

Sec. 8-3028. Victorian Planned Neighborhood Conservation District.

- (a) ***Created.*** There is hereby created the Victorian Planned Neighborhood Conservation (P-N-C) District pursuant to section 8-3027 of the zoning ordinance for the City of Savannah. The boundaries of such district shall be the centerline of Martin Luther King, Jr. Boulevard on the west, the centerline of Gwinnett Street on the north, the centerline of East Broad Street on the east and the centerline of Anderson Lane on the south.
- (b) ***Purpose.*** The purpose of the Victorian P-N-C District is to promote the general welfare of the city through the rehabilitation, conservation, revitalization and redevelopment of the area. The retention of the architectural and historic integrity of the area without major population displacement is a basic objective of the Victorian P-N-C District and will in part be carried out through the rehabilitation and conservation of existing buildings and the introduction of visually compatible new construction within the area.
- (c) ***Land use districts.*** Within the Victorian P-N-C district the following land use districts are created and designated on the zoning map for the Victorian P-N-C district:
 - (1) ***1-B district.*** The 1-B district permits neighborhood convenience uses and mixed residential uses. The 1-B district permits a density range of between 30 and 50 dwelling units per gross acre of land, based on the type of dwelling unit (efficiency unit, one-bedroom unit, two-bedroom unit, etc.).
 - (2) ***2-B district.*** The 2-B district permits community business uses and mixed residential uses. The 2-B district permits a density range of between 30 and 50 dwelling units per gross acre of land, based on the type of dwelling unit (efficiency unit, one-bedroom unit, two-bedroom unit, etc.).
 - (3) ***3-B district.*** The 3-B district permits limited heavy commercial uses and mixed residential uses. Specific commercial uses permitted in these respective "B" districts are listed in the schedule of permitted uses. The 3-B district permits a density range of between 30 and 50 dwelling units per gross acre of land, based on the type of dwelling unit (efficiency unit, one-bedroom unit, two-bedroom unit, etc.).
 - (4) ***1-R district.*** The 1-R district permits a density range of between 25 and 43 dwelling units per gross acre of residential land, based on the type of dwelling unit (efficiency unit, one-bedroom unit, two-bedroom unit, etc.), plus a limited number of nonresidential uses considered appropriate for the district.
 - (5) ***2-R district.*** The 2-R district permits a density range of between 30 and 50 dwelling units per gross acre of residential land, based on the type of dwelling unit (efficiency unit, one-bedroom unit, two-bedroom unit, etc.), plus a limited number of nonresidential uses considered appropriate for the district.

- (6) **3-R district.** The 3-R district permits a density range of between 35 and 60 dwelling units per gross acre of residential land, based on the type of dwelling unit (efficiency unit, one-bedroom unit, two-bedroom unit, etc.), plus various nonresidential uses considered appropriate for the district.

Specific nonresidential uses permitted in these respective "R" districts are listed in the schedule of permitted uses.

- (d) **Permitted uses.** The uses permitted in each of the zoning districts established within the Victorian P-N-C District shall be as listed in the following schedule of permitted uses. Permitted uses in a district are identified by the letter "X" in the appropriate column of the use schedule. Uses permitted subject to the approval of the Board of Appeals are indicated by the letter "B."

List of Uses	1-R	2-R	3-R	1-B	2-B	3-B
<u>Residential Types</u>						
(1) One-family dwelling:						
a. Detached	X	X	B	B	B	B
b. Semidetached or end row	X	X	X	B	B	B
c. Attached or row	X	X	X	B	B	B
(2) Two-family dwelling:						
a. Detached	X	X	X	B	B	B
b. Semidetached or end row	X	X	X	B	B	B
c. Attached or row	X	X	X	B	B	B
(3) Multifamily dwelling:						
a. Detached	X	X	X	B	B	B
b. Semidetached or end row	X	X	X	B	B	B
c. Attached or row	X	X	X	B	B	B
(4) Multifamily dwelling, four-story or more	B	B	B	B	B	B
(5) Garage apartment or carriage house	X	X	X	B	B	B
<u>Lodging Facilities</u>						
(6) Inns (not to exceed 15 bedrooms) In the 1-R district, the following condition shall apply: a. The rental of individual bedrooms within a dwelling unit shall be restricted to an owner-occupied one-family detached dwelling which may include use of a garage apartment dwelling if located on the same lot. No more than five (5) bedrooms shall be rented.	B	B	B	B	X	X
(7) Rooming house and boarding	-	B	X	X	X	X
(8) Motel or hotel Including such ancillary uses as barbershops, beauty shops, restaurants, with or without pouring	-	-	-	-	-	X

List of Uses	1-R	2-R	3-R	1-B	2-B	3-B
licenses, cocktail lounges, tobacco stores, drugstores, and uses of a similar nature						
<p>(8a) Short-term vacation rental</p> <p>a. For parcels of land that are not owner-occupied and that have a 1-R, 2-R or 3-R zoning district, the short-term vacation rental use is limited to no more than 20% of parcels in the 1-R, 2-R and 3-R zones within the ward where the property is located.</p> <p>Owner-occupied is defined in Division II, Part 8, Chapter 11 (“Short-term Vacation Rentals”) A ward is a small geographic area within the Victorian District that is identified on the ward map maintained by the Department of Tourism Management and Ambassadorship.</p> <p>b. The number of occupants shall not exceed four (4) adults for dwelling units with no more than two bedrooms; for dwelling units with three or more bedrooms, the number shall not exceed (2) adults per bedroom. Bedrooms are subject to verification of building code compliance by the Zoning Administrator.</p> <p>c. There shall be no change in the exterior appearance of the dwelling and premises, or other visible evidence of the conduct of a short-term vacation rental.</p> <p>d. The short-term vacation rental use requires a short-term vacation rental certificate. See Division II, Part 8, Chapter 11 (“Short-term Vacation Rentals”).</p> <p><i>Amended 9-28-17 (17-004372-ZA)</i></p>	B	B	B	X	X	X
<u>Religious Facilities</u>						
(9) Church or other place of worship	B	B	B	B	X	X
(10) Convent or monastery	X	X	X	X	X	X
(11) Religious meetings for periods not to exceed 30 days	-	-	-	-	-	X
(12) Eleemosynary or philanthropic institutions	B	B	B	B	X	X
<u>Community Facilities</u>						
<p>(13) Public uses</p> <p>Including, but not restricted to fire and police stations, parks and recreation facilities</p>	X	X	X	X	X	X
(14) Public utility	B	B	B	X	X	X

List of Uses	1-R	2-R	3-R	1-B	2-B	3-B
(15) Cultural facilities Art galleries, museums, legitimate theaters, library and other facilities of a similar nature	B	B	X	X	X	X
(16) Club or lodge	-	-	B	X	X	X
(17) Assembly halls	-	-	B	B	X	X
(18) Day nurseries, kindergartens, Childcare centers	B	B	B	X	X	B
a. Provided, that 100 square feet of outdoor play space is provided each child						
b. Such uses shall only be permitted on a lot or plot of ground which abuts a collector street, a major arterial or secondary arterial, provided that approval of any day nursery or kindergarten located within an "R" district shall be limited to a maximum of 18 children. The Board of Appeals shall be authorized to waive this requirement if on the basis of evidence presented it finds that the traffic to be generated by the particular use can be accommodated on other streets without creating traffic congestion and traffic hazards on such street which would be detrimental to the neighborhood served by such other streets. Provided that approval for any day nursery or kindergarten established requiring access along a residential or lesser classified street shall be limited to a maximum of 12 children. A day nursery or kindergarten can be located on a school or church property provided that such property contains a minimum of 12 children. A day nursery or kindergarten can be located on a school or church property provided that such property contains a minimum lot area of 12,000 square feet. Provided that approval for any day nursery or kindergarten located at a school or church shall be limited to a maximum of 36 children, provided that all other requirements of this section shall apply. The Board of Appeals may grant approval for up to 50 children at a school or religious institution if on the basis of evidence, it finds that the traffic generated by the particular use can be accommodated on other streets without creating traffic congestion and traffic hazards on such street which would be detrimental to the neighborhood served by such streets.						
c. The architectural character, including the orientation and exterior appearance of any structure, shall be characteristic of the neighborhood within which such structure is located.						
d. Such use shall provide the number of off- street parking spaces required for educational and institutional uses as set forth in Section 8-3089						

List of Uses	1-R	2-R	3-R	1-B	2-B	3-B
"Minimum Space Requirements for Off-Street Parking Areas.						
e. When an abutting use in residential, a visual buffer shall be provided so as to shield all parking areas, play areas and outdoor activity areas from abutting property. Such buffer shall consist of an appropriately designed fence or building wall or a combination thereof. Said fence shall be opaque, a minimum of six feet in height, and shall be maintained at all times.						
f. One illuminated sign not to exceed three square feet in area shall be permitted in residential districts; provided that where such use is adjacent to or directly across from a nonresidential use or district, the Board of Appeals may allow a principal use sign of up to 12 square feet in area when it is located on the side of the property facing the nonresidential use or property. Exterior drawings, graphics, or pictorials are prohibited.						
g. Unless operated in conjunction with a school or religious institution, such use shall, within any "1-R, 2-R, or 3-R" district, be considered an accessory use. The primary use of the structure utilized shall be for a residence and said residence shall be occupied.						
<p>(19) Shelter for the abused or mistreated</p> <p>Provided that such use shall not be permitted within 1,000 feet, as measured in any direction from property line to property line of another such care home or other type of care home.</p> <p>Provided further that the following provisions shall apply:</p> <p>a. Provided that such use is located on a collector street or greater.</p> <p>b. Provided that such use shall be limited to no more than twenty (20) beds.</p> <p>c. One off-street parking space per employee shall be provided.</p> <p>d. There shall be at least 150 square feet of space in the building for each occupant.</p>	B	B	B	-	-	-
<p>(20) Amusement or recreational activities carried on wholly within a building.</p> <p>Indoor theater, billiard parlor, dancehall and activities of a similar nature. Such uses shall front on a major or secondary arterial, as shown on the street classification map of the city.</p>	-	-	-	-	X	X
(21) School, public or private (K-12)	X	X	X	X	X	X
<u>Retail Sales and Service</u>						

List of Uses	1-R	2-R	3-R	1-B	2-B	3-B
(22) Food stores and drugstores Drugstores, meat market, bakery products, dairy products, confectionery shops, and stores of a similar nature, provided such activities when located in a 1-B district shall be limited to a maximum floor area of 2,500 square feet	-	-	-	X	X	X
(22a) Confectionery, provided when located in 3-R district shall be limited to a maximum floor area of 1,200 square feet of retail space.	-	-	X	X	X	X
(22b) Confectionery provided that there shall be: a. No sale of alcoholic beverages b. No game machines on the premises c. Limited to a maximum floor area of 1,200 square feet of retail space d. Located on a corner lot e. Established in a building originally designed for mixed use development.	-	X	-	-	-	-
(23) Sales of beer and wine by the package when incidental to other principal retail uses <i>[Amended 12/8/16 (File No. 16-005206-ZA)]</i>	-	-	-	B	X	X
(24) Reserved						
(25) Personal service shops Barbershop, beauty shop, health club, massage parlor "as an incidental use," shoe repair, dry cleaning and laundry pickup station, laundromats, watch repair and services of a similar nature.	B	B	B	X	X	X
(25a) Pet grooming Provided that: 1. The use shall be located only on arterial or collector roadways as identified by section 8-3025(g), street classification map. 2. No overnight boarding of animals shall be allowed. 3. No more than three animals shall be within the business at any given time.	-	-	B	-	-	-
(26) Clothing stores and dry goods. Shoe store, men's shops, women's shops, variety stores, and stores of a similar nature	-	-	-	X	X	X
(27) Home furnishing, appliance store, hardware store, art supplies, appliance repair (as an incidental use), sporting goods, furniture store and stores of a similar nature	-	-	-	X	X	X
(28) Antique shop, furniture refinishing and refurbishing. Provided all business, display, and work are conducted wholly within the confines of the building	-	-	-	X	X	X

List of Uses	1-R	2-R	3-R	1-B	2-B	3-B
(29) Antique shops without refinishing or refurbishing activities on the premises	B	B	B	X	X	X
(30) Specialty shops Gift shops, florist, hobby shops, camera shops, bookstores, and stores of a similar nature.	B	B	B	X	X	X
(31) Banks and offices, 3 stories or less.	-	B	B	X	X	X
(31a) Professional office, two stories or less. Provided that such use does not exceed 2,000 square feet of leasable area and is located within a residential structure with off-street parking located off a rear lane. A client entrance/exit shall be located adjacent to the parking lot to encourage use of such parking lot. One non-illuminated sign is allowed, provided it is visually compatible with the historic character of the Victorian P-N-C District and is approved by the visual compatibility officer.	B	B	-	-	-	-
(32) Department stores	-	-	-	-	X	X
(33) Reserved						
Unclassified Retail Sales and Service						
(34) Photography studio	B	B	B	X	X	X
(35) Funeral homes	-	-	B	B	B	X
(36) Ambulance service or rescue squad	-	-	-	B	X	X
(37) Radio, telephone, microwave, television transmission or receiving tower a. A transmission tower shall be permitted only on a lot which fronts a street classified as an arterial, and is across the street from a business or industrial zoning district. Mountings on the tower shall be limited to no more than two four-foot parabola antennas, and a two-way communications antenna. Such tower shall be self-supporting with a maximum three-foot-wide base. The height of such tower shall be the minimum necessary to clear neighboring obstructions, but shall not exceed a height of 100 feet. Provided that where no dwelling exists within 200 feet of the site, a tower height of up to 150 feet and a base of up to 20 feet width and no more than two ten-foot parabola antennas shall be allowed. Unless otherwise required by the FAA, a galvanized finish or silver paint finish shall be applied to the tower, and no lighting shall be erected on the tower b. A maximum of two accessory satellite dishes may be permitted; provided that the MPC may approve an additional dish upon a finding that	-	-	-	-	X	X

List of Uses	1-R	2-R	3-R	1-B	2-B	3-B
such addition is necessary for the reasonable functioning of the primary use and will not adversely impact the surrounding area c. The maximum height for a satellite dish shall not exceed the height of the maximum elevation of the roofline of the principal building on the lot except where no dwelling unit is within 200 feet of the site d. All dishes and towers shall be located in the rear yard unless otherwise approved by the MPC. The base of such facilities shall be surrounded with an architecturally designed fence with landscaping.						
(38) Telegraph or messenger service	-	-	-	-	X	X
(39) Taxi stand	-	-	-	-	X	X
(40) Freezer locker service, ice storage	-	-	-	-	-	X
(41) Commercial schools, and laboratories, serving professional requirements, medical, dental, optical, and similar uses	-	B	B	X	X	X
(42) Secondary use (professional office) a. The necessary function of a professional office shall not occupy over 33 percent of the floor area within the residential structure in which such office is houses b. Secondary use (professional offices) shall meet the residential development standards of the zoning district in which such office is to be established	X	X	X	X	X	X
(42a) Satellite dish Provided such use shall only be permitted as an accessory use, subject to the following restrictions: a. Only ground-mounted satellite dishes shall be permitted unless it is demonstrated by the owner that a ground-mounted dish is not functional. All dishes shall be located within a rear yard b. The maximum height for ground-mounted satellite dishes shall not exceed the height of the maximum elevation of the roofline of the principal building on the lot c. The maximum diameter for a satellite dish shall be 16 feet, except as provided in subsection h below d. Where it is demonstrated that a roof-mounted dish is required for reception purposes, tower structures or masts shall not be used as bases. Roof-mounted satellite dishes shall be of open mesh construction (except for bidirectional transmit and receive dishes where required by the FCC) and shall be placed in a position atop	X	X	X	X	X	X

List of Uses	1-R	2-R	3-R	1-B	2-B	3-B
<p>the roof to minimize visibility to pedestrian or vehicular travelers from a street. Such placement shall always be to the rear of hip or gable roofs.</p> <p>e. No more than one satellite dish shall be permitted per lot unless otherwise approved by the planning commission.</p> <p>f. No form of advertising or identification shall be permitted upon a satellite dish except for the manufacturer's small identification plate.</p> <p>g. Open mesh satellite dishes shall be painted or finished in a dark neutral color. Solid satellite dishes shall be painted or finished in a light or dark neutral color.</p> <p>h. Within 1-R, 2-R, and 3-R zoning districts and for any lot upon which is located a one- to four-family dwelling structure, the following additional restrictions shall apply:</p> <ol style="list-style-type: none"> 1. The maximum diameter satellite dish shall be 12 feet 2. A solid satellite dish shall be permitted only where such dish is screened from view from ground level from adjoining residential properties and from any street. Such screening may consist of a fence or wall, hedge, natural vegetation, or building or structures on the lot. 3. The satellite dish shall not be visible from an elevation below eight feet above the street grade within a public street right-of-way. 						
<p>(43) Restaurant, sit-down or cafeteria</p> <p>Provided, that where alcoholic beverages are sold, such beverages shall only be sold as part of a meal</p>	-	-	-	B	X	X
<p>(43a) Fast-food or drive-thru restaurants</p> <p>Provided, that no alcoholic beverage sales shall be permitted</p>	-	-	-	B	X	X
<p>(44) Cocktail lounges, night-clubs, taverns and package stores.</p>	-	-	-	B	X	X
Automotive and Boat Sales and Service						
<p>(45) Fuel station</p> <p>a. Gasoline pumps and other service facilities shall be set back not less than 12 feet behind a required front yard setback</p>	-	-	-	-	B	X
<p>(45a) Vehicle service, minor</p> <p>a. Such use, not to include washing and detailing, shall be conducted only within an enclosed building; however, bay doors are permitted</p>	-	-	-	-	B	X

List of Uses	1-R	2-R	3-R	1-B	2-B	3-B
and may be open only during hours of operation.						
(46) Vehicle service, major a. Such use shall be no closer than 150 feet from any residential structure as measured from the property line of such use. b. Such use shall not be established along a block-face which contains an existing dwelling unit. c. Such use, not to include washing and detailing, shall be conducted only within an enclosed building. Bay doors are permitted, except as follows, and may be open only during hours of operation. Bay doors shall not be permitted along a façade that is adjacent to residential property or any R district unless such property or district is located across a street right-of-way, not including lanes.	-	-	-	-	-	X
(47) Automobile, truck or boat, and nonresidential trailer sales or rental a. Such use shall not be established on a lot which is either adjacent to or directly across the street from an R-district b. All services, storage or similar activities shall be conducted entirely indoors and entirely on the lot on which such facilities are located. No outdoor storage, parking of dismantled vehicles, maintenance or service to vehicles shall be permitted.	-	-	-	-	X	X
(48) Motorcycle, motor scooter, moped and bicycle sales and services a. Such service facilities shall not be established on a lot which is either adjacent to or directly across the street from a R district when said street has a right-of-way of less than 75 feet. b. All service, storage or similar activities connected with service facilities shall be conducted entirely indoors and on the lot on which such facilities are located, and no outside storage or dismantled vehicles shall be permitted.	-	-	-	-	-	X
(49) Bicycle and moped sales, rental and service	-	-	-	X	X	X
(50) Automobile upholstery shop a. Such use shall not be established on a lot which is either adjacent to or directly across the street from any R district unless such use is conducted entirely within an enclosed building	-	-	-	-	-	X

List of Uses	1-R	2-R	3-R	1-B	2-B	3-B
(51) Retail automobile parts and tire store Provided: a. There shall be no dismantling of vehicles on the premises to obtain or sell parts b. The only auto part installation that shall be permitted in connection with such use shall be the installing of tires or minor accessory parts and minor maintenance c. Major auto repair shall not be permitted in connection such use. Minor auto repair and maintenance may be permitted provided such repair and maintenance shall be incidental to the normal upkeep of an automobile d. All services, storage, or similar activities shall be conducted entirely indoors	-	-	-	-	X	X
(52) Automobile parking lot or parking garage a. A lot or garage with seven or more spaces or with gasoline pumps shall require Board of Appeals approval	X*	X*	X*	X*	X*	X*
(53) Printing or letter shop Provided that such use shall be designed to operate in such a manner that noise and odor will not carry beyond the walls occupied by such use	-	B	B	X	X	X
<u>Signs</u>						
(54) Principal use sign	X	X	X	X	X	X
(55) Reserved						
(56) Incidental use sign	X	X	X	X	X	X
<u>Incidental Uses</u>						
(57) Home occupation	X	X	X	X	X	X
(58) Accessory uses Provided, that temporary accessory uses or buildings shall not be permitted for more than a 24-month period	X	X	X	X	X	X
(59) Neighborhood garden plots (horticulture)	X	X	X	X	X	X
(60) Agriculture personal Agricultural activities intended for personal use, such as gardening, beekeeping, the keeping of chickens, and uses of a similar nature. Personal agriculture activities involving animals are subject to additional restrictions in the City of Savannah Animal Control ordinance.	X	X	X	X	X	X

(e) ***Development Standards.*** The development standards that shall apply to residential and nonresidential uses within each of the various districts within the Victorian P-N-C District shall be set forth in the following schedules:

(1) ***Development standards for dwellings.*** When permitted in a district, dwellings shall comply with the development standards set forth in the following schedule:

Type of Dwelling Unit	Lot Area Per Unit by Dwelling Type and District (sq. ft.)				Minimum Lot Width (feet)	Minimum Front Yard and Rear Yard Setback	Minimum Side Yard	Maximum Building Height	Maximum Lot Area Building Coverage (percent)
	1-R	2-R	3-R	1-B 2-B 3-B					
A. One-family dwelling:									
1. Attached; semidetached	2,100	2,100	2,100*	2,100	20	<p><i>Front yard:</i> The front yard setback shall be the average of the setback for the adjoining developed properties. Where the adjoining properties are not developed the setback shall be the average setback for all developed properties located in the block face. For corner lots with structures facing a north-south street, the minimum front yard shall be zero feet.</p> <p><i>Rear yard:</i> A minimum rear yard setback of 35 feet shall be maintained. The rear 20 feet of such area shall be utilized toward meeting the off-street parking requirements for the intended use.</p> <p>(The MPC may adjust the above required setbacks so as to equal the established setbacks for the majority of the structures within the same block-face.) Provided that: (1) No structure, except for an elevated pier or wooden deck, shall be erected or constructed within 25 feet of saltwater marshland, and (2) a building eave or roof overhang may extend up to 24 inches into a required side or rear yard setback; provided that such extension is at least three feet from the property line, its lower edge is at least 7.5 feet above the ground elevation, and it is located at least five feet from any other building or eave.</p>	0*	The maximum building height shall be the average dwelling structure height for a given block face in which a structure is proposed to be located or constructed, provided, that the maximum building height shall not exceed 40 feet. The MPC may adjust these figures by as much as 20 percent where in their opinion the variance is in keeping with the character of the Victorian P-N-C District.	60
2. Detached	3,000	3,000	3,000*	3,000	30		5		60
B. Two-family dwelling:									
1. Attached; semidetached	1,050	1,050	1,050*	1,050	20		0*		60
2. Detached	1,500	1,500	1,500*	1,500	30		5		60
									60
C. Multifamily dwelling (three units or More per structure)									
1. Efficiency	1,015	870	725*	1,015	20		5		
2. One-bedroom unit	1,210	970	790*	1,210	20				
3. Two-bedroom unit	1,360	1,090	970*	1,360	20				
4. Three- or more bedroom unit	1,745	1,450	1,245*	1,745	20				

* The unattached side of a structure shall have a minimum size yard setback of 5 feet.

In calculating the maximum density allowed, a mix of dwelling types is allowable provided the minimum gross lot area for the aggregate number of units is not exceeded. For example, a minimum lot area of 5,570 square feet would be required for a multifamily dwelling housing two 2-bedroom units, 2 one-bedroom units, and one 3-bedroom unit in the 2-R district ($2 \times 1,090 + (2 \times 970) + (1 \times 1,450) = 5,570$).

For a proposed subdivision of development existing as of June 23, 1981, these minimum are reduced to 600 square feet of lot area per unit, provided no additional dwelling units are created.

- (2) ***Development standards for non-dwelling uses.*** Unless otherwise provided in this chapter, a non-dwelling use when permitted in a district shall comply with the development standards established by this schedule for the district in which located.

<i>District</i>	<i>Setback from Street Right-of-Way for Front Yard Purposes</i>	<i>Minimum Side Yard (feet)</i>	<i>Minimum Rear Yard (feet)</i>	<i>Maximum Building Height (feet)</i>	<i>Maximum Building Coverage (percent)</i>
1-R	The front yard setback shall be the average of the setback for adjoining developed properties. Where the adjoining properties are not developed, the front yard setback shall be the average setback for developed properties in the face for which a structure is proposed to be located.	5	35	40	60
2-R		5	35	40	60
3-R		5	35	40	60
1-B	For corner lots with structures facing a north-south street, the minimum front yard setback shall be zero feet. (The MPC may adjust the above required setbacks so as to equal the established setbacks for the majority of the structures within the same block face.)	0*	0**	40	60
2-B		0*	0**	40	70
3-B		0*	0**	40	70

* Where abutting property is in a R district, 10 feet is required.

** No rear yard shall be required, except where adjoining yard is in a R district, then the rear yard shall be 20 feet and screened with a minimum of a solid six-foot brick fence or brick post and lapboard fence or other screening as may be approved by the metropolitan planning commission.

*** Provided that: (1) No structure, except for an elevated pier or wooden deck, shall be erected or constructed within 25 feet of saltwater marshland, and (2) a building eave or roof overhang may extend up to 24 inches into a required side or rear yard setback; provided that such extension is at least three feet from the property line, its lower edge is at least 7.5 feet above the ground elevation, and it is located at least five feet from any other building or eave.

- (f) **Classification of buildings.** All buildings within the Victorian P-N-C shall be classified and designated on the “Victorian Historic District Historic Buildings Map.” As used in this subsection, the term “building” shall include any “structure” and shall be identified into two classes:
- (1) **Contributing.** All buildings identified on the “Victorian Historic District, Historic Buildings Map” having historic significance shall be considered “contributing” and worthy of preservation and shall be classified as “historic” for purposes hereunder. Contributing buildings include those within the current Period of Significance of 1870 – 1923, possess integrity of location, design, setting, materials, workmanship, feeling, and association, and meet one or more of the following criteria:
- a. Are associated with events that have made a significant contribution to the broad patterns of our history; or
 - b. Are associated with the lives of significant persons in our past; or
 - c. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
 - d. Have yielded or may be likely to yield, information important in history or prehistory.
- (2) **Non-Contributing.** New construction and all buildings identified as non-contributing on the “Victorian Historic District Historic Buildings Map” are classified as “non-historic” for zoning purposes hereunder.

VICTORIAN HISTORIC DISTRICT Historic Buildings Map

Updated: 2/22/2018



- (g) ***Certificate of compatibility required.*** No permit shall be issued to make any of the following building changes within the Victorian P-N-C District until the plans for such building changes have been reviewed and approved as complying with the visual compatibility requirements by the visual compatibility officer hereinafter created, and such officer has issued a visual compatibility certificate:
- (1) Demolition of any building within the Victorian P-N-C District whether contributing or non-contributing.
 - (2) Moving any building (contributing or non-contributing) into, out of, or within the Victorian P-N-C District.
 - (3) Material change in the exterior appearance of all buildings by addition, reconstruction or alteration.
 - (4) Construction of or major improvements to any building where such activity is subject to view from a public street, or from a lane.
 - (5) Change in existing walls and fences, or construction of new walls and fences, if such activity is along or visible from any public street, or from a lane.
 - (6) Erection or placement of any illuminated sign, or of any other sign(s) exceeding three square feet in size, except as provided herein.
- (h) ***Visual compatibility officer.*** The position of visual compatibility officer is hereby created. The city preservation officer is designated as the visual compatibility officer. The visual compatibility officer shall carry out the responsibilities as set forth herein. Where responsibilities have been assigned to the metropolitan planning commission, it shall be the visual compatibility officer's duty to certify the actions of the metropolitan planning commission in the issuance of a certificate of compatibility.
- (i) ***Jurisdiction of visual compatibility officer.*** The visual compatibility officer's jurisdiction shall be limited to the Victorian P-N-C District as defined herein. The visual compatibility officer shall be concerned with those elements of development, redevelopment, rehabilitation and/or preservation that affect visual quality of the Victorian P-N-C District. The visual compatibility officer shall not consider interior arrangement of buildings or other architectural features not subject to the public view, nor shall the officer make any requirement except for the purpose of preventing development incongruous to the Victorian P-N-C District's architectural character. The visual compatibility officer may develop such procedures as may be deemed appropriate to expedite the review of the application and to implement the purposes of the Victorian P-N-C District development regulations. The visual compatibility officer shall assist applicants in the

interpretation and understanding of the Victorian P-N-C District visual compatibility standards and design guidelines in order to help ensure that the purposes and intent of these regulations are implemented in a timely and expedient manner.

- (j) **Visual compatibility requirements.** Within the Victorian P-N-C District the design and construction of a new building and the design and construction of alterations to an existing building that is moved, reconstructed, materially altered or repaired shall be visually compatible with the buildings, squares and places to which they are visually related in terms of the following requirements. These requirements shall not be the basis for appeal of an adverse decision of the planning commission.
- (1) **Height.** The height of proposed buildings shall be visually compatible with adjacent contributing buildings.
 - (2) **Proportion of building's front facade.** The relationship of the width of a building to the height of the front elevation shall be visually compatible to contributing buildings and places to which it is visually related.
 - (3) **Proportion of openings within the facility.** The relationship of the width of the windows to height of windows in a building shall be visually compatible with contributing buildings and places to which the building is visually related.
 - (4) **Rhythm of buildings on street.** The relationship of a building to open space between it and adjoining buildings shall be visually compatible to the buildings and places to which it is visually related.
 - (5) **Rhythm of entrance and/or porch projection.** The relationship of entrances and porch projections to sidewalks of buildings, squares and places shall be visually compatible to the contributing buildings to which it is visually related.
 - (6) **Relationship of materials, texture.** The relationship of materials, texture and color of the facade of a building shall be visually compatible with the predominant materials used in the contributing buildings to which it is visually related.
 - (7) **Roof shapes.** The roof shape of a building shall be visually compatible with the contributing buildings to which it is visually related.
 - (8) **Walls of continuity.** Appurtenances of a building, such as walls, wrought iron fence, evergreen landscape masses, and building facades, shall be visually compatible with the contributing buildings and any other appurtenances to which they are visually related.

- (9) ***Scale of a building.*** The size of a building, the building mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the contributing buildings and places to which it is visually related.
 - (10) ***Directional expression of front elevation.*** A building shall be visually compatible with the contributing buildings and places to which it is visually related in its directional character, whether this be vertical character, horizontal character or non-directional character.
 - (11) ***Signs.*** All signs shall be visually compatible with the historic character of the Victorian P-N-C District.
- (k) ***Application for certificate of visual compatibility.*** Application for a certificate of *visual compatibility* shall be made in the office of the zoning administrator on forms provided therefore and obtainable at said office. Application forms shall specify the information required by the visual compatibility officer to determine whether the proposed activity, repairs or construction will be in compliance with the provisions of this chapter. Each application shall be accompanied by all required information as specified on the application form. The zoning administrator or his authorized representative shall review all applications prior to their being accepted for processing and shall transmit the completed application to the visual compatibility officer for approval or denial of a certificate of visual compatibility or for submittal to the metropolitan planning commission where required. Adequate documentation shall be submitted with each application to ensure that an informed and knowledgeable decision can be made by the officer within the time period prescribed herein. Applications involving new construction and demolition of any contributing building shall be referred to the metropolitan planning commission for review. New construction, for the purpose of this section, shall be defined as follows:
- (1) ***New construction.*** The erection of a freestanding building or structure on land not occupied by a building or structure.
 - a. The erection of any structure or building, regardless of use and including storage buildings, shall be considered as new construction if it meets the above definition.
 - b. All applications shall be reviewed and a decision in writing rendered thereon by the visual compatibility officer within 30 working days of receipt of and acceptance of the fully completed application and supporting documentation. However, where such application involves new construction or demolition of a contributing building the review time shall be extended to 45 days.

- (l) ***Appeals of visual compatibility officer's decisions.*** All appeals from decisions of either the *visual compatibility* officer or the metropolitan planning commission with regard to interpretation and administration of this section shall be made to the zoning board of appeals in accordance with the provisions of section 8-3165, appeals, of the city zoning ordinance.
- (m) ***Demolition in the Victorian P-N-C District.*** Demolition is deemed detrimental to the public interest and shall only be permitted pursuant to this section.

- (1) All requests for demolition of any non-contributing building within the Victorian P-N-C District shall be reviewed by the Visual Compatibility Officer.

Any building not designated as contributing must first be evaluated and considered for historic designation prior to the issuance of a Certificate of Appropriateness for demolition. The Visual Compatibility Officer will evaluate the non-contributing building utilizing the criteria as defined in this ordinance under Section 8-3028 (f)(1) a. b. c. and d.

- (2) All requests for demolition of any contributing building within the Victorian P-N-C District shall be reviewed by Metropolitan Planning Commission.

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

- a. The demolition is required to alleviate a threat to public health of public safety; and/or
- b. The demolition is required to avoid exceptional practical difficulty or undue hardship upon any owner of any specific property. If the difficulty or hardship claimed is economic, the applicant shall be required to submit sufficient evidence to demonstrate that the application of the standards and regulations of this section deprives the applicant of a positive economic use or return on the subject property.

A certificate of visual compatibility for demolition of a contributing building shall not be issued until a certificate of visual compatibility has been issued approving the replacement building, except in the case of emergency demolition.

- (3) In granting a certificate of visual compatibility for demolition of any building, the Metropolitan Planning Commission or the Visual Compatibility Officer may impose such reasonable and additional stipulations as will best fulfill the purposed of this ordinance.

- (4) Demolition due to imminent threat to public safety.

Any order for demolition, in whole or in part, of any contributing building in the Victorian P-N-C District due to a dangerous, hazardous or unsafe condition shall not be issued until the order has been reviewed and signed by a licensed structural engineer in the state of Georgia and the City Manager.

- (n) ***Posting of property.*** Within two days of filing an application for new construction or demolition of a contributing building, notice shall be posted on the premises. A sign, to be furnished by the zoning administrator, shall be erected by the applicant within ten feet of all traveled public rights-of-way to which the building abuts. Such sign(s) shall be erected to face in such a manner as may be most readily seen by the public. The lower edge of the sign(s) face shall be of sufficient height so as to be read from the roadway. The sign(s) shall be weather resistant; shall have a minimum size of 30 by 40 inches; and shall show the application number, a statement of the proposed date, time and place of any public hearing, and the telephone number to call for further assistance.
- (1) ***Removal of signs.*** Any such sign(s) shall be maintained at all times by the applicant until a decision on the application has been rendered by the visual compatibility officer.
- (o) ***Relocation of contributing buildings.*** A contributing building shall not be relocated on another site unless it is shown that the preservation of such a building, on its existing site, is not consistent with the purposes of such building on such site.
- (p) ***Protective maintenance of buildings.*** Any vacant building of architectural significance that is in a deteriorated or dilapidated condition shall be boarded up or secured, as set forth by the requirements of the minimum housing code and the building code. The owner of any such building shall make such repairs as will secure the building. If the owner shall fail to secure any such building, the building official or his duly authorized representative shall, after proper notice to the owner, cause such building or structure or portion thereof to be secured. In such event, the cost thereof shall be charged to the owner of the premises and collected in the manner provided by law.
- (q) ***Off-street parking and service requirements.***
- (1) ***Residential uses.***
- a. ***New building.*** One off-street parking space shall be provided for each dwelling unit within a new building.
- b. ***Existing building.*** One off-street parking space shall be provided for each dwelling unit; provided, however, the visual compatibility officer may waive this requirement where such parking cannot be accommodated in the rear yard area.

- (2) ***Nonresidential uses.*** All new nonresidential uses or any existing nonresidential use expanding its gross floor area by 40 percent or more beyond that which existed at the time of the adoption of this section [June 25, 1981] shall meet the minimum off-street parking and service requirements as set forth in sections 8-3081 through 8-3089 of the city zoning ordinance; provided:
- a. ***Bicycle storage and parking.*** Off-street bicycle storage shall be provided based on the anticipated need for each use. At least two off-street spaces for safely securing a bicycle shall be provided for the following use facilities as set forth in section 8-3089: (2) religious uses, (4) education and related uses, (5) recreational uses, and (8) retail sales and services.
 - b. ***Service loading and unloading area.*** Service lanes shall be utilized for the delivery and pickup of goods except where curbside loading areas are established by the city traffic engineer or designated off-street loading areas are provided.
 - c. ***Continuing obligations.*** These regulations for off-street parking and service space shall be a continuing obligation. It shall be unlawful for any owner of any land or building affected by these regulations to discontinue, change or dispense with said off-street parking and/or loading facility without establishing alternate off-street parking and/or loading facilities which comply with the requirements of these regulations.
 - d. ***Shared and remote off-street parking.*** The use of shared and remote off-street parking facilities is encouraged to assist in meeting the parking requirements for the various uses. Off-street parking facilities for one or more uses may be considered as providing the required facilities for other uses; provided that:
 - 1. A written long-term agreement for the joint use of such facility is submitted to and approved by the metropolitan planning commission; and
 - 2. The total number of spaces required for the various uses at the peak attendance period will be met; and
 - 3. The off-street parking spaces are within 300 feet distance, as measured along the nearest pedestrian walkway of the uses to be served.
 - e. ***Design requirements.*** Pavement standards, area requirements for driveways, parking spaces, curb cuts and other design requirements for surface off-street parking lots shall meet the minimum standards of section 8-3082, "Plan and design standards," of the

city zoning ordinance. When a lane is used for access to a parking lot with seven or more off-street parking spaces, owners of the parking lot shall pave the lane from the nearest street to the parking lot. Paving shall be done according to specifications provided by the city engineer.

(b) **Sign requirements.** All signs permitted within the Victorian P-N-C District shall meet the following conditions:

(1) **Review of signs.** Except for those signs allowed under section 8-3116, all signs within the Victorian P-N-C District shall require a review and approval by the visual compatibility officer prior to the issuance of a permit for the erection of said sign.

(2) **Sign clearance and height.** Adequate sign clearance shall be provided to assure that pedestrian or vehicular traffic movements and safety are not adversely affected. Minimum clearance shall not be less than ten feet above pedestrian ways and not less than 15 feet above areas utilized by motorized vehicles. Maximum sign heights shall be provided as follows:

a. Fascia and projecting signs shall be erected only on the signable area of the structure and shall not project over the roofline or parapet wall elevation of the structure.

b. Freestanding signs shall not exceed the following permitted heights as measured above the ground level:

1-B, 2-B, and R districts, 20 feet.

3-B district, 30 feet.

(3) **Lighted signs.** Lighted signs of an enclosed lamp, neon or exposed fluorescent design are not permitted within any R zoning district.

However, such lighted signs except for exposed fluorescent design are permitted within the nonresidential zoning districts. Such signs shall be in scale and harmony with the surrounding structures and open spaces. The use of reversed silhouette or "cut-out" letters is encouraged to reduce glare where backlighting is applied.

(4) **Restricted signs.** The following are not permitted within the Victorian P-N-C District sign district unless specifically permitted as a temporary use sign:

a. Banners, pennants, pinwheels and streamers except flags and banners of the United States or any other political entity.

b. Portable, folding and similar movable signs.

- c. Signs erected on or located on any street or public right-of-way curb, curbstone, hydrant, lamppost, tree, barricade, temporary walk, telephone, telegraph or electric light pole, other utility pole, public fence, or a fixture of a fire alarm or police system except public directory and information signs.
- d. Signs painted directly on exterior walls of a building or structure.
- e. Signs with revolving or rotating beams of light.
- f. Roof-mounted signs.
- g. Bus stop bench signs that do not meet the design standards set forth elsewhere within this section.
- h. Off-premises or separate use signs except as permitted in 2-B and 3-B zoning districts, provided the requirements of subsection j below are met.
- i. Flashing, animated, running light signs, or signs with moving parts. This provision shall not apply to approved signs that are used to convey public service messages such as time and temperature.
- j. Signs placed upon a structure in any manner so as to disfigure or conceal any window opening, door, or significant architectural feature or detail of any building.

(5) ***Setback requirement.*** All signs, except permitted projecting, freestanding principal use, or principal use signs on a canopy or awning, shall be mounted flat to a wall of the facade of the building; provided, however, that a non-illuminated freestanding principal use sign, not exceeding ten square feet in size, may be allowed to be erected in the grass plat between the curb line and the sidewalk area if such site is jointly approved by the city traffic engineer, park and tree director, and visual compatibility officer.

(6) ***Temporary signs.*** Temporary signs shall be permitted provided that:

- a. Temporary "sale" or promotional signs shall be located wholly within a window or display case, unless on a readerboard, and shall not exceed an aggregate area equal to ten percent of the total glassed area of the display window or 40 percent of the glassed area of a display case.
- b. Except for public information signs erected or maintained by a nonprofit organization or governmental agency or department for which a permit has been issued, no temporary sign shall be located

on public property.

(7) ***Announcement signs.*** Announcement signs shall be permitted as follows:

- a. Announcement sign(s) attached flat against the building shall be permitted for each entrance or exit; provided such sign(s) shall be restricted to emergency information, business hours, credit card honored, or other such incidental information related to business conducted within.
- b. The aggregate area of announcement signs per entrance or exit shall not exceed two square feet of display area. Provided, however, licensed establishments serving food or drink may have an additional announcement sign not to exceed four square feet for the purpose of displaying menus and/or entertainment provided therein.
- c. Individual letters may be attached directly to the face of the building, window or door.
- d. Registered trademarks, service marks or portrayal of specific commodities shall not exceed ten percent of the total announcement sign area.
- e. In 2-B and 3-B zoning districts, one additional announcement sign (readerboard) shall be permitted in combination with a freestanding principal use sign only. Such readerboard sign shall not exceed 15 square feet in size.

(8) ***Under-awning or canopy signs.*** In addition to principal use signs within the nonresidential zoning districts, one sign attached to the underside of the canopy or awning shall be permitted for each principal entrance providing public access. The display area of such sign shall not exceed six square feet per sign face. Signs shall not be less than eight feet above the sidewalk and shall not be less than one foot from the outer edge of the canopy.

(9) ***Marquee signs.*** A marquee sign shall only announce existing or future entertainment events or attractions. Existing signs may extend to the leading edge of the marquee, and the total copy area of such sign shall not exceed 90 square feet. No permit shall be required where a sign is affixed to or part of an existing marquee in accordance with this chapter until such marquee is replaced, remodeled or altered. New or remodeled marquee signs shall not extend greater than eight feet from the facade of a building nor exceed a sign area of greater than 45 feet. The height of a new or remodeled marquee sign shall not extend above the parapet wall of the building, and the lowest point of the marquee sign shall not be less than ten feet above the established grade.

- (10) ***Building identification sign.*** Building identification signs shall be permitted along the signable area of each building facade. The maximum aggregate size of such signs shall not exceed an area of one-half square foot per linear foot of building frontage; provided, however, that the aggregate size of such signs along a single facade shall not exceed an area of 30 square feet within the residential zoning districts nor 90 square feet for the balance of the Victorian P-N-C District.
- (11) ***Principal use sign requirements.*** For each nonresidential use, one principal use sign shall be permitted per street frontage. Such sign shall not exceed a size of more than one square foot of sign area per linear foot of building frontage along a given street or shall meet the following size requirements whichever is the most restrictive:

<i>Location</i>	<i>Maximum Sign Area for Fascia Sign (square feet)</i>	<i>Maximum Size Area for Projecting or Freestanding Signs (square feet)</i>	<i>Maximum Projection of Outer Sign Edge for Projecting or Freestanding Signs (feet)</i>
All R zoning districts	20	12	5**
All 1-B and 2-B zoning districts	40*	30*	6**
All 3-B zoning districts	75*	60*	8**
<p>*Provided that in addition to the above maximum principal use sign size requirements, each use within a nonresidential zoning district shall be allowed 1 additional square foot of sign area per each 2 linear feet of building frontage greater than 75 feet along the street on which the sign is located. (For example, a use having 120 feet of building frontage within the 2-B district would net an additional 22.5 square feet of sign area for a projecting sign; i.e., $120 - 75 = 45 \div 2 = 22.5 + 30 = 52.5$.)</p> <p>**Provided that no portion of a sign shall overhang greater than one-third of the width of a sidewalk or be erected within 2 feet of a curb line.</p> <p>Note: R zoning districts have the word "Residential" in the zoning district nomenclature.</p>			

- a. Within nonresidential zoning districts, in addition to the permitted principal use sign, one canopy or awning principal use sign shall be permitted for each entrance providing public access. Such sign shall not exceed a size of more than one square foot of sign face per linear foot of canopy or awning, or a maximum of 20 square feet, whichever is lesser; provided, however, that the aggregate total principal use sign area for the subject use is not exceeded along that street frontage. Signs on the opposite ends of an awning shall be considered a single sign. Individual letters or symbols not to exceed six inches indicating use, address, or an exit or entrance painted, stenciled or otherwise applied directly to any awnings or canopy within the Victorian P-N-C District shall be exempt from this provision.
- b. Gasoline company trademarks such as Gulf, Amoco, Chevron, etc., shall be considered part of the principal use sign area. In addition to the permitted number of principal use signs per street frontage for an automobile service station, two additional signs depicting

gasoline trademarks only shall be permitted on opposite ends of each pump island canopy provided that the aggregate total principal use sign area is not exceeded for that street frontage. Such sign shall not occupy more than 30 percent of the length of each canopy fascia.

- (12) ***Pump island identification sign.*** Two pump island identification signs not to exceed an aggregate display area of nine square feet shall be allowed per pump island and shall not project beyond the outer edge of the canopy.
- (13) ***Supplemental identification signs.*** In addition to the principal use sign, supplemental identification signs not exceeding an aggregate sign area of four square feet in R zoning districts and nine square feet in nonresidential zoning districts shall be permitted for each entrance of the principal use. Provided that for uses in nonresidential zoning districts, one additional square foot of supplemental sign area per two linear feet of building frontage shall be allowed for each linear foot of frontage greater than 30 feet along the street on which the entrance is located, up to a maximum aggregate area of 20 square feet. Such identification sign shall be limited to providing the trade name, logo or principal use of the establishment and shall be attached flat against the building, window or door, or located within the building.
- (14) ***Reserved.***
- (15) ***Nonconforming signs within Victorian P-N-C District.*** Except for signs painted on the facade of a structure on the effective date of this section [June 25, 1981] and signs previously approved under the provisions of this section by the zoning board of appeals or the visual compatibility officer, all signs within the Victorian P-N-C District shall be deemed to be nonconforming. A nonconforming sign(s) shall be removed or brought into conformance with this section when a principal use existing at the time of the adoption of this section changes, subject to the following conditions:
 - a. The sign shall be maintained in good condition.
 - b. A nonconforming sign shall not be structurally altered except in conformance with the provisions of this section.
 - c. A nonconforming sign shall not be reestablished after damage exceeding 50 percent of the current replacement cost. After such damage, the owner of said sign shall bring it into conformance with the provisions of this section or shall remove the sign, except as provided for under section 8-3112(o)(5)a-c, "nonconforming signs," of the general sign ordinance.

[Multiple amendments adopted November 10, 2016 (File No. 16-004013-ZA).