

FREQUENTLY ASKED QUESTIONS ABOUT LOCAL HISTORIC DISTRICTS

What is the difference between a National Register District and a Local Historic District?

The National Register of Historic Places is the nation's official list of buildings, sites or areas worthy of preservation. Listing does not restrict what the property owner may do with the property unless the owner is using federal assistance, like federal rehabilitation tax credits.

A local historic district is a district designated by a local ordinance, which falls under the jurisdiction of an appointed citizen-board called a historic preservation commission. It provides communities with the means to make sure that growth, development, and change take place in ways that respect the important architectural, historical, and environmental characteristics within a district.

What constitutes a Local Historic District?

According to the 1980 Georgia Historic Preservation Act, which makes such local designations possible, a local historic district is an area that has significance to the local government because it:

- 1) has special character or historic, cultural or aesthetic value or interest;
- 2) represents one or more periods, styles or types of historic architecture; and
- 3) visually stands apart as a unique section of the municipality.

How is a local historic district designated?

A historic district is designated by the elected officials after recommendation from the Historic Preservation Commission (HPC). Prior to making such a recommendation, the HPC must prepare a report outlining the significance of the district, accompanied by a map with the boundaries of the district, and a listing of each property address included.

Once the report has been prepared, the HPC must hold a public hearing and notify all property owners that will be included in the district. Notice in the newspaper is also required. The HPC may hold information work sessions prior to the hearing to answer questions regarding the proposed designation.

After a public hearing is held by the HPC, their final recommendation is submitted to the City Council who may adopt, alter or reject the designation as proposed.

Will inclusion in a Local Historic District restrict how I may use my property?

No. A local historic district is generally "overlaid" on the existing zoning classifications in a community. Therefore, a local district commission deals only with the appearance of the district, not with the uses of those properties.

Will inclusion in a district prevent me from making changes to my property?

Designation does not prevent owners from making changes to their properties, nor does it require them to restore or even fix-up their property (unless they are allowing it to deteriorate and collapse). Designation ensures that alterations, additions or demolitions are in keeping with special character of the area. This happens through a process called design review, whereby the Historic Preservation Commission approves major changes that are planned for the district and issues Certificates of Appropriateness (COAs). Local designation encourages sensitive development in the district and discourages unsympathetic changes from occurring.

What sorts of changes require a COA? Will I need to get approval for paint colors?

The Georgia Historic Preservation Act specifically excludes exterior paint alterations from the types of changes that require a COA. Minor repairs and ordinary maintenance, such as repainting and repairing a roof with the same materials, does not require a COA.

A COA would be required for work that physically alters the appearance of the property, such as replacing windows and doors, installing artificial siding, enclosing a porch, adding a fence or demolishing all or part of a structure. Interior changes that do not affect the outside appearance are not reviewed. Major landscaping changes, such as removing large trees or adding a circular driveway, may be reviewed depending on your local design standards.

Are all buildings in Local Historic Districts necessarily historic?

No. A major goal of local historic districts is maintaining the overall character of the area. When the boundaries are drawn for a local historic district, it will often include non-historic properties and vacant lots. Reviewing proposed changes to non-historic properties as well as historic properties insures that more recent construction will not become more intrusive and hopefully will become less so.

If these properties are not included in the district, there is a greater chance that changes to these properties could have a negative impact on the area or on adjoining buildings. For instance, if a multi-story building with a parking lot in front were to be constructed on a vacant lot between two smaller historic homes, it would detract from the neighborhood and lower the value of those homes. The design review process ensures that a new building is compatible with its historic neighbors.

If I am unhappy with a decision made by the Commission concerning my Certificate of Appropriateness application, may I appeal?

Yes. Appeals may be made to the elected officials and then to the County Superior Court, who will both determine if the HPC abused its discretion – not following the standards in the ordinance or the design guidelines – in reaching their decision.

What might happen to the value of my property if it is included in a Local Historic District?

Designation of an area as a historic district will not directly affect property values. Because Local Historic District properties are protected from insensitive development, owners may be more inclined to make improvements to their properties, and this may increase the value of all property in a given district.

National and statewide economic studies show that historic district designation first stabilizes property values, and then slowly values begin to rise. In most cases properties in local historic districts appreciate at rates greater than: (a) the local market as a whole, and (b) similar neighborhoods that are not designated. This is akin to the principal behind subdivision covenants, which are put in place by a homeowners association to ensure quality improvements and to enhance property owners' investments (though private covenants are often more restrictive than public ordinances). Remember that *if* property taxes go up, it means the value of your investment in the property is going up.

Do I have any say as to whether my property is included in a Local Historic District?

Before a Local Historic District is designated, all residents and owners of property in the proposed local district have the opportunity to express their views at public hearings with the Historic Preservation Commission and the elected officials. But remember that the HPC and elected officials are evaluating a property's designation based on objective criteria in the ordinance, not on personal preference. Elected officials are legally obligated to pass laws that treat similarly situated persons alike, and therefore treat similar historic properties uniformly.

Are there other benefits to creating Local Historic Districts?

Yes! A historic district that is aesthetically cohesive and well promoted can be a community's most important attraction. The retention of historic areas as a way to attract tourist dollars makes good economic sense. The protection of local historic districts can also enhance business recruitment potential. Companies continually re-locate to communities that offer their workers a higher quality of life, which is greatly enhanced by successful local preservation programs and stable historic districts.
