Buildings, new or old, define our public spaces and cities. When people think of a particular place, they almost always envision what it looks like. For many cities in Georgia, community identity is framed by the historic architecture within the downtown, main street, riverfront, or neighborhood areas.

Historic resources are unique to their location and serve as a physical legacy of the cultural identity, historical significance, construction practices, planning efforts, and merit of a particular place with regard to investment and redevelopment. Preservation has the potential to drive heritage tourism, instill a sense of community pride, and create local jobs for specialized labor that is focused on unique aspects of the local building trade. Preservation is not simply about remembering the past. It can be used to guide the future by enriching the quality of life of a community.

Across the United States, there are more than 2,000 historic preservation commissions. Georgia has approximately 114. Preservation efforts in Georgia began with the Historic American Buildings Survey (1934) and culminated in the establishment of the Savannah National Historic Landmark District (1966). Since this time, preservation activities have continued to spread throughout the state. The field of preservation is nationally recognized and plays an important role in many of Georgia’s higher learning institutions, including the University of Georgia and the Savannah College of Art and Design. It has become an economic driver for heritage tourism in many communities such as Jekyll Island, Rome, and Thomasville, among others. Historic preservation goes beyond preserving a place. It can also be used to define destinations.
ENABLING LEGISLATION

National Preservation Efforts and Laws

Efforts to regulate and require the preservation of historic resources began in the 1930s with the creation of the first historic preservation zoning ordinance and commission for Charleston, South Carolina’s historic district. During this same time, the Vieuxe Carré Historic Landmark District, also known as the French Quarter in New Orleans, established similar procedures for protection of its historic resources.

In 1966, the National Historic Preservation Act was passed by the federal government. This act and later amendments created the National Register of Historic Places, which identifies culturally significant properties worthy of preservation. It requires that historically significant properties be considered during federal undertakings and provides financial incentives to property owners for rehabilitating these properties. The program is administered by the National Park Service under the Secretary of the Interior. The Secretary of the Interior’s Standards for the Treatment of Historic Properties were developed in order to determine appropriate preservation and rehabilitation practices. The act also established State Historic Preservation Officers, who help administer these programs statewide and provide linkages to the National Park Service. Other agencies, including the Historic Preservation Advisory Council and the National Trust for Historic Preservation, work at the national and regional levels to help drive preservation policy and best practices.

State Preservation Efforts and Laws

Georgia’s State Historic Preservation Office works in conjunction with the Historic Preservation Division of the Georgia Department of Natural Resources. These units assist local governments, property owners, planners, and consultants with the implementation of the National Historic Preservation Act. Further, they coordinate National Register nominations, historic preservation tax credits, environmental reviews for Section 106 of the Historic Preservation Act, and Georgia Historic Resources Survey programming.

Following the Historic Preservation Act of 1966, many communities implemented surveys in order to identify their own historic assets. Within Georgia, the Savannah National Historic Landmark District was established. Through an amendment to the Georgia State Constitution, the Savannah Historic District Board of Review was established in 1973.
to protect the historic resources within the district. These actions paved the way for other communities in the state.

To better enable municipalities to form historic preservation commissions (HPCs) and provide for their protection through local zoning, the State of Georgia passed its own Historic Preservation Act in 1980. This legislation allows governing bodies to appoint a commission to administer historic preservation guidelines or standards adopted by that governing body at a public hearing. It establishes the framework for what these guidelines should include and a procedure for allowing public notice and defensible decision making.

Once a governing body creates an HPC, the municipality is eligible to become a certified local government. The Certified Local Government program is managed by the Historic Preservation Division of the Georgia Department of Natural Resources, which provides assistance with historic preservation planning and training. By becoming a certified local government, a municipality can apply for federal historic preservation grant funds that can be used to inventory historic assets, provide planning and training, or cover actual construction costs for rehabilitation of historic properties.

A number of other organizations and historical societies work at the state and local levels to develop and promote preservation policy, including the Historic Preservation Advisory Councils of various Georgia regional commissions and the Georgia Trust for Historic Preservation.

METHODS FOR PROTECTING RESOURCES

Historic preservation enabling legislation and programming provide for a number of federal, state, and local tools that can be used to protect historic assets. Generally, these tools are implemented after a community identifies its cultural resources, appropriately structures zoning regulations, and establishes an HPC.

Identification of Cultural Resources

Identification and documentation of historic and archaeological resources provide the foundation for future planning or redevelopment. These activities can be conducted through countywide or city-based reconnaissance surveys administered through the Historic Preservation Division’s Georgia Historic Resources Survey program. Surveys should be conducted by individuals who meet the Secretary of the Interior’s
Historic Preservation

Professional Qualifications Standards and who are able to provide the required information in a standardized format.

The surveys are used to identify properties or sites that may have significance and that may therefore be eligible for listing in the National Register of Historic Places. Extensive research and analysis are required in order to determine if a property can be listed. Prior to being submitted to the National Park Service, a proposal must be reviewed by the Georgia National Register Review Board. Inclusion in the register is an indication that the property is worth preserving, and it can be a source of pride for a neighborhood or individual property owner. Formal designation as a historic place provides communities, neighborhoods, and properties with some protections from federally funded undertakings. The potential impact of any proposed changes to these properties must be assessed, and all feasible alternatives must be considered in order to limit any adverse effect to significant resources. Owners of listed properties are eligible for federal and state tax incentives, which can have a significant impact on the financial strategy for redevelopment of older neighborhoods and corridors.

Zoning Regulations

Once cultural resources have been identified, a municipal governing body can adopt zoning regulations to help protect and preserve these assets. Any historic preservation zoning regulations that are adopted must be structured in accordance with the Georgia Historic Preservation Act as well as with other laws and authorities that regulate, protect, and promote public health, safety, morals, or general welfare. Case law has substantiated the argument that historic preservation is a legitimate governmental function.

The Historic Preservation Division has templates available on its Web site to assist local governments in preparing ordinances. The division must be given the opportunity to review and provide comments on any draft ordinance. A local ordinance establishes the procedures for appointing the HPC, providing public notice, identifying meeting procedures, and requiring a Certificate of Appropriateness (COA) for properties identified in the ordinance. A COA is the document approving a proposed material change in the appearance of a designated historic property or structure, site, or work of art located in a designated historic district. Issuance of a COA by an HPC is required before a building permit is released. Guidelines or standards must be adopted for determining the criteria for issuance of a COA. The procedures for
appealing a decision or requesting a variance from the ordinance should also be provided.

**Historic Preservation Commissions**

Appointing an HPC is the first step in implementing a historic preservation ordinance. Members of the commission must reside within the historic preservation district of their municipality (or county). If a joint commission is created by a county and one or more municipalities, however, the local governing bodies involved may determine residency requirements for commission members. The commission comprises citizens who have a general interest in historic preservation. Commission members are not compensated for their services. A historic preservation ordinance may also establish minimum qualifications for commission members.

**Commission Authority**

The State Historic Preservation Office of the Department of Natural Resources has developed a model ordinance\(^{17}\) for establishment of HPCs, which are authorized to do the following:

- Prepare and maintain an inventory of all property within the city that has the potential for designation as historic property
- Recommend specific districts, sites, buildings, structures, or objects to be designated by ordinance as historic properties or historic districts
- Review applications for COAs and grant or deny the same in accordance with the local historic preservation ordinance
- Recommend to the city governing body that the designation of any district, site, building, structure, or object as a historic property be revoked or removed
- Restore or preserve any historic property acquired by the city
- Promote the acquisition by the city of façade easements and conservation easements, as appropriate, in accordance with the Georgia Uniform Conservation Easement Act of 1992\(^{18}\)
- Conduct educational programs on historic properties and general historic preservation activities
Historic Preservation

• Investigate and study matters relating to historic preservation and consult with historic preservation experts

• Seek local, state, federal, and private funds for historic preservation and recommend the use of any funds acquired to the city council

• Submit to the Historic Preservation Division a list of historic properties of designated historic districts

• Perform historic preservation activities as the official agency of the city’s historic preservation program

• Receive donations, grants, funds, and gifts of historic property and acquire and sell historic properties

The Georgia Historic Preservation Act requires that all appeals of HPC decisions be decided by the local governing body. Historic preservation requires coordination with a community’s other planning efforts including sustainability, transportation, housing, economic development, development services, and code enforcement. Thus, it is recommended that a qualified historic preservation professional be retained who will assist the HPC and coordinate preservation efforts that are consistent with planning and development goals.

Characteristics of an Effective Commission

The work of an HPC often affects areas that are highly visible and essential to the identity of a community. Decisions of the HPC have a direct impact on the built environment of that community and in turn, overall quality of life. The credibility and integrity of the HPC through predictable, consistent decision making are important to ensure the continued support of the citizens of the community and the district. A loss of confidence in the commission could undermine public support of the historic preservation process.

It is important that HPC members be qualified and have a general interest in the task at hand. Typically, members include architects, builders, craftsmen, historians, attorneys, and residents of the district. Decisions of the HPC should be made based on the adopted standards and guidelines with regard to appropriate redevelopment and new construction within the historic district. It is important that standards be applied consistently and fairly. It is beneficial for members and staff to receive training to ensure that they are informed of best practices and make decisions that
are legally defensible. The Carl Vinson Institute of Government, working with the Historic Preservation Division, the Georgia Alliance for Preservation Commissions, and the University of Georgia’s Center for Community Design and Preservation, provides training opportunities for HPC members twice a year in various locations throughout the state. The National Alliance for Preservation Commissions and the National Trust for Historic Preservation hold annual conferences in selected cities around the nation. It may also be helpful for HPC members to attend annual retreats so that they can reflect on their decisions and openly discuss the standards and procedures.

It is important to clearly define the role of the HPC within the structure of the local government since its historic preservation recommendations and decisions are highly visible in the community. Effective HPCs tend to have the following:

- Highly interactive relationships with the planning staff who support its operations
- Members who represent the full variety of skill sets, experience, and interests involved in the historic preservation field
- Credibility derived from observable knowledge and adherence to standards and procedures
- Members who review all proposals in accordance with accepted historic preservation standards
- Deliberations and decisions that illustrate a clear focus on the standards for review
- Open debate and discussion of historic preservation proposals
- Substantive participation in the development of new policies, procedures, and/or ordinances

**DEVELOPMENT OPPORTUNITIES**

Historic preservation is not simply a set of restrictions designed to preserve the past but rather an opportunity to direct future redevelopment. Effective use of historic preservation standards and guidelines can allow for redevelopment that enriches community life and provides a system for sustainable growth.
**Tools for Economic Redevelopment of Historic Resources**

Historic preservation can be used to drive heritage tourism. However, it can also be utilized as a tool for economic redevelopment of a block, neighborhood, main street, or entire city that can result in not only the attraction of new industries seeking a specific quality of life for employees but also a distinctive setting found only in older or historic neighborhoods. Several federal programs work with state and local municipalities to administer funds for economic development that can be used for historic properties, either for planning and architectural services or for construction costs. These include Community Development Block Grants, Housing and Urban Development funds and grants, and Main Street programs available through the state or nonprofit organizations like the National Trust for Historic Preservation. Once a municipality is designated as a certified local government, it is eligible for state and federal matching grants for historic preservation activities.

**Tax Incentives**

Federal and state tax incentives are available for properties listed in the National Register of Historic Places. Qualifying properties may take advantage of a property tax freeze and rehabilitation tax credits for substantial projects that meet the Secretary of the Interior’s Standards for Rehabilitation. These programs are administered by the Historic Preservation Division of the Georgia Department of Natural Resources. For the federal tax credit, the division coordinates with the National Park Service to review applications. The property tax freeze and tax credit are available for income-producing properties as well as owner-occupied private residences. They can be combined with other tax credits, including those for energy efficient and low-income housing, to produce high-performance development that better meets the needs of the public.

**Land Use and Zoning**

Designation and creation of local historic districts are important in order to retain community character, but appropriate land uses and zoning districts must also be identified. Zoning originally was created to separate incompatible uses. However, it is now understood that a mix of uses is important to creating a sustainable and vibrant community, especially in downtown areas. Other regulations regarding setbacks, parking, and density contribute to residents’ quality of life. Land use and zoning should be examined to determine if they are in the best interest of the community in terms of growth and vitality. For example, an abundance
of parking and low density can create “time zones” that correspond with workforce activity but that are not conducive to a “living city” that functions 24 hours a day.

**Compatible Infill**

Infill development is the reuse of vacant lots and underused or dilapidated properties in an already established area of a community. Infill development makes use of existing public facilities and infrastructure thereby reducing local government costs to support new development. Preserving the existing historic fabric of an area can be a springboard for soliciting new development. The form and placement of these new buildings should guide future growth. Infill is intended to respect the character of the community while adding important “new blood” to the architectural system of the city. New design need not replicate the buildings of the past but can energize the existing area by respecting the existing building forms and providing continuity along the street. In commercial areas, incorporation of entryways and storefronts along the street with limited parking at the rear can help enliven pedestrian rights-of-way and build walkable communities. In residential areas, new infill structures that maintain the rhythm of buildings along the street and that are built with appropriate materials compatible with their neighbors helps rebuild historic neighborhoods instead of displacing residents.

**Sustainability**

The most sustainable building is the one that already exists because less energy is required to maintain an existing building than to construct a new one. An existing building embodies materials that have already been harvested, manufactured, and transported; in that sense, it is “sustainable.” The savings in terms of these expenditures is often overlooked when comparing rehabilitation to new construction. Many historic districts and neighborhoods already possess the principal elements of sustainability; they are pedestrian friendly and are located near services, jobs, schools, and transportation. Thus, they can provide a high quality of life for their residents.

When the option to rehabilitate an existing building is not available, the sustainable building practice of infill development can provide a number of benefits to the existing community and new residents. Construction and redevelopment in areas where infrastructure exists reduces the cost for establishing new infrastructure, mitigates the amount of storm water runoff, and limits sprawl. Occupants have access to established
transportation routes and the amenities provided by surrounding development. Reusing existing buildings reduces the need to extract, manufacture, or transport additional raw materials. Passive energy systems, such as the location and type of windows and siting of a building to obtain radiant heat in the winter and allow for optimum ventilation and shading devices (porches) in the summer, can be designed within structures in order to capture natural energy and reduce reliance on traditional, more energy-intensive systems. Location of infill redevelopment near schools, workplaces, services, and entertainment limits residents’ reliance on gas-powered transportation methods and increases opportunities for exercise through walking and bicycling. Materials used in historic buildings, with the exception of lead paint and asbestos, are generally nontoxic and more durable than most modern products.

Many communities in Georgia have moved towards adopting sustainable practices and adopted Leadership in Energy and Environmental Design (LEED) Certification Standards established by the United States Green Building Council (USGBC) to set the standard for new “green” construction. This system often works well within historic areas. In Savannah, a majority of the new LEED projects are concentrated in old and historic districts. Redevelopment of historic sites can also incorporate the LEED rating system but should respect the historic character of the building.

**POTENTIAL CHALLENGES**

Historic preservation is often met with opposition. Preservation of a neighborhood is sometimes perceived as leading to displacement of its residents or higher taxes. It can also be seen as an impediment to affordable housing and as a cause for delays in development. There are other social issues, in addition to the increased property values, that usually accompany gentrification that can lead to displacement of existing residents and businesses. However, acknowledging this trend and integrating efforts to retain the existing character of a neighborhood into the preservation and/or redevelopment plan can address many of these issues.

**Housing Market and Affordability**

The nature of historic preservation processes may cause communities to rely solely on private developers and the local housing market to provide affordable housing. Historic designation has been shown to lead to increased property values, and the resulting market speculation
can increase the overall cost of rehabilitation and elevate property sales prices. Salvageable historic properties in economically depressed areas can experience rates of appreciation equal to or greater than the basic market rate. This environment of growing speculation and increased project costs can make it unaffordable for low-income persons and discourage developers of affordable housing, who require lower acquisition and production costs. Higher rents or sales prices resulting from the preservation process can exacerbate household instability and contribute to the persistence of poverty. Developers and investors who are drawn to making profits may undermine the provision of the long-term affordable housing needed to maintain a diverse and economically stable community. In designated historic areas, development that is focused on retaining low-income residents and maintaining affordable housing choices increasingly depends on the establishment of effective policy. Multiple reasons exist as to why resident displacement may occur for those living in a community engaged in historic preservation. However, this displacement can be mitigated by including requisite strategies in the overall development plans for a neighborhood.

**Funding Structures**

One of the most significant challenges to developing affordable housing is the funding structure. While the structure of public financing for affordable housing and historic preservation continues to change, two of the leading tools utilized in the development of affordable housing are the federal Historic Rehabilitation Tax Credit\(^27\) and the Low Income Housing Tax Credit.\(^28\) Both incentives are regulated by the Internal Revenue Service and are used to raise private equity capital for rehabilitation/construction activities. Depending upon the area and population group affected, circumstances may allow for the inclusion of additional resources from the Community Development Block Grant program as well as Section 8 and the Community Partners Program through the National Trust for Historic Preservation. As a result of the multiple challenges associated with the intersection of affordable housing and historic preservation, some communities have successfully established Preservation Partnerships functioning through one organization that combines historic rehabilitation with compatible infill construction. These types of partnerships (e.g. Savannah Landmark Rehabilitation Project) are able to combine both private and public investment as well as utilize tax credits to leverage other cash investment.
**Bureaucratic Process**

Projects that receive federal funding must be reviewed in order to identify any potential impacts to properties that are listed or eligible for listing in the National Register of Historic Places. This review is required by Section 106 of the National Historic Preservation Act and can slow down a project and be burdensome on the property owner or city staff. Often the Georgia State Historic Preservation Officer, the Historic Preservation Advisory Council, and a local municipality will establish a programmatic agreement for local administration of the Section 106. The agreement would allow a qualified preservation professional to review routine projects receiving Housing and Urban Development or Community Development Block Grant funds in order to expedite the process.

**Infill and Land Acquisition**

Scattered site projects that involve infill development generally require the assemblage of land. This necessity can often be addressed through a city-sponsored land bank program. Land banking is a real estate asset management strategy used in both the public and private sectors in which a local quasi-governmental agency acts as a depository or reserve for real estate for the purpose of economic development. In 1990, the Georgia Assembly enacted legislation authorizing interlocal cooperation and the creation of legal independent land bank authorities. As a quasi-governmental entity, a land bank authority is given special powers to acquire and assemble multiple abandoned or encumbered properties and then legally transfer the land to responsible nonprofit or for-profit private developers for redevelopment. Municipal land banks take on the initial risk of preparing the land in areas that have uncertain real estate markets. These authorities help developers establish a foothold in transitional neighborhoods in order to increase the potential for attracting more private investment until the housing market and, ultimately, the neighborhood are rebuilt.

**CONCLUSION**

Historic preservation is an important tool for maintaining community character and future growth. Each community has its own character. Identification of historic assets, determination of their significance, and preservation of those assets are important steps in retaining community character. Adopting codes and ordinances that protect these resources
and guide future development help sustain that character for future generations.

NOTES

5. 16 U.S.C.A. §470a(b) et seq.
16. O.C.G.A. §44-10-22(1).
19. Carl Vinson Institute of Government (www.cviog.uga.edu); Georgia Alliance of Preservation Commissions (www.uga.edu/gapc); University of Georgia Center for Community Design and Preservation (www.ced.uga.edu/index.php/services_outreach/list/cat/outreach_programs; accessed December 21, 2010).
21. The Historic Preservation Division of the Georgia Department of Natural Resources maintains a list of funding sources for historic preservation on its Web site (www.gashpo.org).


27. 26 U.S.C.A. §47.


30. O.C.G.A. tit. 48, ch. 4, art. 4.