



**CARTERSVILLE
HISTORIC PRESERVATION COMMISSION
MEETING**

Council Chambers, Third Floor of City Hall
Tuesday, November 15, 2022 at 5:30 PM

AGENDA

COMMISSIONERS:

Greg Frisbee – Chair
Becky Carr
Brad Galland
Larry Gregory
Vandi White
Lisa Ellis
David Elder

CITY PLANNER:

David Hardegree

CITY CLERK:

Julia Drake

DEPUTY CITY CLERK:

Samantha Fincher

ASSISTANT CITY ATTORNEY:

Keith Lovell

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

1. Approval of October 18, 2022 Meeting Minutes

CERTIFICATE OF PRESERVATION

2. COP22-19. 100 W Cherokee Ave. Applicant: White & Choate Attorneys

OTHER

3. CLG (Certified Local Government) status update

STAFF OR COMMITTEE COMMENTS

The next meeting of the Historic Preservation Commission will be December 20th. 5:30pm.

ADJOURNMENT

Persons with disabilities needing assistance to participate in any of these proceedings should contact the human resources office, ADA coordinator, 48 hours in advance of the meeting at 770-387-5616.

P.O Box 1390 – 10 N. Public Square – Cartersville, Georgia 30120
Telephone: 770-387-5616 – Fax 770-386-5841 – www.cityofcartersville.org



HISTORIC PRESERVATION COMMISSION ITEM SUMMARY

| | |
|---|---|
| MEETING DATE: | November 15, 2022 |
| SUBCATEGORY: | HPC |
| DEPARTMENT NAME: | Planning and Development |
| AGENDA ITEM TITLE: | Approval of October 18,2022 Meeting Minutes |
| DEPARTMENT SUMMARY RECOMMENDATION: | For review and approval |
| LEGAL: | N/A |

Historic Preservation Commission Meeting
10 N. Public Square
October 18, 2022
5:30 P.M.

I. Opening Meeting

Call to order by Chairman Frisbee at 5:30 PM

Present: Greg Frisbee, Becky Carr, Vandi White, Larry Gregory, Lisa Ellis, and David Elder
Staff Present: David Hardegree, Samantha Fincher, and Zack Arnold
Absent: Brad Galland

1. Approval of Minutes

Chairman Frisbee called for a motion to approve the minutes of the last meeting. Board Member Carr made a motion to approve the meeting minutes from September 20, 2022. Board Member Gregory seconded the motion. The motion carried unanimously. Vote: 5-0.

David Hardegree, Planning and Development Assistant Director welcomed new Board Members, Lisa Ellis and David Elder, to the Historic Preservation Board.

2. COP20-25. 104 Fite St. Applicant: Bryan K. Canty

Chairman Frisbee called for the next item on the agenda. Mr. Hardegree stated the applicant would like to renew the previously approved Certificate of Preservation, case number COP20-25. The project has faced many delays, including damage from a fallen tree. The applicant would like to renovate the carport area and replace the siding, windows, soffit/ fascia, and gutters. The side-gabled style cottage is historic and contributing.

Chairman Frisbee opened the floor for discussion.

Brian Canty, the owner, came forward to answer questions from the Board. Mr. Canty stated he would like to recover/remodel the home. However, the full extent of the storm damage has yet to be determined. Demolition may be advised if the foundation is damaged.

Chairman Frisbee opened the public hearing.

With no one else to come forward, the public hearing was closed for discussion.

Chairman Frisbee stated if demolition is advised, the applicant will need to revisit the Board with the demolition request.

Board Member Gregory made a motion to approve the application as submitted. Board

Member Carr seconded the motion. Vote: 5-0.

3. COP21-23 REV1 119 Cassville Rd. Applicant: Gary Graves

Chairman Frisbee called for the next item on the agenda. Mr. Hardegree stated the applicant would like to construct a 20ft x 26ft garage to the rear of the 400 square foot addition approved in October of 2021. The garage will open toward Aubrey St. The existing driveway may need relocation, which will require approval from the Public Works Department. The home is historic and contributing.

Chairman Frisbee opened the floor for discussion.

Gary Graves, the applicant, came forward to answer questions from the Board. The proposed materials and roofline will match the existing home and addition. The garage door style is undetermined at this time.

Chairman Frisbee opened the public hearing.

With no one else to come forward, the public hearing was closed for discussion.

The Board and applicant discussed garage door options.

Board Member Carr made a motion to approve the garage addition with the condition that the applicant must return to the Board with options for the garage door. Board Member White seconded the motion. Vote: 5-0.

4. COP22-09. REV-1. 341 W. Cherokee Ave. Applicants: Colt Kelly & Stephanie Gargiulo

Chairman Frisbee called for the next item on the agenda. Mr. Hardegree stated the applicants have returned to the board with revised plans as discussed in the September meeting. The new revision replaces the board and batten with the majority being lap siding, with some shaker shingles. A second-level porch is proposed for the new 2nd-floor addition, with a door to replace the center window. A ground-level porch is proposed to the left of the front door that will extend to the end of the house, complete with decorative metal spindles. New brick will be added to the right side of the garage. Lastly, the applicant would like to paint the mismatched brick to create a uniform look.

Chairman Frisbee opened the floor for discussion.

Colt Kelly & Stephanie Gargiulo, the applicants, came forward to answer questions from the Board.

Chairman Frisbee opened the public hearing.

With no one else to come forward, the public hearing was closed for discussion.

The board discussed each item on the task list.

The following scopes of work are proposed:

1. Replace 2nd-floor new addition, center window with a door to the front porch/ deck.
2. Add upper porch/deck in front of new addition.
3. Add lower porch/ deck left of front door.
4. Deck structure to be PT lumber.
5. Decking to be composite material (Trex).
6. Spindles to 0.5in. decorative metal.
7. Add hardiplank shaker shingles as shown on plans. (Replaces Board & Batten).
8. Add hardiplank lap siding as shown on plans. (Replaces Board & Batten)
9. Paint brick

The Board determined that the awnings shown in the provided sketch were not listed in the application. Chairman Frisbee stated the applicant would need to revisit the Board with awning details.

Board Member White made a motion to approve items 1-9 as shown in the task list. Board Member Carr seconded the motion. Vote: 5-0.

5. COP22-14 REV 1. 5 S. Public Sq. Applicant: Justin Earl

Chairman Frisbee called for the next item on the agenda. Mr. Hardegree stated the applicant would like to replace the pink vitrolite panels across the front of the building with a pink aluminum panel. Replace the remaining black vitrolite and plastic panels across the front of the building with black spandrel glass panels. In addition, the applicant would like to hang a 100-year-old sidewalk bicycle as a projecting sign. The sign will be placed on an existing bracket, 15ft above the sidewalk, located on the front corner of the building at Cherokee Ave. The dimensions of the bike are 30"x42". A variance will be required for the proposed sign.

Chairman Frisbee opened the floor for discussion.

Justin Earl, the applicant, came forward to answer questions from the Board. Mr. Earl stated that the search for replacement vitrolite glass panels was unsuccessful; spandrel glass is the best comparison available.

Chairman Frisbee opened the public hearing.

With no one else to come forward, the public hearing was closed for discussion.

Board Member Gregory made a motion to approve the application as submitted, with the notation that the bike sign is not to exceed 30"x42". Board Member White seconded the motion. Vote: 5-0.

6. COP22-18. 122 Cassville Rd. Applicant: Lisa Ellis

Chairman Frisbee called for the next item on the agenda. Mr. Hardegree stated that the applicant would like to install a prefabricated wood, 16ft x 16ft storage shed in the rear

yard. The structure meets zoning standards but is too large to approve administratively.

Chairman Frisbee opened the floor for discussion.

Board Member Ellis recused herself as the applicant.

Board Member Ellis came forward and stated the structure will likely have limited, if any, visibility from Cassville Rd.

Chairman Frisbee opened the public hearing.

With no one else to come forward, the public hearing was closed for discussion.

Board Member Elder made a motion to approve the application as submitted. Board Member White seconded the motion. Vote: 4-0.

Board Member Ellis returned to the Board.

STAFF OR COMMITTEE COMMENTS

Mr. Hardegree stated on September 20, 2022, the Board voted to deny the removal of the perimeter fence condition, established on COP20-32, for 32 Cassville Rd. Council voted to modify the decision made by the Board to allow a 4' tall ornamental metal fence.

The Board discussed reviewing all fence proposals in the historic district. Currently, the Board only reviews fences in the district that require Board of Zoning Appeal approval.

The Board discussed adding language to the design standards to differentiate painting old vs. new brick.

Chairman Frisbee adjourned the meeting at 7 PM.

/s/ _____
Greg Frisbee
Chairman



HISTORIC PRESERVATION COMMISSION ITEM SUMMARY

| | |
|---|--|
| MEETING DATE: | November 15, 2022 |
| SUBCATEGORY: | HPC |
| DEPARTMENT NAME: | Planning and Development |
| AGENDA ITEM TITLE: | COP22-19. 100 W Cherokee Ave. Applicant: White & Choate Attorneys |
| DEPARTMENT SUMMARY RECOMMENDATION: | Owner/ applicant wishes to replace the existing sign structure consisting of a light post with banner arms supporting tenant panel signs. The proposed sign requires a variance as it exceeds the DBD freestanding sign requirements in height and area. |
| LEGAL: | N/A |



| |
|---|
| City of Cartersville Historic Preservation Commission COP Application Staff Report |
| Case: COP22-19 |

HPC Meeting – 11.15.2022

Application Information

Address: 100 Cherokee Ave.
 Applicant: White & Choate Attorneys
 Historic District: DBD
 Zoning: DBD
 Setbacks: All= 0ft. Freestanding Sign setback is 0ft.

Brief Description: Add new freestanding sign with height and area exceeding allowance.

Applicable Guidelines to Consider

| Residential Design Guidelines | |
|--|---|
| <i>Part One: Maintaining, Repairing, Replacing Structures Contributing to a Historic District.</i> | |
| A. Wood | K. Utilities and Energy Retrofit |
| B. Masonry | L. Accessibility, Health, and Safety Considerations |
| C. Architectural Metals | M. Additions to Historic Buildings |
| D. Paint | N. Aesthetic Recommendations |
| E. Roofs | |
| F. Exterior Walls | PART TWO: New Construction |
| G. Driveways, Walkways, and Off-Street Parking | |
| H. Lighting | PART THREE: Relocation |
| I. Windows and Doors | |
| J. Entrances, Porches and Balconies | PART FOUR: Demolition |
| | |
| Commercial Design Guidelines (Historic Downtown Business District) | |
| PART ONE: General Guidelines for Structures Contributing to the District. | |
| PART TWO: Guidelines for New Construction – | |

Project Description:

- 1. Add new freestanding sign 7.4ft. in height and 31sf in area.

History of the Property- No GHRS on file. Tax records show house was built in 1960.

COP06-13. Install new windows. Approved 9-19-06.

Analysis of the COP:

The building is historic, contributing.

Type: Undetermined. Style: Undetermined

The applicant proposes to install a new freestanding sign in the same location as the previous freestanding sign for the business. The sign will be located in the parking lot and has no setback requirement from the property line per the DBD sign ordinance.

The previous sign incorporated a light post with several banner arms supporting tenant signs. The light post was approx. 10ft. in height. The sign was approved 12-12-00, SPOO-81.

The proposed sign will be 7.4 feet in height including the base, and have 31 square feet of sign area. The DBD sign ordinance allows freestanding signs to be no taller than 6 feet and no larger than 24 square feet.

The BZA will review the variance request to increase the height and area on Thursday, Nov. 10th.

No negative impact is anticipated.

Commissioners Work Sheet

Materials:

- Roof
- Siding
- Windows
- Doors
- Exterior Lighting
- Foundation
- Decking
- Steps
- Porches
- Ornamentation

Existing Materials

Materials to be Used

Notes:

I move to (approve, approve w/ conditions, or deny) the application for (state proposed changes) at (address) (as submitted, or with the following conditions). I find (compliance or noncompliance) with the guidelines referenced in the staff report and those brought up during discussion.

Sec. 20-27. DBD sign regulations.

All signs under this section require a permit. The standards and requirements of this section shall be in addition to city-wide standards and requirements. In the event of conflicting regulations, the standards and requirements of this section shall take precedence.

(1) *General regulations.*

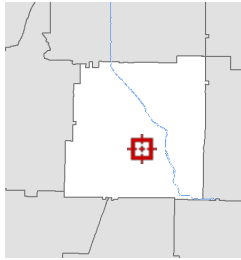
- a. *Banners.* No more than one (1) banner, not to exceed thirty-two (32) square feet in area, may be displayed at each place of business and shall be securely attached to the facade of a building. A registration permit is required, at no cost, and such banners shall be displayed for a period not to exceed thirty (30) days.
- b. *Color.* For all signs in the DBD district, fluorescent colors shall not be used. Such signs shall not contain more than five (5) colors, except in instance of an illustration.
- c. *Freestanding signs.* One (1) freestanding sign shall be allowed on each property frontage, not to exceed six (6) feet in height, and shall not exceed twenty-four (24) square feet in area. Electronic freestanding signs which exhibit animation, blink, change copy, display moving pictures or images, flash, contain light emitting diode (LED), and/or contain liquid crystal display (LCD) shall be prohibited.
- d. *Pole banners.* Such banners shall not exceed twelve and one-half (12-1/2) square feet in area; shall have a maximum width of two and one-half (2-1/2) feet and a maximum height of five (5) feet; shall have a minimum display height from the bottom edge of the banner to the ground of eight (8) feet; and shall have a maximum display height of twenty-five (25) feet measuring from the top edge of the banner to the ground. Such banners attached to public utility poles or light poles shall be approved by the appropriate city department prior to attachment.
- e. *Projecting signs.* A business shall be allowed to attach one (1) projecting sign to a building facade which fronts a public right-of-way with the following stipulations:
 1. The sign shall not exceed an area of six (6) square feet.
 2. The horizontal dimension of the sign shall not exceed three (3) feet.
 3. The sign shall be attached perpendicular to the building wall.
 4. The distance from the ground to the lower edge of the sign shall be a minimum of seven (7) feet over a sidewalk and a minimum of thirteen (13) feet over a street or driveway.
 5. The distance from the building wall to the sign shall not exceed six (6) inches.
 6. The height of the top edge of the sign shall not exceed the height of the wall from which the sign projects, if attached to a single story building, or the height of the sill or bottom of any second story window, if attached to a multi-story building.
 7. The sign may be directly or indirectly lighted, however, direct lighting shall be of the sign copy only. Animated illumination or effects, blinking, flashing, rotating, and/or scrolling projecting signs shall be prohibited.
- f. *Wall signs.*
 1. Wall signs shall have an aggregate area not to exceed two (2) square feet for each linear foot of building face, not to exceed two hundred (200) square feet in area. Canopy and awning signage shall be deducted from allocated wall sign area.

2. No wall sign shall be closer than eighteen (18) inches to an adjacent property line and shall not be installed or extend over a party wall.
 3. Wall signs shall not obscure important architectural details or features such as windows, transom panels, sills, moldings and cornices.
 4. Wall signs shall be no greater than twenty-four (24) inches in height (excludes permanent window signage).
 5. Animated illumination or effects, electronic, blinking, flashing, rotating, and/or scrolling wall signs shall be prohibited.
- g. *Window signs.* Each ground level business having windows directly oriented to a street may use all of that glass area as one (1) allowable sign, but no single window shall be covered more than thirty (30) percent. Electronic window signs in the downtown business district (DBD) shall be no greater than four (4) square feet in area and shall only be stationary.
- (2) *Maintenance and appearance of signs.*
- a. All signs in the DBD zoning district shall be maintained in good condition, so as to present a quality and orderly appearance. The city finds that neglected or dilapidated signs in the DBD zoning district may adversely affect the public health, safety and welfare. Such signs may adversely affect the aesthetic characteristics of the city and may adversely affect public safety due to the visual impact of said signs on motorists and the structural characteristics of said signs.
 - b. Signs shall be considered neglected or dilapidated signs if any of the following conditions are present: Rust or holes on or in the sign or sign structure; broken, missing, loose or bent parts; faded or flaking paint; nonoperative or partially nonoperative illuminating or mechanical devices; or missing letters in sign copy.
 - c. The planning and development department, after due notice, may have any sign removed which shows gross neglect or becomes dilapidated. Said notice shall be given to the property owner and current tenant by first class mail, with proof of mailing obtained from the post office. Proof of mailing means either a first class "certificate of mailing" or a first class "certified mail" receipt; a proof of delivery is not required. Only an owner reflected on the records of the tax assessors as of January 1st of the applicable year shall be entitled to notice. The zoning administrator or designee shall give the owner thirty (30) days' written notice to correct the deficiencies or to remove the sign or signs. If the owner refuses to correct the deficiencies or remove the sign, the zoning administrator or designee may have the sign removed at the expense of the owner.
- (3) *Prohibited signs in the DBD district in addition to section 20-22*
- a. Animated illumination or effects, electronic, and/or flashing signs, unless noted above.
 - b. Billboards.
 - c. Signs painted directly onto roofs, retaining walls, fences or building facades or walls. Commemorative wall signs of historical significance are exempt from this provision.
 - d. Streamers.



(Ord. No. 26-12, 5-3-12; Ord. No. 01-15, § 8, 3-5-15)



Overview

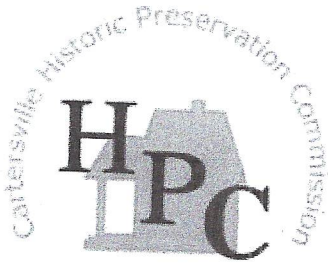


Legend

-  Parcels
-  Roads

Date created: 10/10/2022
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GEOSPATIAL



Cartersville Historic Preservation Commission CERTIFICATE OF PRESERVATION APPLICATION

*Applicant: White & Choate Attorneys

Project Address: 100 W. Cherokee Ave

Mailing Address (if different than project address):

Phone: 770-382-4541

Email: jchoate@wcwattorneys.com

*NOTE: If applicant is not the owner, as listed on the property deed, a letter from the owner authorizing the proposed work must be included along with the owners phone number and address.

PROCEDURE

Application Requirements

All Applications must be complete and include support materials listed on the reverse of this form and a \$25 non-refundable application fee.

Application Deadlines

See 3rd page of application for application submittal deadlines.

Application Representation

The applicant or authorized representative of the applicant should attend the public hearing to support the application.

Building Permits Requirements

In Addition to a COP application, building permits must be acquired from the Community Development Department. **Building permits will not be issued without proof of a COP.**

Deadline for Project Completion

After approval, the COP is valid for 18 months and void if construction does not begin within 6 months of approval.

Office Use Only

| | |
|---------------------|----------------------|
| Case Number | COP22-19 |
| Date Received | 10-4-22 |
| Contributing | Y- c1956 |
| Zoning | DBD |
| Legal Advertisement | 11-8-22 |
| Notified Adjacent | _____ |
| HPC Hearing | 11-15-22 |
| HPC Decision | _____ |
| COP Expiration | _____ |
| Project Completion | _____ |
| Tax Parcel | C002-0013-001 |

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Existing Building Type:

- Residential One, Two or Multi-family _____
- Commercial Garage, Storage _____
- Other _____

Brief Project Description (example: addition of sunroom, installation of fence):

I
N
F
O
R
M
A
T
I
O
N

Type of Project (check all that apply)

- New building
- Addition to building
- Relocation of building(s)
- Demolition
- Fence(s), wall(s), landscaping
- Minor exterior change
- Major restoration, rehabilitation, or remodeling
- Other New Monument Sign

Start Date: a soon as its approved

Anticipated Completion: 1 day completion

Contractor/Consultant/Architect: _____

AUTHORIZATION

In consideration for the City of Cartersville's review of this application for a proposed change to a locally designated property, the applicant agrees to hereby indemnify and hold harmless the City and its' agents and employees from and against any and all claims, damages, and/or liability arising from or related to this application or any issuance of a permit hereunder.

Date 10-4-22

Signature

APPLICATION CHECKLIST

The following list includes the support material necessary for review of a particular project.

New Buildings and New Additions

- site plan
- architectural elevations
- floor plan
- landscape plan (vegetation not required)
- description of construction materials
- photographs of proposed site and adjoining properties

Major Restoration, Rehabilitation, or Remodeling

- architectural elevations or sketches
- description of proposed changes
- description of construction materials
- photographs of existing building
- documentation of earlier historic appearances (restoration only)

Minor Exterior Changes

- description of proposed changes
- description of construction materials
- photographs of existing building

Site Changes – Parking areas, Drives, Walks

- site plan or sketch of site
- description of construction materials
- photographs of site

Site Changes – Fences, Walls, Systems

- site plan or sketch of site
- architectural elevations or sketches
- description of construction materials
- photographs of site

Site Changes – Signs

- specifications
- description of construction materials and illumination

Demolition

Must include a complete plan for the new development.

- timetable
- demolition budget
- new construction budget
- evidence of adequate financing

NOTE: Only complete applications will be placed on the agenda for design review. Submit to:

City of Cartersville
 Planning and Development Department
 P.O. Box 1390
 Cartersville, GA 30120

PROJECT DESCRIPTION

Include support materials and attach additional sheets if needed. If the proposed scope of work will involve more than one type of project, please divide the description. [Example: (1) Addition to rear (2) New roof]

Aluminum back l.t monument
 Style Freestanding Sign with
 space for tenets.
 Sign is ~~6~~ 6'x5' with a
 15" stucco base. to match the
 building. The new sign is
 only 6sqft bigger than allowed.

PRECEDENCE OF DECISIONS

Each application will be considered on it's own merit with reference to the Secretary of the Interior's Standards and the Commission's published Design Standards. While the Historic Preservation Commission may consider past actions when making decisions on an Application for a Certificate of Preservation, it is not held by those decisions when considering new application that may appear similar in character.



New Beginning Signs & Graphics
 5 Gilmer Street
 Cartersville, Georgia 30120
 770-387-1720
 www.nbsigns.com

THIS ORDER IS ON
HOLD
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PROOF

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Item 2. CT. VED

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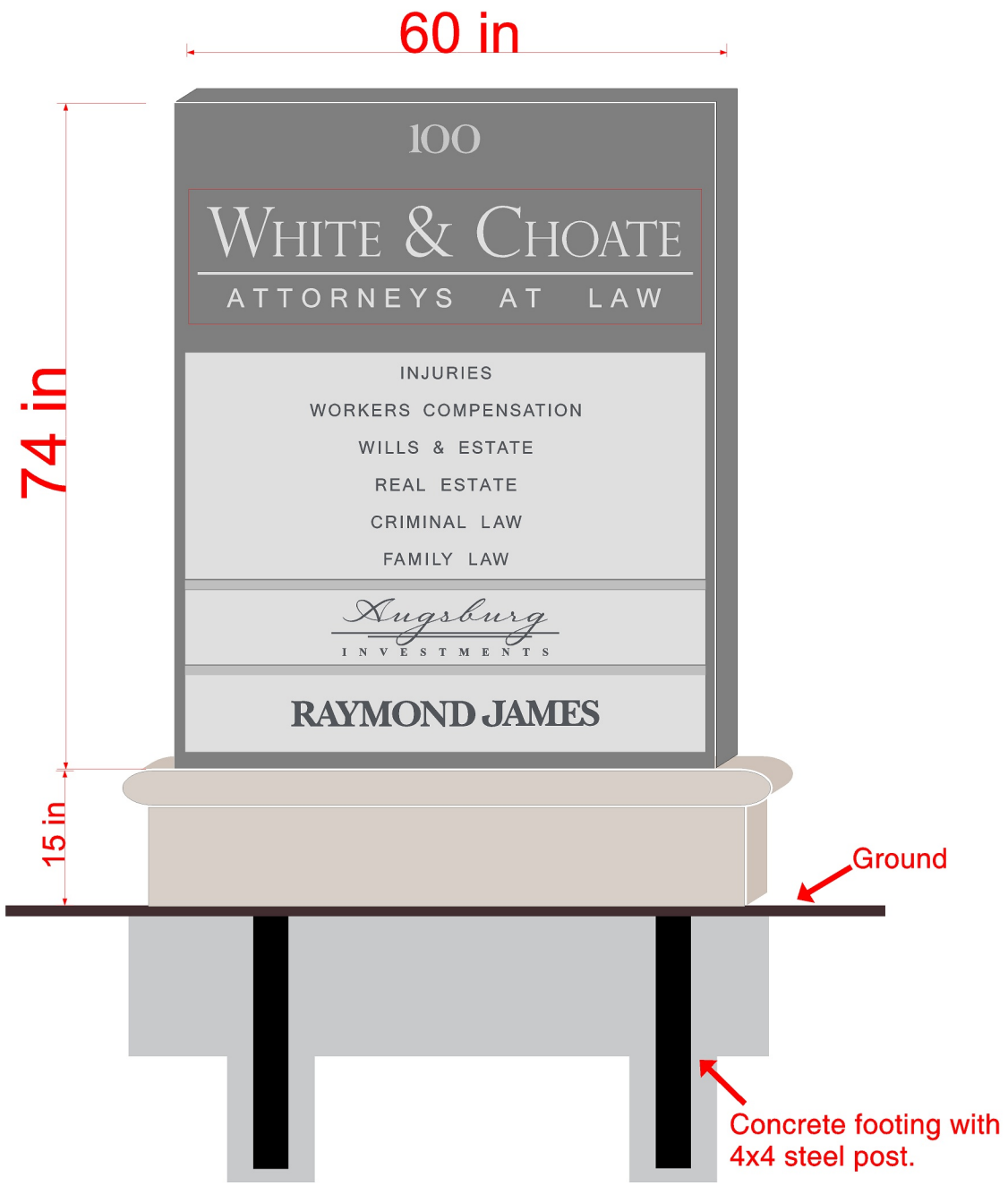
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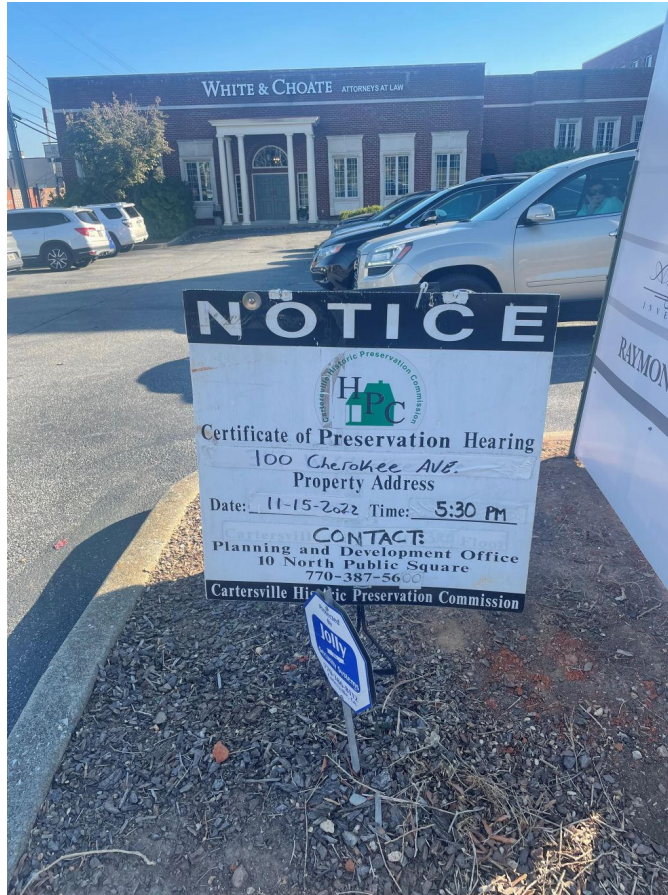
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IMAGES TAKEN 11-3-22 (Temporary Sign)





HISTORIC PRESERVATION COMMISSION ITEM SUMMARY

| | |
|---|--|
| MEETING DATE: | November 15, 2022 |
| SUBCATEGORY: | HPC |
| DEPARTMENT NAME: | Planning and Development |
| AGENDA ITEM TITLE: | CLG (Certified Local Government) status update |
| DEPARTMENT SUMMARY RECOMMENDATION: | A revision is required to the HPC ordinance to bring the ordinance into compliance with state law. |
| LEGAL: | N/A |



City of Cartersville

PLANNING AND DEVELOPMENT

P.O. Box 1390 • 10 North Public Square • Cartersville, Georgia 30120
 Telephone: 770-387-5600 • Fax: 770-387-5605 • www.cityofcartersville.org

MEMO

To: BZA
From: Randy Mannino/ David Hardegree
CC: Keith Lovell
Date: November 8, 2022
Re: CLG Review Status Update

Every 3 years, the State Historic Preservation Office (SHPO) conducts audits of the jurisdictions holding the Certified Local Government (CLG) certification. This is a certification awarded to City's or Counties with Historic Preservation ordinances and Commissions. In 2021, the City submitted the requested documentation to SHPO for review. SHPO noted three deficiencies, two being with one section of the HPC ordinance, Sec. 9.25-32(c):

(c) Historic preservation commission members. Number, appointment, terms, and compensation. The commission shall consist of seven (7) members appointed by the City Council of the City of Cartersville. All members shall be residents of, own and operate a business in, or own real property in the city. Preference shall be given to persons who have demonstrated special interest, experience or education in history, architecture or the preservation of historic resources, but such preference is not required in making such appointments.

SHPO's interpretation of the state Historic Preservation Act is reflected in the following findings:

- 1) Comment: Sec.25-32.(c)of Cartersville's Historic Preservation Ordinance states "All members shall be residents of, own and operate a business in, or own real property in the city,"

44-10-24 of the Georgia Historic Preservation Act states "*all the members shall reside within the historic preservation jurisdiction of their respective municipality or county.*"

- 2) Comment: Sec.25-32.(c) of Cartersville's Historic Preservation Ordinance states "all the members shall reside within the historic preservation jurisdiction of their respective municipality or county."

44-10-24 of the Georgia Historic Preservation Act states "A majority of the members of any such commission shall have demonstrated special interest, experience, or education in history or architecture."

To bring the deficiencies into compliance with SHPOs finding, the following amendment is proposed to Sec. 9.25-32(c)::

(c) Historic preservation commission members: Number, appointment, terms, and compensation. The commission shall consist of seven (7) members appointed by the City Council of the City of Cartersville. A majority of the members of any such commission shall have demonstrated special interest, experience, or education in history or architecture; all the members shall reside within the historic preservation jurisdiction of the city.

The “historic preservation jurisdiction” is defined in the state Historic Preservation Act as:

(6) “Historic preservation jurisdiction,” in the case of a county, means the unincorporated area of the county; and, in the case of a municipality, such term means the area within the corporate limits of the municipality.

O.C.G.A. § 44-10-22

Historic Preservation Act residency requirements:

(a) The local governing body of a municipality or county electing to enact an ordinance to provide for the protection, enhancement, perpetuation, or use of historic properties or historic districts shall establish or designate a historic preservation commission. Such local governing body shall determine the number of members of the commission, which shall be at least three, and the length of their terms, which shall be no greater than three years. A majority of the members of any such commission shall have demonstrated special interest, experience, or education in history or architecture; all the members shall reside within the historic preservation jurisdiction of their respective municipality or county except as otherwise provided by subsection (b) of this Code section; and all shall serve without compensation. In establishing such a commission and making appointments to it, a local governing body may seek the advice of any state or local historical agency, society, or organization.

(b) The local governing body of a county and the local governing body or bodies of one or more municipalities lying wholly or partially within such county may establish or designate a joint historic preservation commission. If a joint commission is established, the local governing bodies of the county and the municipality or municipalities involved shall determine the residence requirements for members of the joint commission.

O.C.G.A. § 44-10-24

The other deficiency cited in the findings is all board members must attend at least one state training session every 3 years. This finding is primarily due to lack of training opportunities and conflicts with availability during Covid.



City of Cartersville

PLANNING AND DEVELOPMENT

P.O. Box 1390 • 10 North Public Square • Cartersville, Georgia 30120
Telephone: 770-387-5600 • Fax: 770-387-5605 • www.cityofcartersville.org

September 23, 2022

Paige Jennings
Certified Local Government Coordinator
Historic Preservation Division
Department of Community Affairs
60 Executive Park South, NE
Atlanta, GA 30329

RE: City of Cartersville CLG Evaluation Response Letter

Dear Ms. Jennings,

Thank you for providing the review and comments in your letter dated September 30, 2021. This letter and the accompanying documentation is the City's response to your findings. Please review and provide any additional comments as needed.

There are (3) supporting documents accompanying this letter:

- 1) Your letter of findings dated 9-30-21 with highlighted deficiencies;
- 2) The City's proposed text amendment to bring our HPC ordinance into compliance with OCGA 44-10-24; and
- 3) A summary of training for HPC members and staff from 2017-2020. I think this was accidentally omitted from the CLG submission.

Our intent is to proceed with the required text amendment before the end of the year. Training attendance needs to be a priority over the next two years.

Please contact me if additional information is required.

Sincerely,

David Hardegree, AICP
City of Cartersville
Planning and Development Department
PO Box 1390
Cartersville, GA 30120
(O) 770-387-5614
www.cityofcartersville.org

09/30/2021

Cartersville
David Hardegree
City Planner
PO Box 1390
Cartersville, GA, 30120

Re: 2021 Certified Local Government Evaluation Review

Dear Mr. David Hardegree,

Thank you for providing all the documentation requested for the 2021 Certified Local Government Evaluation Report. Cartersville continues to grow and develop its historic preservation program and I look forward to working with you on those endeavors. I encourage City staff and members of the Historic Preservation Commission to continue to take advantage of training opportunities provided by the Historic Preservation Division, the Georgia Alliance of Preservation Commissions, and other preservation groups regionally and nationally.

The Georgia Historic Preservation Division (HPD) is required to periodically evaluate the Certified Local Governments in Georgia to verify their continued compliance with the requirements of the program. At the time of your 2021 evaluation report, Cartersville was found to be **out of compliance** with the *Georgia Certified Local Government Program: Application and Procedures*.

Please do not hesitate to reach out if I can provide any clarity regarding this evaluation. I want to see your preservation program succeed and I'm happy to help ensure that it does. I can be reached at (404) 486-6442 or paige.jennings@dca.ga.gov for any questions or concerns.

Sincerely,



Paige Jennings
Certified Local Government Coordinator
Georgia Historic Preservation Division

Pursuant to the Terms of the Certification of this Local Government by the US Department of the Interior, National Park Service, the following minimum standards are being evaluated.

1. The CLG enforces the appropriate legislation for the designation and protection of historic properties and cooperate with the State Historic Preservation Officer (SHPO) in these matters as referenced in the "Minimum Requirements" section of the *Procedures: Georgia Certified Local Government Program*, as amended.
 - ✗ **CLG observes requirements under the Georgia Historic Preservation Act (GHPA).**
 - **See comments**
 - ✓ CLG has a process for designation of landmarks and/or historic districts that requires public hearings for all designations.
2. The CLG maintains an adequate and qualified Historic Preservation Commission (HPC), as defined by GHPA
 - ✓ CLG maintains a HPC with at least three members.
 - ✓ All members of the HPC have demonstrated special interest, competence, or knowledge in historic preservation.
 - ✓ To the extent available in the community, HPC members are appointed from the disciplines of architecture, history, architectural history, planning, archaeology, or other historic preservation-related fields.
 - ✗ **The requirements for HPC membership are not more stringent or comprehensive than the requirements for the Georgia National Register Review Board.**
 - ✓ The HPC's geographic area of authority coincides with the boundaries of the local government's authority.
 - ✗ **All HPC members reside in this area of authority.**
 - ✓ The HPC has the authorities granted to it in GHPA.
 - ✗ **Each Commission member, and anyone serving the Commission in a technical assistance/professional staff capacity, attended at least one informational or educational meeting every three years pertaining to historic preservation.**
 - **Commission members of Cartersville's HPC have not attended a training session or event in the past four years**
 - ✓ The CLG has designated a paid staff member or a person working under contract as a source of technical/administrative/professional assistance to be responsible for the operations of the Commission.
2. The CLG maintains a system for survey and inventory of historic properties.
 - ✓ CLG has an active survey program and a plan for re-survey.
 - HPD recommends surveys be updated every 10-15 years. Cartersville's last survey occurred in 2009. Cartersville is considered a **Category I CLG** for grant purposes and is **only eligible for survey grants** until a new survey is completed.
 - ✓ Survey data is readily integrated into HPD's inventories.
 - ✓ CLG follows guidelines for conducting local surveys, as approved by HPD, and shall not be inconsistent with the Secretary of the Interior's "Standards for Identification and Evaluation."

- ✓ Survey data is accessible to the public, except when disclose may cause significant invasion of privacy, risk harm to the historic resources, or impede the use of traditional religious site by practitioners.
 - ✓ Survey data is maintained in a safe and secure location.
 - ✓ Survey data is available through the duplicate or original files at HPD.
3. The CLG provides for adequate public participation in the local historic preservation programs, including the process of recommending properties for nomination to the National Register of Historic Places.
- ✓ All meetings of the HPC are publicly announced, be open to the public, and have a previously advertised agenda.
 - ✓ Commission meetings occur at regular intervals; a commission must meet as often as necessary to complete its work in a timely fashion, no less than once a year. Public notice must be provided prior to any special meetings.
 - ✓ Careful minutes of decisions and actions of the HPC, including the reasons for making the decisions, are kept on file and available for public inspection.
 - ✓ All decisions of the HPC must be made in a public forum.
 - ✓ Applicants are provided written notification of the HPC's decision.
 - ✓ The rules of procedure adopted by the HPC are available for public inspection.
 - ✓ During the process of reviewing properties for nomination to the National Register, the HPC provides an opportunity for public comments.
2. The CLG performs satisfactorily in the responsibilities delegated to it
- ✓ The CLG submitted a report of its activities to HPD when requested, not less than every four calendar years.

Comments:

- **Ordinance:** Please note that the historic preservation division does not provide legal review or guidance. Following are HPD's comments regarding Cartersville's historic preservation ordinance. Cartersville should consult with the county's local legal counsel regarding comments made by the HPD and respond to the comments made below within a year from the date of this letter.
 - **Comment:** Sec.25-32.(c) of Cartersville's Historic Preservation Ordinance states "All members shall be residents of, own and operate a business in, or own real property in the city,"
 - 44-10-24 of the Georgia Historic Preservation Act states "all the members shall reside within the historic preservation jurisdiction of their respective municipality or county."
 - **Comment:** Sec.25-32.(c) of Cartersville's Historic Preservation Ordinance states "all the members shall reside within the historic preservation jurisdiction of their respective municipality or county."
 - 44-10-24 of the Georgia Historic Preservation Act states "A majority of the members of any such commission shall have demonstrated special interest, experience, or education in history or architecture."
- **Training:** Each Commission member, and anyone serving the Commission in a technical assistance/professional staff capacity, attended at least one informational or educational meeting every three years pertaining to historic preservation. **At the time of Cartersville's evaluation in 2021,**

none of Cartersville's commission members have not attended any training sessions or events in the past four years.

- **Remediation:** All HPC members and any staff serving the HPC in a technical capacity must attend a historic preservation-related training session before Cartersville is evaluated again in 2025.

City Attorney's recommended amendments (Highlighted) to conform with state law OCGA 44-10-24.

Ordinance no. _____

Now be it and it is hereby ordained by the Mayor and City Council of the City of Cartersville, that the CITY OF CARTERSVILLE CODE OF ORDINANCES CHAPTER 9.25 - HISTORIC PRESERVATION. ARTICLE II. - HISTORIC PRESERVATION COMMISSION. SEC. 9.25-32. – HISTORIC PRESERVATION COMMISSION is hereby amended by deleting Paragraph (c) and replacing it as follows:

1.

Sec. 9.25-32. Historic Preservation Commission.

(c) *Historic preservation commission members: Number, appointment, terms, and compensation.* The commission shall consist of seven (7) members appointed by the City Council of the City of Cartersville. **A majority of the members of any such commission shall have demonstrated special interest, experience, or education in history or architecture; all the members shall reside within the historic preservation jurisdiction of the city.**

Members shall serve three-year terms. In order to achieve staggered terms, initial appointments shall be: two (2) members for two (2) years; and three (3) members for three (3) years. Members shall not receive a salary, although they may be reimbursed for expenses by the city council. The city council will have the authority to remove any member of the historic preservation commission appointed by it for cause, on written charges, after a public hearing.

2.

It is the intention of the city council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Cartersville, Georgia, and the sections of this ordinance may be renumbered to accomplish such intention and any ordinance or part thereof not amended shall remain in effect and be unchanged.

BE IT AND IT IS HEREBY ORDAINED.

FIRST READING: _____
SECOND READING: _____

MATTHEW J. SANTINI, MAYOR

ATTEST: _____
JULIA DRAKE, CITY CLERK

HPC Training Attendance Summary as of 7-29-21

| Training/ Meeting Dates | Training/ Meeting | Current Members Attending | Certificate Provided? |
|-------------------------------|--|--|--------------------------|
| 2017 | None | --- | --- |
| | | | |
| 2018 | | | |
| 8/14/2018 | State Historic Preservation Training. Chateau Elan | Becky Carr, Greg Frisbee, Larry Gregory, Lynne Pritchett, Vand White & David Hardegree (staff) | Y |
| 9/12/18-9/14/18 | HPD State Conference. Macon | Becky Carr | Y |
| | | | |
| 2019 | | | |
| 2/13/2019 | Ga Trust For Hist. Preserv. Atlanta. GA Trust office | Greg Frisbee | Y |
| 9/18/19-9/20/19 | HPD State Conference. Rome. | Becky Carr | Y |
| | | | |
| 2020 | | --- | --- |
| 10/27/20-10/30/20 | Past Forward Conf. National Trust. (Virtual) | Becky Carr | N |
| 9/21/20-9/25/20 | GA Trust/ HPD State Conf. (Virtual) | Becky Carr | N |
| | | | |
| 2021 | | --- | --- |
| 9/20-9/24 | GA Trust/ HPD State Conf. (Virtual) | | |
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