

How to Designate a Local Historic District or Property

As prescribed by the Georgia Historic Preservation Act, O.C.G.A. 44-10-20

A local designation carries with it the full protection of local law and is a statement by the local government that preservation is an important part of their local planning process. Local designations act as “overlay” districts to existing zoning and do not control the use of property, merely the appearance of property and the design relationship among historic properties.

1. Create a local Historic Preservation Commission (HPC) by adopting a Preservation Ordinance. A model ordinance on which to base the local ordinance is available from the State Historic Preservation Office (Historic Preservation Division of the Georgia Department of Natural Resources).
2. The new HPC is authorized to do certain things. First and foremost is to prepare an inventory of all property within its jurisdiction having the potential for designation as historic property.
3. The HPC (and sometimes a neighborhood, merchants or historical society) then nominates districts and/or individual sites and structures to the local governing body (city council or county commission) for designation. The HPC prepares a Nomination Report on the historic, cultural, architectural, or aesthetic significance of the designation. The Nomination Report should be submitted (by Certified Mail so you have a record) to the Historic Preservation Division for comments and suggestions at least 30 days before the designation (see step #6) occurs.

The Nomination Report includes:

- a. Statement of the Significance of the property/district;
 - b. Physical description of the proposed boundaries;
 - c. Map showing Boundaries and Classification of Properties;
 - d. Representative Photographs.
5. A public hearing is then scheduled for comments on the recommended nomination;
Requirements for a public hearing:
 - a. Notice of Hearing must be published three (3) times in the local newspaper.
 - b. Written notice must be mailed to all owners and occupants within proposed district.
 - c. All notices must be published or mailed 10-20 days before the hearing.
 6. Within fifteen (15) days following the public hearing, the HPC prepares a Designation Ordinance for local elected officials to review and vote on. The local elected body may vote to designate the historic property/historic district as it is recommended, they may amend the boundaries, or they may reject the proposal entirely.

The Designation Ordinance should include:

- a. A listing of all designated properties, and all property owners must be named;
 - b. Individual properties must be described, or, in the case of a district, the boundaries of the district must be described.
 - c. Designated property must be shown on the official zoning map or tax map.
 - d. Language stating that a Certificate of Appropriateness (COA) must be obtained before a material change in appearance occurs;
7. Within 30 days following the adoption of the Designation Ordinance, the owners and occupants must receive written notification of the designation and the notice should tell them that a COA must be obtained from the HPC prior to any material change in appearance. This is a good time to educate owners about the application procedure and the design guidelines the commission will be using.
 8. Once a designation occurs, the preservation commission begins its authorized function as a design review board. That is, the commission holds regularly scheduled public meetings to review and approve applications for COAs to protect the visual characteristics that contribute to the historic significance of your community.

GAPC

Georgia Alliance of Preservation Commissions

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