning district involved and the applicable Subdivision Regulations as determined by the ~~Planning~~ **MPC** Director; and

SECTION 6: That Part 8, Planning and Regulation of Development, Article 9.0 General Site Standards, Section 9.3 Off-Street Parking and Loading and Section 9.5 Screening and Buffers, are hereby amended

as set forth below, with additions shown in red, bold, and underlined and deletions shown in blue, bold, and strikethrough.

ARTICLE 9.0 GENERAL SITE STANDARDS

Sec. 9.3 Off-Street Parking and Loading

9.3.5 Design Standards

c. Surfacing

iv. Waiver or Modification

The ~~Planning~~ **MPC** Director may waive or modify the requirements when one of the following situations exists:

9.3.8 Alternative Parking Plan

b. General

Alternative plans for providing off-street parking spaces required by this Section shall be in accordance with the standards and methodologies defined in Sec. 9.3.8(c). The ~~Planning~~ **MPC** Director shall be authorized to approve alternative parking plans associated with a minor or major site plan. The City Manager or his or her designee shall be authorized to approve alternative parking plans associated with a City of Savannah Development Plan Review or change of use.

2. The approved plan shall take the form of a recordable plat and shall be signed by the City Manager or his or her designee and ~~Planning~~ **MPC** Director. The plat shall be recorded with the Clerk of the Superior Court of Chatham County. A digital copy (.dwg file) of the plat shall be provided with the recordable plat.

Sec. 9.5 Screening and Buffers

9.5.3 Screening of Service Areas

f. Refuse Storage Facilities

iii. Screening Methods

2. Refuse storage facility screening shall be accomplished by an opaque enclosure which is at least one (1) foot taller than the receptacle being screened, not to exceed eight (8) feet in height. The enclosure shall be made of masonry materials that are compatible with the materials of the principal building. The gate shall be made of wood, vinyl or comparable material as determined by the ~~Planning~~ **MPC** Director.

9.5.4 Buffers

b. Applicability

- ii. Where a building, structure or area for parking, storage or display existed as of the Effective Date of this Ordinance, and such building, structure or area for parking, storage or display is enlarged in floor area, footprint or impervious area on the site by at least 25% or 2,000 square feet, whichever is less, required buffers as specified in this Section shall be provided as indicated below. Incremental expansions shall be considered cumulative in determining

whether the threshold has been reached.

2. Expansion of a building or structure shall require compliance only with the Use Buffer section except as in (3) below. Required compliance shall be only along the property line(s) or portion thereof affected by the expansion as determined by the **Planning MPC** Director.

14. Other materials as approved by the **Planning MPC** Director.

f. Review of Signs within a Historic Special Sign District

i. Historic Board of Review

Per Table 9.9-5, Signs Allowed in Historic Special Sign District, all illuminated signs within the Savannah Downtown Historic Sign District, City Market Sign District, Broughton Street Sign District, and the Factors Walk Sign District shall require review by the Historic Board of Review in accordance with Sec. 3.19, Certificate of Appropriateness for the Savannah Downtown Historic District. Non-illuminated signs exceeding three (3) square feet in area shall require review by the **Planning MPC** Director in accordance with Sec. 3.19.

e. Special Sign Standards for the Plant Riverside Sign District The following provisions shall apply to the Plant Riverside Sign District:

i. Requirements. All signs permitted within the District shall meet the following conditions:

1. Temporary Signs and Banner Signs. Temporary signs shall be permitted provided that:

- d. External sign lighting may be allowed if approved by the **Planning MPC** Director during the sign review process. If permitted by the **Planning MPC** Director, only small, discreet lighting with shielded light sources and a color temperature between 2500k and 3500k shall be utilized in the District.

2. Building Identification Signs. Building identification signs shall be permitted in the following forms, provided that:

- a. Fascia Signs. Fascia signs shall be permitted provided that:

- i. For fascia signs mounted to an exterior wall:

4. Atmospheric lighting from the existing building lanterns shall be the preferred lighting source; however, internally lit signs within an enclosed lamp may be permitted by the **Planning MPC** Director. Fluorescent lights shall not be permitted. In addition, external sign lighting may be allowed as part of the sign assembly if approved by the **Planning MPC** Director. If permitted by the **Planning MPC** Director, only small, discreet lighting with shielded light sources and a color temperature between 2500k and 3500k shall be utilized in the District.

- ii. Painted Fascia Signs. Fascia signs painted on an exterior wall shall be permitted provided that:

3. Painted signs shall not exceed a maximum of 350 square feet of display area, and shall be limited to one (1) painted sign per side of building.

Additional sign lighting may be allowed if approved by the **Planning MPC** Director during the sign review process. If permitted by the **Planning MPC** Director, only small, discreet lighting with shielded light sources and a color temperature between 2500k and 3500k shall be utilized in the District.

b. Roof Mounted Signs. Roof mounted signs shall be permitted provided that:

vii. External sign lighting may be allowed if approved by the **Planning MPC** Director during the sign review process. If permitted by the **Planning MPC** Director, only small, discreet lighting with shielded light sources and a color temperature between 2500k and 3500k shall be utilized in the District.

3. **Principal Use Signs.** Principal use signs shall be permitted provided that:

b. Fascia Signs. Fascia signs shall be permitted provided that:

1. For fascia signs mounted to an exterior wall:

4. Atmospheric lighting from the existing building lanterns shall be the preferred lighting source; however, internally lit signs within an enclosed lamp may be permitted by the **Planning MPC** Director. Fluorescent lights shall not be permitted. In addition, external sign lighting may be allowed as part of the sign assembly if approved by the **Planning MPC** Director. If permitted by the **Planning MPC** Director, only small, discreet lighting with shielded light sources and a color temperature between 2500k and 3500k shall be utilized in the District.

c. Projecting Signs. Projecting signs shall be permitted provided that:

viii. Additional external sign lighting shall be allowed if permitted by the **Planning MPC** Director. If permitted by the **Planning MPC** Director, only small, discreet lighting with shielded light sources and a color temperature between 2500k and 3500k shall be utilized in the District. The use of reversed silhouette or “cut-out” letters shall be required to reduce glare where internal lighting is applied.

4. **Under-Awning and Canopy Signs.** Under canopy and canopy signs shall be permitted provided that:

m. Additional external sign lighting may be allowed as part of sign assembly if approved by the **Planning MPC** Director. If permitted by the **Planning MPC** Director, only small, discreet lighting with shielded light sources and a color temperature between 2500k and 3500k shall be utilized in the District.

SECTION 7: That Part 8, Planning and Regulation of Development, Article 13.0 Abbreviations and Definitions, Section 13.2 Defined Terms, General, is hereby amended as set forth below, with additions shown in red, bold, and underlined and deletions shown in blue, bold, and strikethrough.

ARTICLE 13.0 ABBREVIATIONS AND DEFINITIONS

SEC. 13.2 Defined Terms, General

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

SECTION 8: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 9: Should any section or provision of this ordinance be declared by a court of competent jurisdiction be invalid, that decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

SECTION 10: This ordinance shall become effective as of the date hereof.

ADOPTED AND APPROVED: ____ day of _____ 2026.

Van R. Johnson, II
Mayor

Mark Massey
Clerk of Council

USA TODAY CO.



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AFFIDAVIT OF PUBLICATION

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Savannah GA 31402-1027

STATE OF GEORGIA, COUNTY OF CHATHAM

The Savannah Morning News, a daily newspaper published and of general circulation in Chatham County; and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated or by publication on the newspaper's website, if authorized, on:

SAV Savannah Morning News 07/29/2026
SAV savannahnow.com 07/29/2026

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*****PUBLIC NOTICE*****

Notice is hereby given that The Mayor and Aldermen of the City of Savannah, Georgia, in regular meeting of Council, will convene a public/zoning hearing regarding text amendments to the Zoning Ordinance, Zoning Map (rezoning or zoning), and Future Land Use Map or Special Use Permits of property described below on Thursday, August 13, 2026, at 2:00 p.m. in Council Chambers on the 2nd Floor of City Hall, 2 East Bay Street, Savannah, GA.

Petition of Eric Scott and Ashley Scott for a Zoning Map Amendment from RSF-20 (Residential Single-Family-20) to RMF-2-15 (Residential Multi-Family-2-15 units per acre) with a Condition for 0.45 Acres at 0 Mohawk Street (20782 01020) in Aldermanic District 6 (26-002408-ZA).

Petition of Robert McCorkle on behalf of Train Track Investment, LLC for Terren Williams of Boxcar General, LLC, for a Special Use Permit to Permit Accessory Alcohol Sales in Association with a Restaurant with Conditions for 0.09 acres at 410 East 37th Street (PIN 20064 33001) in Aldermanic District 2 (26-002770-ZA).

Petition of Dana Collins of DCEnterprises, Inc. for a Special Use Permit to Permit Accessory Alcohol Sales in Association with a Restaurant with Conditions for 0.12 Acres at 10 East 41st Street (20074 04019) in Aldermanic District 2 (26-002394-ZA).

Petition of Kris Talsania KT-Bagel Two LLC dba Bagel Dock Express - Savannah on behalf of 601 39th Street LLC for a Master Plan Amendment to the East Broad Market Lofts Planned Development for a Parking Variance at 601 East 39th Street (20075 06002) in Aldermanic District 4 (26-002792-ZA).

Petition Bridget Lidy on behalf of The Mayor and Aldermen of the City of Savannah, Georgia for a Zoning Text Amendment to Articles 2.0 Review Bodies and Administrators, 3.0 Application and Review Procedures, 6.0 Special Purpose Districts, 7.0 Overlay Districts, 8.0 Use Standards, 9.0 General Site Standards, and 13.0 Abbreviations and Definitions to Facilitate the Transfer of Authority of Application Intake from the City of Savannah to the Chatham County-Savannah Metropolitan Planning Commission (MPC) and to Provide a More Concise Process for the Public in the Processing of Development Applications (26-002369-ZA).

Petition Bridget Lidy on behalf of The Mayor and Aldermen of the City of Savannah, Georgia for a Zoning Text Amendment to Add Permitted Use and Associated Development Standards to Articles 5.0 Base Zoning Districts, 8.0 Use Standards, 9.0 General Site Standards, and 13.0 Abbreviations and Definitions, to permit several different housing types in multiple districts (26-002370-ZA).

Public Comment Allowed: Anyone whose interest of property rights may be affected by the proposed changes may appear at that time, may be heard, and may submit evidence, including written comments.

Meeting Confirmation: The petitioner may withdraw or request a continuation of the petition after this notice has been mailed. It is suggested that you confirm whether the petition will be on the agenda before departing for the scheduled City Council meeting. The scheduled meeting date and time are provided in the first paragraph of this notice.

If You Cannot Attend the City Council Meeting: Anyone who cannot attend the meeting and whose interest of property rights may be affected by the proposed changes may submit evidence including written comments to planning@savannahga.gov or by calling 912-651-3108. Please reference the file number located on this notice. Written comments become public record and are shared with the Mayor and Aldermen prior to the Council meeting.

Materials Available for Public Information: Information about these items and related materials may be reviewed on the City's website at <http://ga-savannah2.civicplus.com/457/Agendas-Minutes> prior to the meeting. If you have any questions, please contact 912-525-3097 or planning@savannahga.gov.

Envíe un correo electrónico a planning@savannahga.gov para solicitar esta notificación en Español.

SAVANNAH MORNING NEWS - SPECIAL NOTICE COLUMN

Please insert the above notice in the Special Notice Column of the Savannah Morning News: **Wednesday, July 29, 2026.**