

[Columbus, Georgia, Code of Ordinances >> APPENDIX A - UNIFIED DEVELOPMENT ORDINANCE >> Chapter 9 - Development Review Bodies >>](#)

Chapter 9 - Development Review Bodies

[ARTICLE 1. - GENERAL PROVISIONS](#)

[ARTICLE 2. - DEVELOPMENT REVIEW BODIES](#)

[ARTICLE 3. - BOARD OF HISTORIC AND ARCHITECTURAL REVIEW](#)

[Columbus, Georgia, Code of Ordinances >> APPENDIX A - UNIFIED DEVELOPMENT ORDINANCE >> Chapter 9 - Development Review Bodies >> ARTICLE 1. - GENERAL PROVISIONS >>](#)

ARTICLE 1. - GENERAL PROVISIONS

[Section 9.1.1. - Applicability.](#)

[Section 9.1.2. - Meetings to be Public.](#)

[Section 9.1.3. - Minutes and Records of Meeting.](#)

[Section 9.1.4. - Other Records.](#)

[Section 9.1.5. - Rules of Procedure.](#)

[Section 9.1.6. - Quorum.](#)

[Section 9.1.7. - Public Notice.](#)

[Section 9.1.8. - Terms of Office, Appointments and Operations.](#)

[Section 9.1.9. - Conflict of Interest.](#)

Section 9.1.1. - Applicability.

Unless otherwise provided by the City Code or this UDO, the requirements of this Article shall apply to all development review bodies. For the purposes of this Chapter, a development review body is the Council of Columbus or a body appointed by the Council and charged with responsibility for providing an advisory recommendation on or approval of an application, certificate of appropriateness, permit or similar development request.

Section 9.1.2. - Meetings to be Public.

All meetings of development review bodies are subject to the Georgia Open Meetings Act, O.C.G.A. § 50-14-1. All meetings of all development review bodies shall be subject to the provision of adequate public notice and open to the public, except those limited matter specified by law to be discussed in executive session.

Section 9.1.3. - Minutes and Records of Meeting.

All development review bodies shall maintain minutes of meetings, and the minutes shall be open to the public. The minutes shall indicate the vote or abstention of each member on all questions or issues subject to a vote. The minutes shall indicate the presence or absence of each member.

Section 9.1.4. - Other Records.

Each development review body shall keep records of its examinations and other official actions, and all such records shall be open to the public.

Section 9.1.5. - Rules of Procedure.

Each development review body shall adopt such rules of procedure as are necessary to conduct all assigned duties and responsibilities. Rules of procedure shall be consistent with applicable laws, rules and regulations of the City and the

State of Georgia. The latest edition of Roberts' Rules of Order shall determine the order and conduct of business at all meetings.

Section 9.1.6. - Quorum.

A majority of the members of each development review body shall constitute a quorum, and a majority of the members present shall be sufficient to vote upon all questions before each body. If these land development regulations establish a higher number of members for a quorum or an affirmative or negative vote, those requirements shall prevail.

Section 9.1.7. - Public Notice.

Public notice of meetings or public hearings by a development review body shall comply with the requirements of Chapter 10.

Section 9.1.8. - Terms of Office, Appointments and Operations.

- A. *Terms of Office and Appointment.* The terms of office and manner of appointment of members, functions and duties of all development review bodies shall be established by resolution or ordinance of the Council.
- B. *Removal.* The Council may remove any member of a development review body from office after two consecutive absences, upon the recommendation of the affected body, or on the Council's own motion, as it deems appropriate.
- C. *Vacancies.* Any vacancy on a development review body shall be filled by the Council for the remainder of the term.

Section 9.1.9. - Conflict of Interest.

All members of development review bodies, including alternate members, shall be subject to all conflict of interest laws set forth in the laws of the State of Georgia, the City Code and the Code of Ethics, the provisions of which are hereby incorporated by reference.

Columbus, Georgia, Code of Ordinances >> APPENDIX A - UNIFIED DEVELOPMENT ORDINANCE >> Chapter 9 - Development Review Bodies >> ARTICLE 2. - DEVELOPMENT REVIEW BODIES >>

ARTICLE 2. - DEVELOPMENT REVIEW BODIES

[Section 9.2.1. - Duties of Development Review Bodies.](#)

[Section 9.2.2. - Council of Columbus.](#)

[Section 9.2.3. - Planning Advisory Commission.](#)

[Section 9.2.4. - Board of Zoning Appeals.](#)

[Section 9.2.5. - Uptown Facade Board.](#)

[Section 9.2.6. - Tree Board.](#)

Section 9.2.1. - Duties of Development Review Bodies.

Section 9.2.2. - Council of Columbus.

The development review bodies shall exercise the authority provided in Table [9.2.1](#) below.
The Council of Columbus shall exercise those powers and duties as provided by the Constitution of the State of Georgia, the Georgia General Assembly, the Charter, the ~~Code of Ordinances~~ [Code of Ordinances](#) and by this UDO.

Summary of Development Review Authority

<i>Review Bodies</i>		<i>Review Authority</i>	
BHAR =	Board of Historic Architectural Review	CR =	Completeness Review
BO =	Building Official	R =	Recommendation
BZA =	Board of Zoning Appeals	D =	Decision
CA =	City Arborist		
CC =	Council of Columbus		
ED =	Engineering Director		
PAC =	Planning Advisory Commission		

Sect

PD =	Planning Director	
SWCD =	Soil and Water Conservation District	
UFB =	Uptown Facade Board	

Procedure	CA	ED	PD	BO	UFB	SWCD	BHAR	PAC	CC	BZA
<i>Zoning Change</i>										
Zoning Map Amendment			CR					R	D	
Special Exception Use			CR					R	D	
Development of Regional Impact			CR						D ¹	
<i>Project Approval</i>										
Site Plan and Preliminary Plat Review		R	D							
<i>Development Permits</i>										
Reserved		D								
<i>Civil Design and Construction Drawings</i>										
Erosion and Sediment Control Plan		CR				D				
Grading Plan		D								
Landscaping, Buffer and Tree Protection Plans	D	CR								
Stormwater Management Site Plan		D								
Street Improvement Plan		D								
Sewage Disposal Plan		D								
Domestic Water Supply Plan		D								
<i>Final Subdivision Plat</i>		R	D							
<i>Changes to Historic Properties</i>										
Certificate of Appropriateness			CR				D			
<i>Building Permitting</i>										
Building Permit				D						
Certificate of Occupancy				D						
<i>Sign Permits</i>										
Sign Permit				D						
Sign Permit in a Historic District				CR			D			
Sign Permit in the UPT and DRD Districts				CR	D					
Temporary Sign Permit				D						

Portable Sign Permit				D					
Text Amendment			CR					R	D
<i>Appeals</i>									
Appeals of Administrative Decision									D
Special Exception Variance, Administrative		D	D						
Special Exception Variance, Non-Administrative									D
Hardship Variance									D
Flood Protection Variance									D
Notes.									
¹ Following review by the Lower Chattahoochee Regional Development Center.									

9.2.3. - Planning Advisory Commission.

The Planning Advisory Committee (PAC) shall exercise the powers and duties of this Section.

- A. Name.** The name shall be the Planning Advisory Commission of Columbus, Georgia.
- B. Composition, Appointment and Compensation.**
- Composition.** The Planning Advisory Commission shall consist of seven regular members and two alternate members appointed by the Council.
 - Term of Office.** All regular member appointments shall be for three years. Current membership and terms of office shall not be affected by the adoption of these land development regulations.
 - Number of Terms.** An appointed member who has served two consecutive full terms shall not be eligible for reappointment until the lapse of 12 months from the end of the second full term.
 - Alternate Members.**
 - Service as Regular Member.** In the absence of any regular member, an alternate shall replace the absent member and shall be empowered to act as a regular member.
 - Terms of Office and Number of Terms.** Alternate members shall be appointed for a term of three years and may succeed themselves under the procedure established for regular members.
 - Compensation.** Regular and alternate members shall not receive compensation for their services. However, the members may be reimbursed for authorized expenses incurred in the performance of their duties. Authorization of expenses shall be made by the Director of Planning.
- C. Powers and Duties.** The Commission exercises the powers and duties as listed below.
- Comprehensive Plan.** To recommend to the Planning Department and the Council a Comprehensive Plan or parts thereof for the development and redevelopment of the City and approval, approval with conditions or denial of requests to change the text of the plan or amendments to the Future Land Uses Map.
 - Rezoning (Amendments of the Official Zoning Map).** To recommend to the Planning Department and the Council an Official Zoning Map for the City and approval, approval with conditions or denial of any requests for amendments to the Map.
 - Unified Development Code.** To recommend to the Planning Department and the Council, a unified development code and amendments thereto to establish zoning districts; provide for permitted, special exception and prohibited uses; provide for density and intensity of development; to provide for bulk, height and setbacks for buildings; provide for the subdivision of land; provide for protection of the environment; establish standards related to the development of land; and for similar purposes to protect the public health, safety and welfare.
 - Modification of Development Approvals.** To recommend approval, approval with conditions or denial of modifications to development approvals previously granted to the Council.
 - Special Exception Uses.** To recommend to the Planning Department and the Council approval, approval with conditions or denial of applications for special exception use approval.
 - Official Map.** To recommend to the Planning Department and the Council an official map of the City.
 - Other Duties.** Perform such other duties and matters as may be directed by the Council, may be required by these land development regulations, or as may be required by ordinance.

- D. Officers.** The Planning Advisory Commission shall elect a Chair and such other officers as deemed necessary. The Commission shall establish the term of office of the Chair and other officers.
- E. Meetings.** Meetings of the Planning Advisory Commission shall be held at the call of the Chair and at such other times as the Commission may determine.

(Ord. No. 05-32, § 1, 4-5-05)

Section 9.2.4. - Board of Zoning Appeals.

The Board of Zoning Appeals (BZA) shall exercise the powers and duties of this Section.

- A. Name.** The name shall be the Board of Zoning Appeals of Columbus, Georgia.
- B. Composition, Appointment and Compensation.**
- 1. Composition.** The Board of Zoning Appeals shall consist of five members appointed by the Council. The members shall not be employees or officials of the Columbus Consolidated Government.
 - 2. Term of Office.** All regular member appointments shall be for three years. Current membership and terms of office shall not be affected by the adoption of these land development regulations.
 - 3. Number of Terms.** An appointed member who has served two consecutive full terms shall not be eligible for reappointment until the lapse of 12 months from the end of the second full term.
 - 4. Compensation.** Regular members shall not receive compensation for their services. However, the members may be reimbursed for authorized expenses incurred in the performance of their duties. Authorization of expenses shall be made by the Director.
- C. Officers.** The Board of Zoning Appeals shall elect a Chair and shall appoint a Secretary. The Board shall establish the term of office of the Chair and Secretary. The Secretary may be an employee of the Columbus Consolidated Government.
- D. Meetings.**
- 1. Scheduling of Meetings.** Meetings of the Board of Zoning Appeals shall be held at the call of the Chair and at such other times as the Board may determine.
 - 2. Witnesses, Oaths and Testimony.** The Board shall have the power to summon witnesses, administer oaths and compel the giving of testimony.
 - 3. Contempt.** In case of contempt of any party, witness or other person before the Board of Zoning Appeals, the Board may certify such fact to the Superior Court of Muscogee County. The judge of this court may punish such person in the same manner as contempt of the Superior Court.
- E. Powers and Duties.** The Board of Zoning Appeals shall exercise the powers and duties listed below.
- 1. Appeals of Administrative Decisions.** The BZA shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official or agency in the enforcement of these land development regulations. An appeal shall be filed within 30 days of the final decision by an administrative official or agency.
 - (A) Effect of Appeal.** The filing of an appeal shall stay all proceedings of the action or decision appealed until a decision by the Board of Zoning Appeals.
 - (B) Method of Appeal.** An appeal shall be filed as provided in Chapter 10 of these land development regulations.
 - (C) Decision.** The Board may affirm or reverse or affirm, wholly or in part, the decision appealed or may modify the order, requirement, decision or determination.
 - 2. Variances.**
 - (A)** The BZA may authorize a variance that shall not be contrary to the public interest, unless such authority is granted to another body by this UDO.
 - (B)** The BZA shall not have the authority to:
 - (1)** Grant a variance to authorize the use of a parcel or building in a manner that is not permitted by the zoning district in which the parcel or building is located;
 - (2)** Grant a variance from the additional standards applicable to permitted or special exception uses as provided in Chapter 3 of these regulations;
 - (3)** Grant a variance from any condition or stipulation included as part of a development approval granted by the Council or by any other development review body; and
 - (4)** Grant a variance within a planned development district, unless authorized by this UDO.
 - 3. Other Duties.** The BZA shall perform such other duties as may be required by this UDO.
- F. Appeals.**
- 1. (A) Appeal to Council.** Appeals to council shall conform to [Section 4.4.26](#) of this ordinance.
(B) Wireless Communication Facilities. A decision by the Board regarding an administrative appeal may be appealed to Council. The appeal shall be filed within ten (10) days of final decision by the Board.
 - 2. Appeal to Superior Court.** An appeal of a final decision by the Board on a request for a variance shall be

made to the Superior Court of Muscogee, Georgia. The appeal shall be filed within 30 days of the final decision.

(Ord. No. 08-72, § 1, 12-16-08; Ord. No. 10-17, § 1, 5-25-10)

Section 9.2.5. - Uptown Facade Board.

The Uptown Facade Board (UFB) shall exercise the powers and duties of this section.

- A. Purpose.** The purpose of the UFB is to provide and protect continuity in design and preserve the architectural integrity of the properties subject to the Board's jurisdiction.
- B. Name.** The name shall be the Uptown Facade Board.
- C. Facade Defined.** The term facade means that visual portion of the front or principle exterior surface of a building that faces a public way. The facade includes all architectural and construction features visible from any point on a public way outside of the building, including without limitation structural materials, facing materials, windows, doors, trim, sills, steps, railings, cornices, moldings, fences and other decorative features.
- D. Composition, Appointment and Compensation.**
- 1. Compositon.** The UFB shall consist of nine members appointed by the Council. The voting members shall not be employees or officials of the Columbus Consolidated Government, and shall be composed of the following:
 - (A)** One representative from the Historic Columbus Foundation;
 - (B)** Two representatives of Uptown Columbus, Inc.;
 - (C)** Six representatives of the Uptown Business Association; and
 - (D)** Nonvoting members from the Planning Division, the Inspections and Code Enforcement Division, and the Columbus Housing Authority.
 - 2. Term of Office.** All regular member appointments shall be for three years. Current membership and terms of office shall not be affected by the adoption of these land development regulations.
 - 3. Number of Terms.** An appointed member who has served two consecutive full terms shall not be eligible to for reappointment until the lapse of 12 months from the end of the second full term.
 - 4. Removal.** The term of a Board member may be terminated by the Council after three consecutive absences and upon a recommendation from the Board.
 - 5. Compensation.** Regular and alternate members shall not receive compensation for their services. However, the members may be reimbursed for authorized expenses incurred in the performance of their duties. Authorization of expenses shall be made by the Director.
- E. Officers.** The Board shall elect a Chair, Vice-Chair and Secretary who shall serve for a term of one year each and are eligible for reelection. The Secretary may be appointed by the Board from among the voting members.
- 1. Duties of the Chair.** The Chair shall preside over the Board and shall vote only in the event of a tie.
 - 2. Duties of the Vice-Chair.** In the absence of the Chair, the Vice-Chair shall perform the duties of the Chair.
- F. Meetings.** Meetings of Board shall be held every third Monday at 3:00 p.m., and at such times as the Board may determine.
- G. Quorum, Decisions and Procedures.**
- 1. Quorum.** A majority of the voting members shall constitute a quorum.
 - 2. Decisions.** All decisions on applications for certificates of facade appropriateness must be made by a majority vote of the Board members present.
 - 3. Procedures.** The Board may adopt bylaws for their own organizational procedures consistent with the ordinances of Columbus and laws of the State of Georgia.
- H. Jurisdiction.** The Board's jurisdiction shall include all properties within the UPT and the CRD zoning district as indicated on the Official Zoning Map.
- I. Powers and Duties.** The UFB shall exercise the powers and duties listed below.
- 1. Facade Standards.** The Board shall develop and adopt standards governing those elements of development, redevelopment, rehabilitation, preservation and maintenance that affect the facades of the properties with their jurisdiction.
 - 2. Certificates of Facade Appropriateness.** The Board shall review all applications for certificates of facade appropriateness pursuant to the provisions of subsection J below.
 - 3. Sign Permit in the UPT and CRD Districts.** The Board shall approve, approve with conditions or deny sign permits in the UPT and CRD zoning districts.
- J. Certificate of Facade Appropriateness Required.** A material change in the appearance of any property within the Board's jurisdiction shall not be made unless the Uptown Facade Board has approved an application for certificate of facade appropriateness.
- 1. Forms.** The Department of Planning shall provide application forms for certificate of facade appropriateness.
 - 2. Contents of Application.** The application supporting materials accompanying an application shall include

but not be limited to the following:

- (A) Listing of all proposed work activities;
 - (B) Listing of all materials; and
 - (C) A scaled graphic drawing illustrating work to be performed.
3. *Review.*
- (A) *Board Members.* The application and supporting materials shall be provided to Board members ten days in advance of the meeting at which the application is to be considered.
 - (B) *Review Criteria.* The Board shall approve an application and issue a certificate of facade appropriateness if it finds that the proposal meets the requirements of this Section. In making this determination, the Board shall consider, in addition to any other pertinent factors, the following criteria:
 - (1) The historic and architectural value and significance of the structure;
 - (2) The architectural style, general design, arrangement, texture and material of the architectural features involved with the structure and relationship to the interior architectural style;
 - (3) The consistency with design guidelines adopted by the Board; and
 - (4) Pertinent features of other structures within the Board's jurisdiction.
 - (C) *Board Decision.* The Board shall approve or reject an application for a certificate of facade appropriateness within 30 days after the Department of Planning receives a complete application.
 - (1) *Approval.* Evidence of approval shall be the issuance of the certificate of facade appropriateness by the Board.
 - (2) *Failure to Act.* Failure of the Board to act within 30 days shall constitute approval, and no other evidence of approval shall be needed.
 - (D) *Denial of Application.* If the Board denies an application, it shall provide a written statement of its reasons such action and provide a copy to the applicant.
 - (1) The Board may suggest modifications or alternative courses of action upon denial of an application.
 - (2) The applicant may make modifications to the plans and may resubmit the application at any time.
 - (E) *Effect of Denial of an Application.* The denial of an application for a certificate of facade appropriateness shall be binding upon the Building Official or other administrative officer charged with issuing building permits. Building permits shall not be issued for any work for which a certificate of facade appropriate has been denied.
4. *Landmark Properties.* Prior to construction or a material change in the appearance of any property designated as a landmark site by these land development regulations or by the Official Zoning Map shall require approval by both the Uptown Facade Board and the Board of Historic and Architectural Review.
5. *Visual Compatibility Factor.* Within the Board's area of jurisdiction, new construction and existing buildings and structures and appurtenances thereof which are moved, reconstructed, materially altered, repaired or changed in color, shall be visually compatible with buildings, squares and places to which they are visually related.
6. *Variations from Standards.*
- (A) *Variations Authorized.* Due to unusual circumstances, if the strict application of any provision of this Section or any standards adopted by the Board would result in exceptional practical difficulty or undue hardship upon the owner of a specific property or structure, the Board may grant a variation from such standards.
 - (B) *Standards for Variations.* If a variation, modification or interpretation is considered, the Board shall utilize the standards listed below in reaching a decision:
 - (1) The property shall remain in harmony with the general purpose and intent of this Section;
 - (2) The architectural integrity or character of the property or structure shall be conserved; and
 - (3) Substantial justice done.
 - (C) *Stipulations and Conditions.* In granting a variation, the Board may impose such reasonable and additional stipulations and conditions as will, in its judgment, best fulfill the purpose of this Section.
7. *Exemptions.*
- (A) *Maintenance and Repair Allowed.* The requirements of this Section shall not be construed so as to prevent the ordinary maintenance or repair of any exterior architectural feature in or on any property or building, provided such activity that does not involve a material change in design, material or exterior.
 - (B) *Permitted Use of Property.* The requirements of this Section shall not be construed to prevent a property owner from making such use of the property that is not prohibited by these land development regulations or other applicable statues, ordinances or regulations.
8. *Appeals.*

- Appeal from a decision of the Uptown Facade Board shall be made within 30 days to the Board of Zoning Appeals as provided in [Section 10.11.7](#) of this ordinance.
- (B) Prior to consideration of an appeal by the by the Board of Zoning Appeal from a decision by the Uptown Facade Board, advance written notice of the time, date and location of the meeting at which the appeal is to be considered shall be provided by the Director.
9. *Penalties and Remedies.* Failure to comply with the requirements of this Section shall be addressed as provided in Chapter 12 or using such remedies, including civil remedies, as provided by law.

(Ord. No. 08-72, § 1, 12-16-08; Ord. No. 10-17, § 1, 5-25-10)

Section 9.2.6. - Tree Board.

- A. *Establishment of Tree Board.* A Tree Board is hereby established to be composed of eleven members appointed by the Council.
1. *Appointments and Length of Terms.*
 - (A) *Length of Term.* All appointments shall be for a three-year term, except for the initial terms as provided in this Section.
 - (B) *Initial Terms.* The initial term shall be considered a full term in accordance with [Section 2-1](#) of the City Code. The initial appointments shall be as follows:
 - (1) Four members appointed for a three-year term to terminate December 31, 2004;
 - (2) Four members appointed for a two-year term to terminate December 31, 2003; and
 - (3) Three members shall be appointed for a one-year term to terminate July 1, 2002.
 2. *Considerations for and Basis of Membership.*
 - (A) *Considerations.* The Mayor and Council, when appointing members to the Tree Board, shall give consideration to those persons who have demonstrated an interest in the preservation and conservation of trees in the City.
 - (B) *Categories of Representation.* Appointments shall be made so that the seven members of the Tree Board consist of representatives from each of the following groups:
 - (1) A public utility providing service within the City;
 - (2) An educator employed by Columbus State University, the Muscogee County School District, or Columbus Technical College whose principal field of activity is science and/or the environment;
 - (3) The Director or a Commissioner of Keep Columbus Beautiful;
 - (4) A representative of the development or building community of the City working primarily in commercial or industrial development;
 - (5) A representative of the development or building community of the City working primarily in residential development;
 - (6) A representative of an environmental advocacy group headquartered in the City; and
 - (7) A representative who is a landscape or forestry professional.
 - (C) *Additional Members.* The additional four members shall be appointed from the public at large.
 - (D) *City Arborist.* The City Arborist shall serve as an advisor and as an ex officio member of the board, but shall not have the right to vote as a Board member.
- B. *Duties and Responsibilities.* The Tree Board shall have the duties and responsibilities provided in this Section.
1. *Officers, Rules, Proceedings and Quorum.*
 - (A) *Officers and Proceedings.* The Board shall choose its own officers, make its own rules and regulations, establish meeting dates and keep minutes of its proceedings.
 - (B) *Quorum.* A majority of the total members shall be a quorum for the transaction of business.
 - (C) *Approval of Rules and Regulations.* The rules and regulations shall be approved by the City Attorney and a copy shall be provided to the Clerk of Council.
 2. *Tree Master Plan.* The Board shall prepare or update annually a written citywide tree master plan that guides the care, preservation, pruning, planting, replanting, removal, or disposition of trees on public lands.
 - (A) *Planning Considerations.* The plan shall consider existing and future utility locations and environmental factors in relation to existing and future tree species on public lands or on private lands, as provided in this Article or other applicable provisions of the Code.
 - (B) *Recommendations.* The tree master plan shall be recommended to the Mayor and Council.
 - (C) *Implementation.* Upon acceptance and approval by the Council the plan shall be implemented as the "Tree Master Plan."
 3. *Variances.* The Board shall grant appropriate variances and hear appeals from any decision of the City Arborist regarding the enforcement of this Article 6 of Chapter 4 regarding tree preservation and replacement.
 4. *Recommendations.* The Board shall make recommendations to the City Arborist and the Mayor and Council.
 5. *Other Duties and Responsibilities.* The Board shall act on other matters designated by this Article or this UDO or by the Mayor and Council.

Columbus, Georgia, Code of Ordinances >> APPENDIX A - UNIFIED DEVELOPMENT ORDINANCE >> Chapter 9 - Development Review Bodies >> ARTICLE 3. - BOARD OF HISTORIC AND ARCHITECTURAL REVIEW >>

ARTICLE 3. - BOARD OF HISTORIC AND ARCHITECTURAL REVIEW

[Section 9.3.1. - Purpose and Creation.](#)

[Section 9.3.2. - Conflict with Other Regulations.](#)

[Section 9.3.3. - Jurisdiction.](#)

[Section 9.3.4. - Composition, Appointment and Compensation.](#)

[Section 9.3.5. - Organization and Structure.](#)

[Section 9.3.6. - Recommendation for Historic District and Property Designation.](#)

[Section 9.3.7. - Designation of Historic Districts and Historic Properties.](#)

[Section 9.3.8. - Certificate of Appropriateness.](#)

[Section 9.3.9. - Review of Applications for Certificates of Appropriateness.](#)

[Section 9.3.10. - Review Procedures.](#)

[Section 9.3.11. - Posting of Certificates.](#)

[Section 9.3.12. - Rejection or Denial of an Application for Certificate of Appropriateness.](#)

[Section 9.3.13. - Signage.](#)

[Section 9.3.14. - Certificate of Appropriateness to be Voided.](#)

[Section 9.3.15. - Appeal Process.](#)

[Section 9.3.16. - Maintenance of Historic Property.](#)

Section 9.3.1. - Purpose and Creation.

- A.** *Purpose.* In support and furtherance of its findings and determination that the historical, cultural, and aesthetic heritage of the City of Columbus is among its most valued and important assets and that the preservation of this heritage is essential to the promotion of the health, prosperity and general welfare of the people; and in order to stimulate revitalization of the business districts and historic neighborhoods and to protect and enhance local historical and aesthetic attractions to tourists and thereby promote and stimulate business; and in order to enhance the opportunities for federal and state tax benefits under relevant provisions of federal or state law; and in order to provide for the designation, protection, preservation and rehabilitation of historic properties and historic districts and to participate in federal or state programs to do the same, the Mayor and Council of Columbus, Georgia hereby declares it to be the purpose and intent of this Article to establish a uniform procedure for use in providing for the protection, enhancement, perpetuation, and use of places, districts, sites, buildings, structures, and works of art having a special historical, cultural, or aesthetic interest or value, in accordance with the provisions of this Article.
- B.** *Creation.* There is hereby created "Consolidated Government of Columbus Board of Historic and Architectural Review". The Board shall be considered a part of the planning functions of the City of Columbus, and work directly with the Planning Division.

Section 9.3.2. - Conflict with Other Regulations.

Whenever the regulations of this Article prescribe more restrictive standards than are required in or under any other statute, the requirements of this Article shall govern. Whenever the provisions of any other statute prescribe more restrictive standards than are required by this Article, the provisions of such statute shall govern.

Section 9.3.3. - Jurisdiction.

- A.** *Properties and Structures within the Board's Jurisdiction.*
- Properties Included.* The jurisdiction of the Board of Historic and Architectural Review shall include all the following properties:
 - Properties zoned HIST and or designated as a landmark site (L) in or by these land development regulations or on the Official Zoning Map; and
 - Historic properties and districts designated by the Council.
 - General Duties.* The Board shall oversee those elements of development, redevelopment, rehabilitation, facade easement, and preservation that affects visual quality of any designated historic properties.
 - Exemption.* The Board shall not consider interior arrangements of structures.
- B.** *Powers and Duties.* The Board of Historic and Architectural Review shall be authorized to take such actions as listed

below.

1. *Designation of Historic Properties.* Recommend to the Council specific places, districts, sites, buildings, structures, or works of art to be designated by ordinance and or resolution as historic properties or historic districts.
2. *Certificates of Appropriateness.* Review applications for certificate of appropriateness, and grant or deny same in accordance with the provisions of this Article.
3. *Board Powers to Adopt Rules of Procedure.* The Board shall adopt rules and standards for the transaction of its business and for consideration of applications for designations and certificates of appropriateness, such as by-laws, design guidelines and criteria; and for the time and place of special meetings. The Board shall have the flexibility to adopt rules of procedure without amendment to this Ordinance. The latest edition of Roberts' Rules of Order shall determine the order of business at all meetings.
4. *Sign Permit in a Historic District.* The Board of Historic and Architectural Review shall grant, grant with conditions, or deny sign permits in a historic district.
5. *Revocation of Historic Designation.* Recommend to the Council that the designation of any place, district, site, building, structure, or work of art as an historic property or as an historic district be revoked or removed.
6. *Educational Programs.* Conduct educational programs on historic properties located within its jurisdiction.
7. *Investigations.* Conduct such investigations and studies of matters relating to historic preservation as the Council may, from time to time, deem necessary or appropriate for the purposes of preserving historic resources.
8. *Grants and Funds.* Seek out state, federal and private funds for historic preservation, and make recommendations to the Council concerning the most appropriate uses of any funds that are received.
9. *Historic Preservation Activities.* Perform historic preservation activities as the official agency of City's historic preservation program.
10. *Employment.* Recommend to the City that it employ persons, if necessary, to carry out the programs of the Board.
11. *Nominations to the National Register.* Review and make comments to the state historic preservation office concerning the nomination of properties and structures within its jurisdiction to the National Register of Historic Places.
12. *Designated Historic Properties Or Districts.* Submit to the Historic Preservation Division of the Department of Natural Resources a list of historic properties or historic districts designated by the City.
13. *Potential Historic Designations.* Prepare and maintain an inventory of all property within the City of Columbus having the potential for designation as historic property.

(Ord. No. 10-34, § 1, 7-13-10)

Section 9.3.4. - Composition, Appointment and Compensation.

A. Qualifications and Composition.

1. *Qualifications.* The Board shall consist of eleven members appointed by the Council. All members shall be residents of the City and shall be persons who have demonstrated special interest, experience or education in history, architecture or the preservation of historic resources.
2. *Composition.* Composition of the Board shall include the following voting members:
 - (A) One architect registered in the State of Georgia;
 - (B) One member of the Columbus Homebuilders Association;
 - (C) One member of Historic Columbus Foundation;
 - (D) One member of the Historic District Preservation Society;
 - (E) One member of the Columbus Board of Realtors;
 - (F) One member of Uptown Business Association;
 - (G) One member of the Liberty Cultural Center, Inc.;
 - (H) Two residents of historic districts, including but not limited to Waverly Terrace, Weracoba, High Uptown, the Historic District, and other districts created by the Council; and
 - (I) Two members at-large.
3. *Terms of Office.* All member appointments shall be for three years. Current membership and terms of office shall not be affected by the adoption of these land development regulations.
4. *Number of Terms.* An appointed member who has served two consecutive full terms shall not be eligible to for reappointment until the lapse of 12 months from the end of the second full term.
5. *Compensation.* Members shall not receive compensation for their services. However, the members may be reimbursed for authorized expenses incurred in the performance of their duties. Authorization of expenses shall be made by the Director of Planning.

Section 9.3.5. - Organization and Structure.

Officers. The Board shall elect from its membership a Chair, Vice Chair and Secretary who shall serve for terms of one

- A. year each and who may be reelected.
 - B. *Chair.* The Chair shall preside over the Board and shall vote only in the event of a tie vote. In the absence of the Chair, the Vice Chair shall perform the duties of the Chair.
 - C. *Secretary.* The Secretary shall be the Planning Director.
 - D. *Quorum and Decisions.* A quorum shall consist of six members. All decisions on applications must be made by a majority vote of the Board members present.
 - E. *Meetings.* Meetings of the Board shall be held on the second Monday of each month or at the call of the Chair.
- (Ord. No. 09-22, § 1, 6-2-09)

Section 9.3.6. - Recommendation for Historic District and Property Designation.

- A. *Preliminary Research by the Board.*
 - 1. *Survey of Local Historic Resources.* The Board shall compile and collect information and conduct surveys of historic resources within the City.
 - 2. *Recommendations.* The Board shall present to the Council recommendations designation of historic districts and properties.
- B. *Documentation of Proposed Historic Designation.* Prior to a recommendation of a designation of a historic district or historic property to the Council, the Board shall prepare a report for nomination consisting of the elements listed below.
 - 1. *Description.* A physical description.
 - 2. *Statement of Significance.* A statement of the historical, cultural, architectural and aesthetic significance.
 - 3. *Map.* A map showing:
 - (A) District boundaries and classification of individual structures and properties as historic, nonhistoric, intrusive or similar class; or
 - (B) Boundaries of individual historic properties.
 - 4. *Justification.* A statement justifying proposed district or individual property boundaries.
 - 5. *Photographs.* Representative photographs of the district or individual properties or structures.
- C. *Designation of a Historic District.*
 - 1. *Criteria for Selection.* For the purposes of this these land development regulations, a historic district is a geographically definable area that contains buildings, structures, sites, objects, and landscape features or a combination thereof, possessing one or more of the characteristics listed below.
 - (A) *State or National Register.* The proposed district contains structures, properties, and similar items that are listed on the Georgia Register or National Register of Historic Places.
 - (B) *Character or Interest.* The proposed district contains structures, properties, and similar items that have a special character or special historic/aesthetic value or interest.
 - (C) *Architectural Styles.* The proposed district contains structures, properties, and similar items that represent one or more periods, styles or types of architecture typical of one or more eras in the history of the municipality, county, state or region.
 - (D) *Visual Perception.* The proposed district contains structures, properties, and similar items that cause such area, by reason of such factors as listed in this Subsection, to constitute a visibly perceptible section of the municipality.
 - 2. *Boundaries.* Boundaries of a proposed historic district shall be included in the separate ordinances designating such districts and shall be shown on the Official Zoning Map.
 - 3. *Evaluation and Classification of Properties.* Individual properties within historic districts shall be classified as one or more of the following:
 - (A) Historic, meaning the property contributes to the district;
 - (B) Nonhistoric, meaning the property does not contribute but does not detract from the district, as provided for in [Section 9.3.6 C 1](#).
 - (C) Intrusive, meaning the property detracts from the district as provided for in [Section 9.3.6.C.1](#).
- D. *Designation of a Historic Property.*
 - 1. *Criteria for Selection.* For the purposes of this these land development regulations, a historic property is a building, structure, site or object, including the adjacent area necessary for the proper appreciation or use thereof, deemed worthy of preservation by reason of value to the nation, the Consolidated Government of Columbus, or the State of Georgia, for one of the reasons listed below.
 - (A) *State or National Register.* The proposed district contains structures, properties, and similar items that are listed on the Georgia Register or National Register of Historic Places.
 - (B) *Representative Structure.* It is an outstanding example of a structure representative of its era.
 - (C) *Remaining Example.* It is one of the few remaining examples of a past architectural style.
 - (D) *Significance.* It is a place or structure associated with an event or persons of historic or cultural significance to the City, the State of Georgia or the region.

- (E) *Contribution.* It is a site of natural or aesthetic interest that is continuing to contribute to the cultural or historical development and heritage of the City, the State of Georgia or the region.

Section 9.3.7. - Designation of Historic Districts and Historic Properties.

- A. *Designation by Ordinance.* Historic districts or historic properties shall be designated by ordinance approved by the Council.
- B. *Applications for Designation.*
1. *Historic District.* An application for designation of a historic district may be submitted by the Council, the Board, historical society, neighborhood association or group of property owners.
 2. *Historic Property.* An application for designation of a historic property may be submitted by the Council, the Board, historical society, neighborhood association or a property owner.
- C. *Designating Ordinance.* An ordinance designating any property or district as historic shall contain the components listed below.
1. *Property Identification.* List each property in a proposed historic district or describe the proposed individual historic property.
 2. *Owner Identification.* Identify the name of the owner of the designated property or properties.
 3. *Certificate of Appropriateness.* Require that a certificate of appropriateness be obtained from the Board prior to any material change in appearance of the designated property.
 4. *Official Zoning Map.* Require that property or district be shown on the Official Zoning Map as a public record to provide notice of such designation.
- D. *Public Hearings and Notice Required.* Both the Board and the Council shall hold a public hearing for a proposed ordinance for the designation of any historic district or property.
1. *Publishing of Notice.* Notice of the hearing shall be published in at least three consecutive issues in the principal newspaper of local circulation.
 2. *Written Notice.* The Board shall mail written notice of the hearing to all owners and occupants of properties to be designated as a historic property or as part of a historic district.
 3. *Time of Notices.* All notices shall be published or mailed not less than ten nor more than 20 days prior to the date set for the public hearing.
- E. *Recommendation for Designation.* A recommendation to affirm, modify or withdraw the proposed ordinance for designation shall be made by the Board within 15 days following the public hearing and shall be in the form of a resolution to the Council.
- F. *Action by the Council.* Following receipt of the Board's recommendation, the Council may adopt the ordinance as proposed, may adopt the ordinance with any amendments it deems necessary, or reject the ordinance.
- G. *Notification of Designation.*
1. *Owners and Occupants.* Within 30 days following the adoption of the ordinance for designation by the Council, the owners and occupants of each designated historic property, and the owners and occupants of each structure, site or work of art located within a designated historic district, shall be provided written notice of such designation. The notice shall inform the owner or occupant of the necessity of obtaining a certificate of appropriateness prior to undertaking any material change in the appearance of the designated historic property or within the designated historic district.
 2. *Other Agencies.* The Planning Division shall notify all necessary agencies within the City of the ordinance for designation.
- H. *Notice to State of Georgia.* At least 30 days prior to making a recommendation on any ordinance designating a property or district as historic, the Board must submit the report, required in subsection [Section 9.3.6.B](#), to the Historic Preservation Division.
- I. *Pending Designation.* If an ordinance for designation of a historic property or historic district is being considered, the Board shall have the power to freeze the status of the involved property.

Section 9.3.8. - Certificate of Appropriateness.

Approval by the Board of a certificate of appropriateness is required prior to a material change in appearance of a historic property or of a historic district, as provided in this Section.

- A. *Certificate Required.*
1. *Certificate Required.* After the designation of a historic property or of a historic district, a material change in appearance shall not be made without a certificate of appropriateness.
 2. *Applicability.* The requirement for a certificate of appropriateness prior to a material change in appearance shall apply to the following:
 - (A) The owner or occupant of a historic property of a historic property [district]; or
 - (B) The owner or occupant of a historic or non-historic building, structure, site, or work of art within a historic district.

- B. *Material Changes in Appearance.*** All material changes in appearance, including installation and removal, are regulated and must comply with the requirements for a certificate of appropriateness. The following is a list of common, but not all inclusive, installations and removals work items:
1. Installation or removal of all decks, patios, driveways, and walks;
 2. Installation or removal of metal awnings or metal canopies;
 3. Installation of an exterior door or door frame, or the infill of an existing exterior door opening;
 4. Installation or removal of any exterior wall, including the enclosure of any porch or other outdoor area;
 5. Installation or relocation of wood, chain link, masonry (garden walls) or wrought iron fencing, or the removal of masonry (garden walls), wood, or wrought iron fencing.
 6. Installation or removal of all fire escapes, exterior stairs or ramps for the handicap;
 7. Installation or removal of railing or other wood, wrought iron or masonry detailing;
 8. Installation of new roofing materials, or removal of existing roofing materials;
 9. Installation or removal of security grilles;
 10. Installation of new exterior siding materials, or removal of existing exterior siding materials;
 11. Installation or removal of exterior skylights;
 12. Installation of exterior screen windows or exterior screen doors and storm windows or storm doors;
 13. Installation of an exterior window or window frame or window shutters or the infill of an existing exterior window opening.
- C. *New Structures.*** A certificate of appropriateness must be obtained from the Board prior to erecting a new building or parking lot located on a historic property or within a historic district.
- D. *Demolition or Relocation.***
1. *Certificate Required.* A certificate of appropriateness must be obtained from the Board prior to demolition or relocation of a building, structure, or work of art located on a historic property or within a historic district.
 2. *Approval or Rejection of Demolition Request.* For an application for demolition of an historic property or a structure, site or artwork within a historic district is received, the Board shall have a total of 90 days to either approve or reject an application. The 90 day period to start with the day the application is submitted for demolition with the Inspection and Code Division.
- E. *Workmanship.*** A certificate of appropriateness must be obtained from the Board prior to abrasive cleaning or sandblasting of exterior walls.
- F. *Exemption.*** In its review of an application for a certificate of appropriateness, the Board shall not consider an interior arrangement or a use that has no effect on exterior architectural features.
- G. *Certificate of Appropriateness Not Required.*** Ordinary maintenance or repair, including paint, of any exterior architectural or environmental feature in or on a historic property, to correct deterioration, decay or damage, or to sustain the existing form, and that does not involve a material change in design, material, or outer appearance thereof, does not require a certificate of appropriateness.

(Ord. No. 08-72, § 1, 12-16-08)

Section 9.3.9. - Review of Applications for Certificates of Appropriateness.

- A. *Board Action.*** The Board may approve the certificate of appropriateness as proposed, approve the certificate with any modifications it deems necessary, or deny the certificate.
- B. *Conditions for Approval.***
1. *Issuance of a Certificate and Criteria for Consideration.*
 - (A) The Board shall approve an application and issue a certificate of appropriateness if it finds that the proposed material changes in the appearance would not have a substantial adverse effect on the aesthetic, historic, or architectural significance and value of the historic property or the historic district.
 - (B) In making a determination, the Board shall consider in addition to any other pertinent factors, the following criteria of Sections [9.3.6.C](#) and [9.3.6.D](#).
 2. *Visual Compatibility.* When a historic property is involved, new construction, and existing buildings and structures and appurtenances thereof which are constructed, moved, reconstructed, materially altered, repaired or changed in color shall be visually compatible with buildings, squares and places to which they are visually related. Material changes must be compatible in terms of the following:
 - (A) Height;
 - (B) Proportion of building's facades;
 - (C) Proportion of openings within the facility;
 - (D) Rhythm of solids to voids in front facades;
 - (E) Rhythm of spacing of buildings on streets;
 - (F) Rhythm of entrance and/or porch projection;
 - (G) Relationship of materials, texture and color;
 - (H) Roof shape;

- (I) Walls of continuity;
 - (J) Scale of a building; and
 - (K) Directional expression of front elevation.
- C. *Reconstruction, Alteration, New Construction or Renovation.* The Board shall issue certificates of appropriateness for reconstruction, alteration, new construction or renovation if those actions conform in design, scale, building material, setbacks and landscaping as further specified in the Design Guidelines for Columbus and the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitation Historic Buildings.
- D. *Relocation.* A decision by the Board approving or denying a certificate of appropriateness for the relocation of a building, structure, or object shall be guided by the standards listed below.
- 1. *Contribution to Present Setting.* The historic character and aesthetic interest the building, structure or object contributes to its present setting.
 - 2. *Plans for Vacation of an Area.* Whether there are definite plans for the area to be vacated and what the effect of those plans on the character of the surrounding area will be.
 - 3. *Potential for Significant Damage.* Whether the building, structure or object can be moved without significant damage to its physical integrity.
 - 4. *Relocation Area.* Whether the proposed relocation area is compatible with the historical and architectural character of the building, structure, site or object.
- E. *Demolition.* A decision by the Board approving or denying a certificate of appropriateness for the demolition of buildings, structures, sites, or objects shall be guided by the standards listed below.
- 1. *Significance.* The historic, scenic or architectural significance of the building, structure, site, or object.
 - 2. *Contribution to District.* The importance of the building, structure, site, or object to the ambiance of a district.
 - 3. *Reproduction.* The difficulty or the impossibility of reproducing such a building, structure, site, or object because of its design, texture, material, detail, or unique location.
 - 4. *Status.* Whether the building, structure, site, or object is one of the last remaining examples of its kind in the neighborhood or the county.
 - 5. *Reuse of Property.* Whether there are definite plans for reuse of the property if the proposed demolition is carried out, and what the effect of those plans on the character of the surrounding area would be.
 - 6. *Remedial Measures.* Whether reasonable measures can be taken to save the building, structure, site, or object from collapse.
- F. *Variations and Undue Hardship.*
- 1. *Variations from Standards.*
 - (A) *Variations Authorized.* Due to unusual circumstances, if the strict application of any provision of this Section or any standards adopted by the Board would result in exceptional practical difficulty or undue hardship upon the owner of any specific property or structure, the Board may grant a variation from such standards.
 - (B) *Standards for Variations.* If a variation, modification or interpretation is considered, the Board shall utilize the standards listed below in reaching a decision:
 - (1) The property or shall remain in harmony with the general purpose and intent of this Section;
 - (2) The architectural integrity or character of the property or structure shall be conserved; and
 - (3) Substantial justice done.
 - (C) *Stipulations and Conditions.* In granting a variation, the Board may impose such reasonable and additional stipulations and conditions as will, in its judgment, best fulfill the purpose of this Section.
 - (D) *Exclusion from Undue Hardship.* An undue hardship shall not be a situation of the person's own making.
 - 2. *Exemptions.*
 - (A) *Maintenance and Repair Allowed.* The requirements of this Section shall not be construed so as to prevent the ordinary maintenance or repair of any exterior architectural feature in or on any property or building, provided such activity that does not involve a material change in design, material or outer appearance thereof.
 - (B) *Permitted Use of Property.* The requirements of this Section shall not be construed to prevent a property owner from making such use of the property that is not prohibited by these land development regulations or other applicable statutes, ordinances or regulations.

Section 9.3.10. - Review Procedures.

The procedures listed below shall apply to all applications for a certificate of appropriateness.

- A. *Public Notice.*
 - 1. *Public Notice.* Prior to reviewing an application for a certificate of appropriateness, the Board shall take such action as may reasonably be required to inform the owners of any property likely to be affected materially by the application and shall give the applicant and such owners an opportunity to be heard.
 - 2. *Public Hearing.* In cases where the Board deems it necessary, it may hold a public hearing concerning

the application.

- B. Action on Applications.**
1. *Period for Decisions.* The Board shall approve or reject an application for a certificate of appropriateness within 45 days after the application is submitted.
 2. *Failure to Act.* Failure of the Board to act within the 45 day period shall constitute approval, and no other evidence of approval shall be needed.
 3. *Proper Documentation Required.* The 45-day time period shall not begin until the proper documentation has been submitted to the Board and the Secretary of the Board has signed the application. Proper documentation shall include but is not limited to the following:
 - (A) Drawings;
 - (B) Plans;
 - (C) Pictures of the proposed alterations and materials as specified in the application; and
 - (D) For new construction only, a building elevation of the adjoining properties with a minimum of 100 feet in distance.
- C. Evidence of Approval.** A certificate of appropriateness issued by the Board shall demonstrate evidence of approval.
- D. Monitoring.** Two members of the Board shall be assigned by the Chair to monitor the progress of each project when the Board approves an application.

Section 9.3.11. - Posting of Certificates.

Certificates of appropriateness approved by the Board must be posted in a conspicuous place on the project site until all project work has been completed and approved by the Inspections and Codes Division.

Section 9.3.12. - Rejection or Denial of an Application for Certificate of Appropriateness.

- A. Rejection or Denial.** In the event the Board rejects an application, it shall state its reasons for doing so, and shall transmit a written record of such actions and reasons to the applicant.
1. *Modifications to Application.* The Board may suggest modifications or alternative courses of action upon denial of an application.
 2. *Resubmission of Application.* The applicant may make modifications to the plans and may resubmit the application at any time.
- B. Building Permits not to be Issued.** If an application for a certificate of appropriateness is rejected and includes a material change in the appearance of a structure that would require the issuance of a building permit, the building permit shall not be issued.

Section 9.3.13. - Signage.

- A. Intent.** The intent of this Section is to ensure the appearance, size, position, method of attachment, texture of materials, color, and design of such signs is in keeping with the collective characteristics of the structure located within the appropriate historic district or landmark properties.
- B. Signage Restricted.** Signs within a historic zoning district shall be allowed subject to the requirements of Chapter 4 and subject to the additional requirements of this Section. If a conflict occurs between the standards of Chapter 4 and this Article, the more restrictive standard shall prevail.
- C. Prohibited Signs.** The signs listed below are prohibited within a historic zoning district.
1. *Sign Extensions.* Signs shall not extend above the top of the nearest facade, eaves, or firewall of a building or structure.
 2. *Moving Signs.* Signs that flash, blink, revolve, or are put in motion by the atmosphere or wind are prohibited.
 3. *Backlit Signs.* Backlit signs are prohibited.
 4. *Portable Signs and Banners.*
 - (A) *Prohibited.* Portable signs and banners are prohibited.
 - (B) *Exemption.* Portable signs and banners may be displayed in association with a special event. The signs or banners shall not be displayed for more than ten days prior to the event and shall be removed immediately following the event.
 5. *Other Prohibited Elements.* Visible bulbs, neon tubing, luminous paints, or plastics shall not be permitted as a part of any sign.
 6. *Prohibited Locations.* Signs shall not be attached directly to a building so that they obscure, cover or disfigure architectural features or details. Signs shall not obscure the view to or from a historic site or building.
- D. Permitted Signs.** The signs listed below are permitted within a historic zoning district.
1. *Freestanding Signs.* Freestanding signs shall be limited to one sign for each street frontage per premises and shall not be over five feet in height.

2. *Historic Residential Uses.* An additional freestanding sign associated with a historic residential use may be installed, provided the maximum sign area shall be two square feet.
 3. *Historic Commercial Uses.* Signs associated with a historic commercial use, provide the maximum sign area shall be 12 square feet.
 4. *Paper Signs.* Paper signs attached to windows are discouraged and under no circumstances are to be allowed for a period greater than 15 days. Paper signs shall be displayed not more than three times per year in the same property.
 5. *Permitted Locations.* Signs shall be integrated architecturally with the building, or on an awning in accordance with the requirements of Chapter 4.
- E. *General Provisions.*
1. *Illumination.* Buildings and signs within the historic zone may be illuminated by remote light sources, provided that these light sources are shielded to protect adjacent properties.
 2. *Real Estate Signs.* Additional freestanding signs that are allowed in Chapter 4 while a property is available for sale or lease shall be removed not more than ten days after the closing of a sale or execution of a lease for a house, property or lot.
 3. *Compatibility.* New signs shall be compatible with the principal and accessory structures on a site and with surrounding buildings and sites. For the purposes of this Section, compatibility includes size, shape, design, materials, and overall appearance, method of attachment, erection and location.

Section 9.3.14. - Certificate of Appropriateness to be Voided.

The life or validity of a certificate shall run concurrently with a building permit issued for the project. The certificate will become void unless construction is commenced within six months following the date of issuance. Should a building permit not be issued, the certificate of appropriateness shall become void within six months of date of issuance.

Section 9.3.15. - Appeal Process.

Any person adversely affected by any determination made by the Board of Historic and Architectural Review relative to the issuance or denial of a certificate of appropriateness may appeal such determination to the Board of Zoning Appeals.

- A. *Filing of Appeal.* Any appeal must be filed with the Board of Zoning Appeals within 15 days after a determination made in accordance with this Article. If the Board of Historic and Architectural Review fails to act on an application, an appeal from such determination must be made within 15 days following expiration of the 45 day period allowed the Board to make a decision.
- B. *Action by the Board of Zoning Appeals.* The Board of Zoning Appeals may approve, modify, or reject the determination made by the Board of Historic and Architectural Review. The action by the Board of Zoning Appeals shall be made only if a majority of the members find that the Board of Historic and Architectural Review abused its discretion in reaching a decision. Decisions of the Board of Zoning Appeals may be reviewed in the Superior Court as provided by law and these land development regulations.

Section 9.3.16. - Maintenance of Historic Property.

- A. *Failure to Maintain or Repair.* Property owners of historic properties or properties within historic districts shall not allow their buildings to deteriorate by failing to provide ordinary maintenance or repair. The Board shall be charged with the responsibilities listed below regarding demolition by neglect.
 1. *Monitoring.* The Board, along with the Planning Division and Inspections and Code Division, shall monitor the condition of historic properties and existing buildings in historic districts to determine if they are being allowed to deteriorate by neglect. Such conditions as broken windows, doors and openings which allow the elements and vermin to enter, and the deterioration of a building's structural system shall constitute failure to provide ordinary maintenance or repair.
 2. *Determination of Failure to Maintain or Repair.* If Board determines a failure to provide ordinary maintenance or repair, it shall request the Inspections and Code Division to notify the owner of the property and set forth the steps needed to remedy code violations or failure to provide ordinary maintenance and repair. The owner of such property shall have 90 days to remedy all instances of deterioration or neglect that have been identified by the Division.
 3. *Enforcement.* Enforcement of any failure to maintain and repair a historic structure shall occur as provided in Chapter 12 of these land development regulations.