ORDINANCE NO. _____

TO AMEND TITLE 17 CHAPTER 17.04 OF THE CITY OF LOCUST GROVE CODE OF ORDINANCES, WHICH PROVIDES FOR ZONING REGULATIONS; TO REPEAL SECTION 17.04.137 ENTITLED "RESERVED;" TO AMEND SECTION 17.04.137 ENTITLED "HISTORIC PRESERVATION DISTRICT OVERLAY (HPDO);" TO PROVIDE FOR CODIFICATION; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

THE COUNCIL OF THE CITY OF LOCUST GROVE HEREBY ORDAINS

SECTION 1. Chapter 17.04.137 of the Code of Ordinances of the City of Locust Grove is hereby amended by repealing Section 17.04.137 in its entirety and replacing in lieu thereof the following:

17.04.137 Historic Preservation District Overlay (HPDO).

(a) *Purpose.* This district is intended to provide for preservation of unique anthropological, cultural, and historical features within the corporate limits of the City of Locust Grove.

(b) *Delineation of District Boundaries.* The HPDO district boundaries consist of the following Tax Parcel ID numbers as of the date of adoption from the Henry County Tax Assessor Office:

TAX ID	Owner Name	Address of Structure(s)	Contributing (Y/N)
L01-01012000	Henry County Board of Commissioners	38 Cleveland Street	Y
L01-01007000	City of Locust Grove	69 Frances Ward Dr.	N
L01-01007001	City of Locust Grove	69 Frances Ward Dr.	N
L01-01006000	Henry County Board of Commissioners	35 Frances Ward Dr.	N
L01-01005000	City of Locust Grove	3644 Highway 42	Y
L01-01004000	City of Locust Grove	3644 Highway 42	Y
L01-01011001	City of Locust Grove	3644 Highway 42	Y
L01-01011000	Henry County Board of Commissioners	10 Cleveland St.	Y
L01-02002000	SK Property Holdings II	3758 Highway 42	N
L01-02003000	Sanidhya, LLC	3778 Highway 42	N
L01-02004000	McIntosh State Bank	3796 Highway 42	N
L02-08001000	J. P. White	3830 Highway 42	N
L02-07010000	Gladys Carter	3831 Highway 42	Y
L02-07009000	Jay and Glen Gladis	3832 Highway 42	Y
L02-07007000	Hugh Rodney Shearouse	3834 Highway 42	Y
L02-07006000	Charles E., Sr. and Katheryn R Sims	3835 Highway 42	Y
L02-07005000	Sherry A. Shearouse	3836 Highway 42	Y
L02-07004000	KDBD Properties, LLC	3837 Highway 42	Y

L02-07003000	KDBD Properties, LLC	3838 Highway 42	Y
L02-07002000	Zacks Investments, LLC & Robert E. Ausband, Jr.	3839 Highway 42	Y
L02-07001000	Lauren Noah and Rick??	3840 Highway 42	Y
L02-06008000	Matthew McDonald and Ken Rivers	3841 Highway 42	Y
L02-06007000	Willie James Roberts and Charles Roberts	3842 Highway 42	Y
L02-06006000	Joseph A. Copeland	3843 Highway 42	Y
L02-06005000	Shelley and John M. McMurray	3844 Highway 42	Y
L02-06004000	Shelley and John M. McMurray	3845 Highway 42	Y
L02-06003000	Agnes C. Combs	3846 Highway 42	Y
L02-06002000	David L. Potts	3847 Highway 42	Y
L02-06001000	Zack's Properties, Inc.	3848 Highway 42	Y
L02-05005000	Anthony McCord	3904 Highway 42	Y
L02-05004000	Martha B. Jester and Warren Holder	3918 Highway 42	Y
L02-05003000	Charles E., Sr. and Katheryn R Sims	3940 Highway 42	Y

The district boundaries are also shown on the map drawn by the Community Development Department GIS entitled "Historic Preservation District Overlay Map" dated January 24, 2011 and shall be incorporated into the Official Zoning Map for the City of Locust Grove.

(c) *Permitted Uses.* Any permitted uses within the underlying zoning districts are permitted in the HPDO.

(d) *Accessory Uses.* Those uses determined by the planning staff to be customarily appurtenant to those uses permitted in the underlying zoning districts are permitted in the HPDO.

(e) *Conditional Uses:* Any conditional use within the underlying zoning districts are permitted in the HPDO.

(f) *Conditional Exceptions.* None.

(g) *Space Limits:* Those dimension and areas permitted within the underlying zoning districts permitted in the HPDO.

(h) *Certificate of Appropriateness Required.* Any development, redevelopment, restoration, and or building permit which constitute a material change in the structure shall require a certificate of appropriateness as defined in Chapter 14.03 "Historic Preservation Commission" of the Code of Ordinances of the City of Locust Grove.

(i) *Guidelines and Standards.* Unless otherwise alternative standards and guidelines are adopted by the Historic Preservation Commission, the National Park Service guidelines entitled "The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for preserving, rehabilitating, restoring & reconstructing historic buildings"

shall serve as the general guidance for evaluation of certificates of appropriateness. http://www.nps.gov/history/hps/tps/standguide/

SECTION 3. This ordinance shall be codified in a manner consistent with the laws of the State of Georgia.

SECTION 4.

A. It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the City Council to be fully valid, enforceable and constitutional.

B. It is hereby declared to be the intention of the City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other Section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the City Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other Section, paragraph, sentence, clause or phrase of this Ordinance.

C. In the event that any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law, all remaining Sections, paragraphs, sentences, clauses, or phrases of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 5. **Effective Date**. This ordinance shall become effective immediately upon its adoption by the Mayor and Council of the City of Locust Grove.

SO ORDAINED this _____ day of March 2011.

_____
LORENE LINDSEY, Mayor

ATTEST:

_____
THERESA BREEDLOVE, City Clerk

(Seal)