

Henry E Darby, Chair
Jenny Costa Honeycutt
Anna B Johnson
Kylon Jerome Middleton
Brantley Moody
Teddie Pryor
Herb Sass
Dickie Schweers
Robert L Wehrman



Planning & Public Works Committee Agenda
September 23, 2021 at 5:00 PM
4045 Bridgeview Drive, North Charleston, SC 29405

- 1 APPROVAL OF MINUTES**
 - 1A Minutes of August 19, 2021** - Request to Consider
- 2 UPDATE REQUEST**
 - 2A Riverland/Central Park Intersection Improvements Update** - Presentation
- 3 AMENDMENT REQUESTS**
 - 3A Proposed Amendments to the Historic Preservation Ordinance** - Request to Consider
 - 3B Amendments to the Zoning and Land Development Regulations (ZLDR)** - Request to Consider
- 4 HISTORIC DESIGNATION REQUEST**
 - 4A HIST-06-21-00034 St. Mark UME Historic Designation Request** - Request to Consider

Charleston County Council

Memorandum

To: Members of the Planning & Public Works Committee
From: Kristen Salisbury, Clerk of Council
Date: September 17, 2021
Subject: Minutes of August 19, 2021

At the Planning & Public Works Committee of September 23, 2021, the minutes of August 19, 2021, will be considered for approval.

Charleston County Council

Memorandum

To: Planning & Public Works Committee
From: Kristen Salisbury, Clerk of Council
Date: September 15, 2021
Subject: Riverland/Central Park Intersection Improvements Update

At the Planning & Public Works Committee of September 23, 2021, staff will present an update from the Department of Transportation regarding the speed limit on Riverland Drive between Maybank Highway and Camp Road as requested at the Council meeting of June 8, 2021.

Committee Agenda Item

To: Bill Tuten, County Administrator
From: Andrea Melocik for Joel Evans **Dept.:** Planning/Zoning
Subject: Proposed Amendments to the Historic Preservation Ordinance
Request: Request to Consider
Committee: Planning & Public Works Committee **Date:** September 23, 2021

Department	Approver
Deputy County Administrator	Walter L. Smalls
Budget	Mack Gile
Legal	Marc Belle
Administrator	Bill Tuten
Clerk	Kristen L. Salisbury

Fiscal Impact:
None.

Funding: Was funding previously approved? N/A

If yes, please provide the following:	Org	Object	Balance in Account	Amount Needed for item

Situation:

The Charleston County Historic Preservation Ordinance was adopted on August 21, 2018. The Ordinance, which is located in the County’s Code of Ordinances and is not part of the Zoning and Land Development Regulations Ordinance, accomplishes the following:

- Sets up a Historic Preservation Commission;
- Establishes a Designation of Historic Property process for County Council to create a list of locally significant historic properties and districts; and
- Creates a process by which proposed changes to County-designated and NRHP-listed historic properties and districts can be reviewed and determined by the Commission (called Certificates of Historic Appropriateness).

The Historic Preservation Commission was formed in late 2018/early 2019 and met for the first time on February 19, 2019. Since that time, they have heard several subdivision and site plan review applications for Certificates of Historic Appropriateness for properties located within 300 feet of historic property or district. They have determined that certain types of these applications should be exempt from the Certificate of Historic Appropriateness (CHA) process and requirements when located on properties within 300 feet of a historic property or district. The attached proposed amendments specify the types of subdivision and site plan review applications that are recommended to be exempt from the CHA process and requirements and include additional amendments to clarify and streamline requirements and processes.

The Historic Preservation Commission unanimously recommended approval of the proposed amendments at their June 15, 2021 meeting and the Planning Commission unanimously recommended approval at their June 28, 2021 meeting.

Department Head Recommendation:

Approve the proposed amendments to the Historic Preservation Ordinance.

AN ORDINANCE

AMENDING ORDINANCE NUMBER 2028 AND CHAPTER 21, HISTORIC PRESERVATION, OF THE CHARLESTON COUNTY CODE OF ORDINANCES, TO EXEMPT SPECIFIC TYPES OF SUBDIVISION APPLICATIONS AND LIMITED SITE PLAN REVIEW APPLICATIONS WITHIN 300 FEET OF A HISTORIC PROPERTY OR DISTRICT FROM CERTIFICATE OF HISTORIC APPROPRIATENESS APPLICATION REQUIREMENTS AND TO CLARIFY APPLICATION FILING PROCEDURES.

WHEREAS, on August 21, 2018, pursuant to Title 4, Chapter 9, Section 4-9-10 et seq. of the Code of Laws of South Carolina, 1976 as amended, Charleston County Council adopted Ordinance No. 2028 which established a Historic Preservation Ordinance and Historic Preservation Commission to preserve the historic properties, districts, sites, buildings, structures, and objects in Charleston County; and

WHEREAS, the purpose of the Historic Preservation Ordinance is to set forth a process by which the Historic Preservation Commission shall review all Subdivision and Site Plan Review applications within 300 feet of a historic property or district; and

WHEREAS, since the adoption of the Historic Preservation Ordinance, the Historic Preservation Commission has reviewed Subdivision and Site Plan Review applications and determined that certain types of said applications shall not require a Certificate of Historic Appropriateness; and

WHEREAS, after review of all applications pertaining to the Historic Preservation Commission, it was determined that amendments to the Historic Preservation Ordinance were necessary to provide the citizens of Charleston County clear and concise procedures for applications that do not require a Certificate of Historic Appropriateness; and

WHEREAS, the Charleston County Historic Preservation Commission and the Charleston County Planning Commission have reviewed the proposed amendments and both bodies have recommended that the Charleston County Council (County Council) adopt the proposed amendment to Chapter 21, Historic Preservation, as set forth herein and attached as Exhibit "A"; and

WHEREAS, upon receipt of the recommendation of the Historic Preservation Commission and the Planning Commission, County Council held at least one public hearing, and after close of the public hearing, County Council approved the proposed amendment.

NOW, THEREFORE, BE IT ORDAINED, by the County Council of Charleston County, South Carolina, in meetings duly assembled as follows:

SECTION I. FINDINGS INCORPORATED

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

SECTION II. AMENDMENTS OF THE TEXT OF CHAPTER 21, HISTORIC PRESERVATION, IN THE COUNTY CODE OF ORDINANCES.

The Charleston County Code of Ordinances, Chapter 21, Historic Preservation, is hereby

amended to include the text amendments attached hereto as Exhibit "A" and made part of this Ordinance by reference.

SECTION III. SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately following third reading by County Council.

ADOPTED and APPROVED in meeting duly assembled this October 26th, 2021.

CHARLESTON COUNTY COUNCIL

By: _____
Teddie E. Pryor, Sr.
Chairman of Charleston County Council

ATTEST:

By: _____
Kristen L. Salisbury
Clerk to Charleston County Council

Public Hearing: September 14, 2021
First Reading: September 30, 2021
Second Reading: October 12, 2021
Third Reading: October 26, 2021

EXHIBIT “A”

Charleston County Historic Preservation Ordinance (Chapter 21 of the County’s Code of Ordinances)

Chapter 21 – HISTORIC PRESERVATION

Sec. 21-1 – Findings Incorporated

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

Sec. 21-2 – Historic Preservation Commission

A. Composition, Officers, Rules, Meetings, and Minutes

The Historic Preservation Commission shall consist of nine members appointed by the County Council, provided, however, that of the initial members of the Commission, five members shall be appointed for four year terms and four members shall be appointed for two year terms. The members shall serve until their successors are appointed and qualified. The members, both laymen and professional, shall have a demonstrated interest, competence, or knowledge in historic preservation. The members shall serve without compensation from the County. Any vacancy which may occur on the Commission shall be filled by County Council appointing a successor to serve out the unexpired term of the vacancy. No member may hold an elected public office in Charleston County.

The Commission shall elect one of its members as chair and one as vice-chair whose terms must be for one year. It shall appoint a secretary who may be an officer or an employee of the County. The Commission shall adopt rules of organizational procedure and shall keep a record of its resolutions, findings, and determinations, which record must be a public record. The Commission shall meet monthly, or as needed, and, in addition, the Commission may meet at the call of the chair or at such times as the chair or the Commission may determine.

Council hereby also establishes the position of Historic Preservation Officer. The Historic Preservation Officer shall provide administrative staff support to the Historic Preservation Commission and fulfill the duties as provided in this Ordinance. The Historic Preservation Officer shall report to the County Administrator, or his/her designee, who will, unless otherwise determined by the County Administrator, be the Charleston County Planning and Zoning Department Director.

B. Review Authority

The Historic Preservation Commission acts in a review and recommending capacity on Designations of Historic Property and Historic Districts. The Commission may also conduct first review and evaluation of all proposed nominations for the NRHP.

C. Decision-Making Authority

The Historic Preservation Commission shall have final decision-making authority on Certificates of Historic Appropriateness.

D. Responsibility

In addition to the review and decision-making authority of the Historic Preservation Commission, the Commission shall:

1. Educate the community about the County's historic resources;
2. Maintain a system for the survey and inventory of historic properties;
3. Submit to the State Historic Preservation Office (SHPO) an annual report of Commission activities;
4. Adopt By-Laws and Rules of Procedure; and
5. Provide for adequate public participation in the local historic preservation program, including the process of recommending properties for nomination to the National Register (as applicable).

E. Application Completeness and Submission Deadlines

1. Applications for consideration by the Historic Preservation Commission (Designations of Historic Property and Historic Districts and Certificates of Historic Appropriateness) shall be submitted no later than 12:00 p.m. on the Friday, six weeks prior to the regularly scheduled Historic Preservation Commission meeting, unless otherwise provided in this Ordinance. Application filing deadlines and Historic Preservation Commission meeting dates are available at the Zoning and Planning Department. Within 15 Charleston County Government work days of submittal of the application, staff will determine if the application is complete, and if it is complete, the Historic Preservation Officer will schedule the application for consideration at the next available Historic Preservation Commission meeting.
2. Any application that is determined to be incomplete shall, within 15 Charleston County Government work days of its submittal, be returned to the applicant along with an explanation of the application's deficiencies. Fees shall not be refunded. No further processing of the application shall occur until the deficiencies are corrected. Once the deficiencies are corrected, the application may be resubmitted without the payment of additional fees, provided that, it is resubmitted within six months of the date that the application was returned to the applicant. Applications resubmitted more than six months after the date that the application was returned as incomplete shall require repayment of applicable fees.

F. Requests for Postponements of Applications to the Historic Preservation Commission

Requests for postponements of all applications from Historic Preservation Commission meetings must be made in writing to the Historic Preservation Officer and the letter must be signed by the property owner(s) and/or his/her authorized agent. Postponement requests received within 10 calendar days of the Historic Preservation Commission meeting for which the application is scheduled shall be considered withdrawn. An application that is postponed for more than one year from the date it was scheduled to be heard is deemed withdrawn. If an application is deemed withdrawn, the applicant must submit a new application in compliance with Section 21-2.E, Application Completeness and Submission Deadlines, of this Ordinance, and all applicable fees must be paid.

Sec. 21-3 – Designation of Historic Property and/or Historic District

A. Purpose

The standards of this Section are intended to safeguard the integrity of Historic Properties and Historic Districts. The criteria and procedures in this Section are to be used by the Historic Preservation Commission to review, consider, and recommend designation of a Historic Property or Historic District, and for the County Council to approve or deny the same.

B. Applicability

The Historic Preservation Commission may nominate Historic Properties and/or Historic Districts within the unincorporated area of Charleston County for designation with written consent from the owners of such properties, pursuant to this Section, provided such nominations comply with the Designation of Historic Property process and requirements contained in this Section. Additionally, applications to designate Historic Properties within the unincorporated area of Charleston County may be submitted by the property owner(s) of the subject property(ies), site(s), building(s), structure(s), or object(s), such applications comply with the Designation of Historic Property process and requirements contained in this Section.

The Historic Preservation Commission may nominate Historic Districts within the unincorporated area of Charleston County for designation with written consent pursuant to the requirements this Section. Additionally, applications to designate Historic Districts within the unincorporated area of Charleston County may be submitted by an owner of a property located within the proposed Historic District or a registered voter of a property located within a proposed Historic District provided such applications comply with the Designation of Historic District process and requirements contained in this Section.

C. Pre-Application Conference

Before submitting an application for Designation of Historic Property or Historic District, the property owner or applicant shall confer with the Historic Preservation Officer to discuss the proposal and the applicable review and approval procedures. Pre-application conferences are not required for nominations of Designation of Historic Property or Historic District by the Historic Preservation Commission.

D. Application Filing

1. Designation of Historic Property and/or Historic Districts.
 - a. Applications for Designation of Historic Property and/or Historic Districts shall be submitted to the Historic Preservation Officer on forms provided by Charleston County. Nominations for Designation of Historic Properties and/or Historic Districts by the Historic Preservation Commission do not require the submittal of application forms or fees.
 - b. Applications shall comply with Section 21-2.E, Application Completeness and Submission Deadlines, of this Ordinance.
2. No application for, or nomination of, a Designation of Historic Property or Historic District shall be accepted as complete unless it includes the required fee and the information listed below:
 - a. Historic Property designation application: A completed application shall be signed by the current property owner(s).
 - b. Historic District designation application: In addition to a completed application form signed by an owner of a property located within the proposed Historic District or a registered voter of a property located within a proposed Historic District, the applicant shall submit to the Historic Preservation Officer a petition and/or written consent and other supporting documentation to show that 51% or more of the registered voters of the

properties in the proposed Historic District are in favor of the designation of the Historic District. Where the proposed Historic District is less than 50 acres in size and is titled in the name of 10 or fewer Freeholders, the applicant shall canvas the proposed Historic District of the qualified electors residing in the proposed Historic District as to whether the Historic District proposed should be designated as such. The applicant shall submit to the Historic Preservation Officer a petition and/or written consent and other supporting documentation to show that 51% or more of the Freeholders of the properties in the proposed Historic District are in favor of the designation of the Historic District.

- c. A map indicating the address(es) or location(s) of the property(ies), site(s), building(s), structure(s), or object(s), and/or the boundaries of a proposed Historic Property or Historic District;
- d. A letter of intent including information or statements to demonstrate compliance with the criteria of this Section and documentation of the historical or cultural significance such as photos, primary source documents, etc.; and
- e. Any further information or documentation as the Historic Preservation Officer may deem necessary or appropriate to conduct a full and proper consideration and disposition of the application.

E. Historic Preservation Officer Review and Report

The Historic Preservation Officer shall review the application pursuant to the Approval Criteria of Section 21-3.H, Approval Criteria, of this Ordinance and refer the application to other departments or entities as necessary. The Historic Preservation Officer shall provide a report to the Historic Preservation Commission.

F. Historic Preservation Commission Review and Recommendation

The Historic Preservation Commission shall review the Designation of Historic Property or Historic District application at a meeting open to the public and adopt a resolution, by majority vote of the entire membership, recommending that the County Council approve or deny the application. The Historic Preservation Commission shall render its decision based on the Approval Criteria of Section 21-3.H, Approval Criteria, of this Ordinance. Neighbors and Parties in Interest Notice of the Historic Preservation Commission meeting shall be provided in accordance with the requirements of Section 21-6, Notices, of this Ordinance.

G. County Council Hearing

After receiving the recommendation of the Historic Preservation Commission, the County Council shall approve or deny the application for Designation of Historic Property or Historic District based on the Approval Criteria of Section 21-3.H, Approval Criteria, of this Ordinance. County Council shall hold a public hearing prior to giving second reading to Designation of Historic Property or Historic District applications. Neighbor and Parties in Interest Notice of the Public Hearing shall be provided in accordance with the requirements of Section 21-6, Notices, of this Ordinance. Designations of Historic Property shall not be approved "with conditions."

H. Approval Criteria

In order for an application for Designation of Historic Property or Historic District to be approved, one or more of the following criteria must be met:

1. Has significant inherent character, interest, history, or value as part of the rural county or heritage of the county, state or nation;
2. Is of an event significant in history;
3. Is associated with a person or persons who contributed significantly to the culture and development of the county, state or nation;
4. Exemplifies the cultural, political, economic, social, ethnic, or historic heritage of the county, state or nation;
5. Individually or collectively embodies distinguishing characteristics of a type, style, or period in architecture or engineering;
6. Is the work of a designer whose work has significantly influenced the development of the county, state or nation;
7. Contains elements of design, detail, materials, or craftsmanship which represent a significant innovation;
8. Is part of or related to a square or other distinctive element of community planning;
9. Represents an established and familiar visual feature of the neighborhood or community;
10. Has yielded, or may be likely to yield, information important in pre-history or history (potential archaeological site); and/or
11. Is deemed eligible for or already listed on the NRHP.

I. Final Action

Designations of Historic Properties or Historic Districts shall be adopted by ordinance of Charleston County Council.

J. Notice of Decision

Following final action by the County Council, the Historic Preservation Officer shall be responsible for providing the applicant and property owner with written notice of the decision.

K. Removal of Designation of Historic Property

Applications to remove a Designation of Historic Property must be submitted by the owner(s) of the Historic Property or by the Historic Preservation Commission with written consent from the property owner(s) and shall be submitted utilizing the application, fee(s), and process as described in this Article. In order for the designation to be removed, County Council must find that one or more of the following criteria has been met:

1. The Site, Building, Structure, or Object has ceased to meet the criteria for designation as described Section 21-3.H, Approval Criteria, of this Ordinance because the qualities which caused it to be originally designated have been lost or destroyed;
2. An error occurred regarding whether the Historic Property, Site, Building, Structure, or Object met the criteria for designation at the time it was designated; and/or
3. There was a procedural error in the designation process.

L. Removal of Designation of Historic District

Applications to remove a Designation of a Historic District or to remove one or more properties from a Historic District must be submitted by an owner of a property located within the Historic District or a registered voter of a property located within a proposed Historic District and include written consent pursuant to the requirements of Section 21-3.D.2.b. The application, fee(s), and process as described in this Article shall apply. In order for a Historic District designation to be removed, County Council must find that one or more of the following criteria has been met:

1. The District has ceased to meet the criteria for designation as described Section 21-3.H, Approval Criteria, of this Ordinance because the qualities which caused it to be originally designated, have been lost or destroyed;
2. An error occurred regarding whether the District met the criteria for designation at the time it was designated; and/or
3. There was a procedural error in the designation process.

In order for one or more properties to be removed from a Historic District designation, County Council must find that the property or properties have ceased to meet the criteria for designation as described Section 21-3.H, Approval Criteria, of this Ordinance because the qualities which caused it/them to be included in the original designation have been lost or destroyed.

Sec. 21-4 – Certificate of Historic Appropriateness

A. Purpose

In order to ensure that any alteration, modification, relocation, demolition, addition to, new construction, rehabilitation, or restoration of a Historic Property or on a property included in a Historic District, or subdivision or development of property located within 300 feet of a Historic Property or Historic District, is in keeping with the historical, cultural, and architectural character of the Historic Property or Historic District, a Certificate of Historic Appropriateness must be obtained pursuant to the standards set forth in this Section, except where exempt pursuant to the provisions of this Section.

B. Applicability

1. Certificate Required. A Certificate of Historic Appropriateness is required:
 - a. Before the issuance of Zoning Permits for the demolition, alteration, modification, addition to, new construction, rehabilitation, relocation, or restoration to a Historic Property or a property located in a Historic District, including construction of new structures in Historic Districts; and
 - b. Before Subdivision Plat and Site Plan Review approvals for properties located within 300 feet of a Historic Property or Historic District, except that Certificates of Historic Appropriateness are not required for Limited Site Plan Review applications pursuant to Article 3.7, Site Plan Review, of the Charleston County Zoning and Land Development Regulations Ordinance and the following specific types of Subdivision Plat applications are exempt from the Certificate of Historic Appropriateness requirements of this Ordinance:
 - i. Subdivision Plats submitted for sole purpose of creating an easement(s), delineating OCRM Critical Line Areas, and/or delineating the location(s) of freshwater wetlands;
 - ii. The combination or recombination of portions of previously platted Lots where the total number of Lots is not increased;
 - iii. Boundary plats;

- iv. Property line adjustments where no new Lots are created; and
 - v. Subdivision Plats that are the result of a court order.
2. These requirements shall apply to applications for the permits described herein, that are submitted after August 21, 2018.

C. Application Filing

Applications for Certificates of Historic Appropriateness shall be submitted to the Historic Preservation Officer on forms provided by Charleston County. Applications shall comply with Section 21-2.E, Application Completeness and Submission Deadlines, of this Ordinance. Before submitting an application for a Certificate of Historic Appropriateness, the applicant shall confer with the Historic Preservation Officer to discuss the proposal and the applicable review and approval procedures. No application for a Certificate of Historic Appropriateness shall be accepted as complete unless it includes the required fee and the following information:

1. Completed Certificate of Historic Appropriateness application signed by the current property owner(s);
2. As applicable, a copy of a legible approved and recorded plat showing current property boundaries. Exemptions include applications for Certificates of Historic Appropriateness for alterations, modifications, rehabilitation, demolition or restoration of Historic Properties that do not change the footprint of existing structures and subdivision applications where a new plat will be recorded following approval of the Certificate of Historic Appropriateness;
3. Restrictive covenant(s) affidavit signed by the applicant or current property owner(s) in compliance with state law;
4. A general description of the present use and proposed activity on the property and a written statement addressing the approval criteria set out in this Ordinance, stating specifically how the Certificate of Historic Appropriateness relates to and meets each criterion;
5. As applicable, a site plan drawn to an engineer's scale showing the property dimensions, dimensions and locations of existing and proposed structures and improvements, parking areas, Grand trees, wetlands (properties containing DHEC-OCRM Critical Line areas must contain an up to date DHEC-OCRM signature on the site plan or plat), and holding basins and buffers when applicable. However, if the property was developed before April 21, 1999, no site improvements have been made since April 21, 1999, and the proposed use does not require site improvements, as determined by the Zoning and Planning Department Director, the applicant may submit an aerial photograph printed to engineer's scale showing the property lines, locations of existing structures and improvements, parking areas, etc. as the site plan.
6. As applicable, proposed Subdivision Plats.
7. Any further information or documentation as the Historic Preservation Officer may deem necessary or appropriate to conduct a full and proper consideration and disposition of the application.

D. Historic Preservation Officer Review and Report

The Historic Preservation Officer shall review each application for a Certificate of Historic Appropriateness pursuant to the Approval Criteria of Section 21-4.F, Approval Criteria, of this Ordinance. The Historic Preservation Officer shall provide a report on the application to the Historic Preservation Commission that addresses the Approval Criteria of Section 21-4.F, Approval Criteria, of this Ordinance, and includes, but is not limited to, whether or not the application complies with the requirements contained in the Charleston County Zoning and Land Development Regulations Ordinance.

E. Historic Preservation Commission Public Hearing, Review and Determination

The Historic Preservation Commission shall review the Certificate of Historic Appropriateness application at a public hearing and render a decision based on the Approval Criteria of Section 21-4.F, Approval Criteria, of this Ordinance. A majority of the Historic Preservation Commission members present and voting shall be required to approve, approve with conditions, or deny applications for Certificates of Historic Appropriateness.

Neighbor and Parties in Interest Notice of the Historic Preservation Commission meeting shall be provided in accordance with the requirements of Section 21-6, Notices, of this Ordinance. If a property is located in a NRHP listed or locally designated Historic District ("Historic District"), notifications shall also be sent to the owners of properties located within the Historic District.

F. Approval Criteria

1. In granting a Certificate of Historic Appropriateness applications, the Historic Preservation Commission shall consider:
 - a. The historic, cultural, and architectural significance of the district, site, building, structure, or object under consideration;
 - b. The exterior form and appearance of any proposed additions or modifications and the effect of such additions and modifications upon other structures on the Historic Property or within the Historic District;
 - c. When considering applications for new construction, alteration, repair, rehabilitation, or restoration, the Historic Preservation Commission shall apply the Secretary of the Interior's Standards for the Treatment of Historic Properties; ~~and~~
 - d. Certificate of Historic Appropriateness applications for properties located within Historic Districts, or for Subdivision Plats or Site Plan Review proposals for properties located within 300 feet of Historic Districts, must demonstrate consistency with the prevailing patterns of existing lots, densities, spacing of homes, lot sizes and shapes, and other characteristics of the Historic District that the Historic Preservation Commission deems applicable.
 - e. In granting a Certificate of Historic Appropriateness for Subdivision Plats and Site Plan Review proposals for properties located within 300 feet of a Historic Property or Historic District, the Historic Preservation Commission shall require that potential negative impacts of the proposed development be minimized through site design techniques such as the location of vehicular access points, screening treatments, and buffering treatments.

G. Notice of Decision

Following final action by the Historic Preservation Commission, the Historic Preservation Officer shall provide the applicant and property owner with written notice of the decision.

H. Submission of a New Application

If the Historic Preservation Commission denies an application for a Certificate of Historic Appropriateness, a new application affecting the same Historic Property may be submitted if the Historic Preservation Officer determines there has been some substantial change made in the plans for the proposed work or development.

I. Appeals

Any person with a substantial interest in a decision of the Historic Preservation Commission or

any officer, board, or bureau of the County may appeal a final decision of the Historic Preservation Commission to the Circuit Court of Charleston County. Appellants shall file with the Court Clerk a written petition plainly and fully setting forth how such decision is contrary to law. Such appeal shall be filed within 30 calendar days after the date of the meeting at which the decision of the Historic Preservation Commission is rendered.

Sec. 21-5 – Nomination to The National Register Of Historic Places

The Historic Preservation Commission may conduct first review and evaluation of all proposed nominations for the NRHP for properties that are within its jurisdiction, prior to consideration by the State Board of Review. The Commission may send their recommendations to the State Historic Preservation Office for consideration at the meeting of the State Board of Review. The Commission shall not nominate properties directly to the National Register; only the State Board of Review shall have this final review authority unless expressly authorized by the Federal statute.

Sec. 21-6 – Notices

A. Neighbor Notice

When the provisions of this Ordinance require that "Neighbor Notice" be provided, the Historic Preservation Officer shall mail notice to the applicant and all property owners within 300 feet of the subject property. Ownership information shall be obtained from the County Assessor's Office. Unless otherwise expressly provided in state statutes or this Ordinance, required Neighbor Notices shall be deposited in the U.S. mail at least 15 calendar days before the public hearing, meeting, or date of action that is the subject of the notice. Failure to provide this notice will not invalidate any action taken.

B. Parties in Interest Notice

When the provisions of this Ordinance require that notice be sent, the following "Parties in Interest" shall be notified: the applicant and the owner of the property (if other than applicant). Parties in Interest shall mean any individual, associations, corporations or others who have expressed an interest in writing in an application that has been received by the Historic Preservation Officer. It is the responsibility of the Parties in Interest to provide updated contact information to the Historic Preservation Officer. The Historic Preservation Officer will keep the Parties in Interest contact information on file for one year from the initial date received. Failure to provide this notice will not invalidate any action taken.

Sec. 21-7 – Terms and Uses Defined

A

Archaeological Site. A place (or group of physical sites) in which evidence of past activity is preserved (prehistoric, historic, or contemporary), and which has been, or may be, investigated using the discipline of archaeology and represents a part of the archaeological record. A site may range from one with few or no remains visible above ground, to a building or other structure still in use.

C

Certificate of Historic Appropriateness. The document issued by the Historic Preservation Commission (HPC) certifying that proposed actions are found to be acceptable relating to any alteration of, or change to a locally designated or National Register of Historic Places (NRHP) listed Historic Property or District, or for subdivision or site plan review applications for properties located within 300 feet of a locally designated or NRHP listed Historic Property or District.

F

Freeholder. Any person 18 years of age, or older, and any firm or corporation, who or which owns legal title to a present possessory interest in real estate equal to a life estate or greater (expressly excluding leaseholds, easements, equitable interests, inchoate rights, dower rights, and future interests) and who owns, at the date of the application, at least an undivided one-tenth interest in a single tract and whose name appears on the county records as an owner of real estate.

H

Historic Building. A "building", such as a house, barn, church, hotel, or similar construction, that is created principally to shelter any form of human activity. "Building" may also be used to refer to a historically and functionally related unit, such as a courthouse and jail or a house and barn. Buildings must include all of their basic structural elements; parts of buildings, such as interiors, facades, or wings, are not eligible independent of the rest of the existing building. Examples may include, but are not limited to: administration building; carriage house; church; city or town hall; courthouse; detached kitchen, barn, and privy; dormitory; fort; garage; hotel; house; library; mill building; office building; post office; school; shed; social hall; stable; store; theater; or train station.

Historic District. A Historic Preservation District possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. It means a geographically definable area, urban or rural, which contains sites, buildings, structures, objects, works of art, or a combination thereof which:

- Have a special character or special historical or ethnic heritage or aesthetic interest or value;
- Represent one or more periods or styles of architecture typical of one or more eras in the history of Charleston County or the state or region; and
- Cause such area, by reason of these factors, to constitute a visibly perceptible section of Charleston County, which may either be locally-designated or NRHP-listed.

A Historic District derives its importance from being a unified entity, even though it is often composed of a wide variety of resources. The identity of a district results from the interrelationship of its resources, which can convey a visual sense of the overall historic environment or be an arrangement of historically or functionally related properties. For example, a district can reflect one principal activity, such as a mill or a ranch, or it can encompass several interrelated activities, such as an area that includes industrial, residential, or commercial buildings, sites, structures, or objects. A Historic Preservation Overlay District can also be a grouping of archeological sites related primarily by their common components; these types of districts often will not visually represent a specific historic environment.

A Historic District can comprise both features that lack individual distinction and individually distinctive features that serve as focal points. It may even be considered eligible if all of the components lack individual distinction, provided that the grouping achieves significance as a

whole within its historic context. In either case, the majority of the components that add to the district's historic character, even if they are individually undistinguished, must possess integrity, as must the district as a whole.

A Historic District can contain buildings, structures, sites, objects, or open spaces that do not contribute to the significance of the Historic Preservation Overlay District. The number of noncontributing properties a Historic Preservation Overlay District can contain yet still convey its sense of time and place and historical development depends on how these properties affect the Historic Preservation Overlay District's integrity. In archeological districts, the primary factor to be considered is the effect of any disturbances on the information potential of the district as a whole.

Historic Object. The term "Historic Object" is used to distinguish from buildings and structures those constructions that are primarily artistic in nature or are relatively small in scale and simply constructed. Although it may be, by nature or design, movable, an object is associated with a specific setting or environment. Small objects not designed for a specific location are normally not included in this definition. Such works include a transportable sculpture, furniture, and other decorative arts that, unlike a fixed outdoor sculpture, do not possess association with a specific place. Objects should be in a setting appropriate to their significant historic use, roles, or character. Objects relocated to a museum are inappropriate for designation. Examples may include, but are not limited to: boundary marker; monument; milepost fountain; sculpture; or statuary.

Historic Property. A Historic Site, Historic Building, Historic Structure, or Historic Object that is fixed in location, which reflects historic, cultural or architectural significance.

Historic Site. The location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of the value of any existing structure. A site need not be marked by physical remains if it is the location of a prehistoric or historic event or pattern of events and if no buildings, structures, or objects marked it at the time of the events. However, when the location of a prehistoric or historic event cannot be conclusively determined because no other cultural materials were present or survive, documentation must be carefully evaluated to determine whether the traditionally recognized or identified site is accurate. A site may be a natural landmark strongly associated with significant prehistoric or historic events or patterns of events, if the significance of the natural feature is well-documented through scholarly research. Generally, though, the definition of "site" excludes natural waterways or bodies of water that served as determinants in the location of communities or were significant in the locality's subsequent economic development. While they may have been "avenues of exploration," the features most appropriate to document this significance are the properties built in association with the waterways. Examples may include, but are not limited to: battlefield; campsite; cemeteries significant for information potential or historic association; ceremonial site; designed landscape; habitation site; natural feature (such as a rock formation) having cultural significance; petroglyph; rock carving; rock shelter; ruins of a building or structure; shipwreck; trail; or a village site.

Historic Structure. The term "Historic Structure" is used to distinguish from buildings those functional constructions made usually for purposes other than creating human shelter. Structures must include all of the extant basic structural elements; parts of structures cannot be considered eligible if the whole structure remains. For example, a truss bridge is composed of the metal or wooden truss, the abutments, and supporting piers, all of which, if extant, must be included when considering the property for eligibility. If a structure has lost its historic configuration or pattern of organization through deterioration or demolition, it is considered a "ruin" and is categorized as a

site.

R

Rehabilitation (Historic Property or District). The process of returning a building or buildings to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the building(s) that are significant to its historic, architectural and cultural values.

Repair (Historic Property or District). The mending or restoration of a building or structure to a sound or good state, at or nearest to its original designed condition, due to decay, dilapidation, damage or partial destruction. Such work shall not change the size or shape in whole or in part of a building or structure to expand a use. It shall include the terms "renovation", "rebuilding" and "reconstruction" for purposes of this Ordinance.

Restoration (Historic Property or District). The act or process of accurately depicting the form, features, and character of a designated property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical and plumbing systems and other code-required work to make properties functional is appropriate within a restoration period.

Proposed Amendments to the Historic Preservation Ordinance

Legend:

Red, bold, italicized text (***example***): proposed addition to text

Blue, bold, italicized text (***example***): proposed clerical change

Black, struck-through text (~~example~~): proposed deletion of existing text

Charleston County Historic Preservation Ordinance (Chapter 21 of the County's Code of Ordinances)

Chapter 21 – HISTORIC PRESERVATION

Sec. 21-1 – Findings Incorporated

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

Sec. 21-2 – Historic Preservation Commission

A. Composition, Officers, Rules, Meetings, and Minutes

The Historic Preservation Commission shall consist of nine members appointed by the County Council, provided, however, that of the initial members of the Commission, five members shall be appointed for four-year terms and four members shall be appointed for two year terms. The members shall serve until their successors are appointed and qualified. The members, both laymen and professional, shall have a demonstrated interest, competence, or knowledge in historic preservation. The members shall serve without compensation from the County. Any vacancy which may occur on the Commission shall be filled by County Council appointing a successor to serve out the unexpired term of the vacancy. No member may hold an elected public office in Charleston County.

The Commission shall elect one of its members as chair and one as vice-chair whose terms must be for one year. It shall appoint a secretary who may be an officer or an employee of the County. The Commission shall adopt rules of organizational procedure and shall keep a record of its resolutions, findings, and determinations, which record must be a public record. The Commission shall meet monthly, or as needed, and, in addition, the Commission may meet at the call of the chair or at such times as the chair or the Commission may determine.

Council hereby also establishes the position of Historic Preservation Officer. The Historic Preservation Officer shall provide administrative staff support to the Historic Preservation Commission and fulfill the duties as provided in this Ordinance. The Historic Preservation Officer shall report to the County Administrator, or his/her designee, who will, unless otherwise determined by the County Administrator, be the Charleston County Planning and Zoning Department Director.

B. Review Authority

The Historic Preservation Commission acts in a review and recommending capacity on Designations of Historic Property *and Historic Districts*. The Commission may also conduct first review and evaluation of all proposed nominations for the NRHP.

C. Decision-Making Authority

The Historic Preservation Commission shall have final decision-making authority on Certificates of Historic Appropriateness.

D. Responsibility

In addition to the review and decision-making authority of the Historic Preservation Commission, the Commission shall:

1. Educate the community about the County's historic resources;
2. Maintain a system for the survey and inventory of historic properties;
3. Submit to the State Historic Preservation Office (SHPO) an annual report of Commission activities;
4. Adopt By-Laws and Rules of Procedure; and
5. Provide for adequate public participation in the local historic preservation program, including the process of recommending properties for nomination to the National Register (as applicable).

E. Application Completeness and Submission Deadlines

1. Applications for consideration by the Historic Preservation Commission (Designations of Historic Property *and Historic Districts* and Certificates of Historic Appropriateness) shall be submitted no later than 12:00 p.m. on the Friday, six weeks prior to the regularly scheduled Historic Preservation Commission meeting, unless otherwise provided in this Ordinance. Application filing deadlines and Historic Preservation Commission meeting dates are available at the Zoning and Planning Department. Within 15 Charleston County Government work days of submittal of the application, staff will determine if the application is complete, and if it is complete, the Historic Preservation Officer will schedule the application for consideration at the next available Historic Preservation Commission meeting.
2. Any application that is determined to be incomplete shall, within 15 Charleston County Government work days of its submittal, be returned to the applicant along with an explanation of the application's deficiencies. Fees shall not be refunded. No further processing of the application shall occur until the deficiencies are corrected. Once the deficiencies are corrected, the application may be resubmitted without the payment of additional fees, provided that it is resubmitted within six months of the date that the application was returned to the applicant. Applications resubmitted more than six months after the date that the application was returned as incomplete shall require repayment of applicable fees.

F. Requests for Postponements of Applications to the Historic Preservation Commission

Requests for postponements of all applications from Historic Preservation Commission meetings must be made in writing to the Historic Preservation Officer and the letter must be signed by the property owner(s) and/or his/her authorized agent. Postponement requests received within 10 calendar days of the Historic Preservation Commission meeting for which the application is scheduled shall be considered withdrawn. An application that is postponed for more than one year from the date it was scheduled to be heard is deemed withdrawn. If an application is deemed withdrawn, the applicant must submit a new application in compliance with Section 21-2.E, Application Completeness and Submission Deadlines, of this Ordinance, and all applicable fees must be paid.

Sec. 21-3 – Designation of Historic Property *and/or Historic District*

A. Purpose

The standards of this Section are intended to safeguard the integrity of Historic Properties *and Historic Districts*. The criteria and procedures in this Section are to be used by the Historic Preservation Commission to review, consider, and recommend designation of a Historic Property *or Historic District*, and for the County Council to approve or deny the same.

B. Applicability

The Historic Preservation Commission may nominate Historic Properties ~~and/or Historic Districts~~ within the unincorporated area of Charleston County for designation with written consent from the owners of such properties, pursuant to this Section, provided such nominations comply with the Designation of Historic Property process and requirements contained in this Section. Additionally, applications to designate Historic Properties within the unincorporated area of Charleston County may be submitted by the property owner(s) of the subject property(ies), site(s), building(s), structure(s), **or** object(s), ~~or district(s)~~ provided such applications comply with the Designation of Historic Property process and requirements contained in this Section.

The Historic Preservation Commission may nominate Historic Districts within the unincorporated area of Charleston County for designation with written consent pursuant to the requirements this Section. Additionally, applications to designate Historic Districts within the unincorporated area of Charleston County may be submitted by an owner of a property located within the proposed Historic District or a registered voter of a property located within a proposed Historic District provided such applications comply with the Designation of Historic District process and requirements contained in this Section.

C. Pre-Application Conference

Before submitting an application for Designation of Historic Property **or Historic District**, the property owner or applicant shall confer with the Historic Preservation Officer to discuss the proposal and the applicable review and approval procedures. Pre-application conferences are not required for nominations of Designation of Historic Property **or Historic District** by the Historic Preservation Commission.

D. Application Filing

1. Designation of Historic Property **and/or Historic Districts**.
 - a. Applications for Designation of Historic Property **and/or Historic Districts** shall be submitted to the Historic Preservation Officer on forms provided by Charleston County. Nominations for Designation of Historic Properties **and/or Historic Districts** ~~of Historic Properties~~ by the Historic Preservation Commission do not require the submittal of application forms or fees.
 - b. Applications shall comply with Section 21-2.E, Application Completeness and Submission Deadlines, of this Ordinance.
2. No application for, or nomination of, a Designation of Historic Property **or Historic District** shall be accepted as complete unless it includes the required fee and the information listed below:
 - a. **Historic Property designation application:** A completed application **shall be** signed by the current property owner(s), ~~provided, however, that in the case of applications for~~
 - b. ~~designations of~~ **Historic District designation application: In addition to a completed application form signed by an owner of a property located within the proposed Historic District or a registered voter of a property located within a proposed Historic District**, the applicant shall submit to the Historic Preservation Officer a petition and/or written consent and other supporting documentation to show that 51% or more of the registered voters of the properties in the proposed Historic District are in favor of the designation of the Historic District. Where the proposed Historic District is less than 50 acres in size and is titled in the name of 10 or fewer Freeholders, the applicant shall canvas the proposed Historic District of the qualified electors residing in the proposed Historic District as to whether the Historic District proposed should be designated as

such. The applicant shall submit to the Historic Preservation Officer a petition and/or written consent and other supporting documentation to show that 51% or more of the Freeholders of the properties in the proposed Historic District are in favor of the designation of the Historic District.

- c. A map indicating the address(es) or location(s) of the property(ies), site(s), building(s), structure(s), or object(s), and/or the boundaries of a proposed *Historic Property or Historic District*;
- d. A letter of intent including information or statements to demonstrate compliance with the criteria of this Section and documentation of the historical or cultural significance such as photos, primary source documents, etc.; and
- e. Any further information or documentation as the Historic Preservation Officer may deem necessary or appropriate to conduct a full and proper consideration and disposition of the application.

E. Historic Preservation Officer Review and Report

The Historic Preservation Officer shall review the application pursuant to the Approval Criteria of Section 21-3.H, Approval Criteria, of this Ordinance and refer the application to other departments or entities as necessary. The Historic Preservation Officer shall provide a report to the Historic Preservation Commission.

F. Historic Preservation Commission Review and Recommendation

The Historic Preservation Commission shall review the Designation of Historic Property *or Historic District* application at a meeting open to the public and adopt a resolution, by majority vote of the entire membership, recommending that the County Council approve or deny the application. The Historic Preservation Commission shall render its decision based on the Approval Criteria of Section 21-3.H, Approval Criteria, of this Ordinance. Neighbors and Parties in Interest Notice of the Historic Preservation Commission meeting shall be provided in accordance with the requirements of Section 21-6, Notices, of this Ordinance.

G. County Council Hearing

After receiving the recommendation of the Historic Preservation Commission, the County Council shall approve or deny the application for Designation of Historic Property *or Historic District* based on the Approval Criteria of Section 21-3.H, Approval Criteria, of this Ordinance. County Council shall hold a public hearing prior to giving second reading to Designation of Historic Property *or Historic District* applications. Neighbor and Parties in Interest Notice of the Public Hearing shall be provided in accordance with the requirements of Section 21-6, Notices, of this Ordinance. Designations of Historic Property shall not be approved "with conditions."

H. Approval Criteria

In order for an application for Designation of Historic Property *or Historic District* to be approved, one or more of the following criteria must be met:

1. Has significant inherent character, interest, history, or value as part of the rural county or heritage of the county, state or nation;
2. Is of an event significant in history;
3. Is associated with a person or persons who contributed significantly to the culture and development of the county, state or nation;

4. Exemplifies the cultural, political, economic, social, ethnic, or historic heritage of the county, state or nation;
5. Individually or collectively embodies distinguishing characteristics of a type, style, or period in architecture or engineering;
6. Is the work of a designer whose work has significantly influenced the development of the county, state or nation;
7. Contains elements of design, detail, materials, or craftsmanship which represent a significant innovation;
8. Is part of or related to a square or other distinctive element of community planning;
9. Represents an established and familiar visual feature of the neighborhood or community;
10. Has yielded, or may be likely to yield, information important in pre-history or history (potential archaeological site); and/or
11. Is deemed eligible for or already listed on the NRHP.

I. Final Action

Designations of Historic Properties *or Historic Districts* shall be adopted by ordinance of Charleston County Council.

J. Notice of Decision

Following final action by the County Council, the Historic Preservation Officer shall be responsible for providing the applicant and property owner with written notice of the decision.

K. Removal of Designation of Historic Property

Applications to remove a Designation of Historic Property must be submitted by the owner(s) of the Historic Property or by the Historic Preservation Commission with written consent from the property owner(s) and shall be submitted utilizing the application, fee(s), and process as described in this Article. In order for the designation to be removed, County Council must find that one or more of the following criteria has been met:

1. The Site, Building, Structure, *or* Object ~~or District~~ has ceased to meet the criteria for designation as described Section 21-3.H, Approval Criteria, of this Ordinance because the qualities which caused it to be originally designated have been lost or destroyed;
2. An error occurred regarding whether the Historic Property, Site, Building, Structure, *or* Object, ~~or District~~ met the criteria for designation at the time it was designated; and/or
3. There was a procedural error in the designation process.

L. Removal of Designation of Historic District

Applications to remove a Designation of a Historic District or to remove one or more properties from a Historic District must be submitted by an owner of a property located within the Historic District or a registered voter of a property located within a proposed Historic District and include written consent pursuant to the requirements of Section 21-3.D.2.b. The application, fee(s), and process as described in this Article shall apply. In order for a Historic District designation to be removed, County Council must find that one or more of the following criteria has been met:

1. *The District has ceased to meet the criteria for designation as described Section 21-3.H, Approval Criteria, of this Ordinance because the qualities which caused it to be originally designated, have been lost or destroyed;*
2. *An error occurred regarding whether the District met the criteria for designation at the time it was designated; and/or*
3. *There was a procedural error in the designation process.*

In order for one or more properties to be removed from a Historic District designation, County Council must find that the property or properties have ceased to meet the criteria for designation as described Section 21-3.H, Approval Criteria, of this Ordinance because the qualities which caused it/them to be included in the original designation have been lost or destroyed.

Sec. 21-4 – Certificate of Historic Appropriateness

A. Purpose

In order to ensure that any alteration, modification, relocation, demolition, addition to, new construction, rehabilitation, or restoration of a Historic Property *or on a property included in a Historic District*, or subdivision or development of property located within 300 feet of a Historic Property *or Historic District*, is in keeping with the historical, cultural, and architectural character of the Historic Property or Historic District, a Certificate of Historic Appropriateness must be obtained pursuant to the standards set forth in this Section, ***except where exempt pursuant to the provisions of this Section.***

B. Applicability

1. Certificate Required. A Certificate of Historic Appropriateness is required:
 - a. Before the issuance of Zoning Permits for the demolition, alteration, modification, addition to, new construction, rehabilitation, relocation, or restoration to a Historic Property *or a property located in a Historic District*, including construction of new structures in Historic Districts; and
 - b. Before Subdivision Plat and Site Plan Review approvals for properties located within 300 feet of a Historic Property *or Historic District*, ***except that Certificates of Historic Appropriateness are not required for Limited Site Plan Review applications pursuant to Article 3.7, Site Plan Review, of the Charleston County Zoning and Land Development Regulations Ordinance and the following specific types of Subdivision Plat applications are exempt from the Certificate of Historic Appropriateness requirements of this Ordinance:***
 - i. Subdivision Plats submitted for sole purpose of creating an easement(s), delineating OCRM Critical Line Areas, and/or delineating the location(s) of freshwater wetlands;***
 - ii. The combination or recombination of portions of previously platted Lots where the total number of Lots is not increased;***
 - iii. Boundary plats;***
 - iv. Property line adjustments where no new Lots are created; and***
 - v. Subdivision Plats that are the result of a court order.***
2. These requirements shall apply to applications for the permits described herein, that are submitted after **August 21, 2018**. [~~Date of Adoption of Ordinance~~].

C. Application Filing

Applications for Certificates of Historic Appropriateness shall be submitted to the Historic Preservation Officer on forms provided by Charleston County. Applications shall comply with Section 21-2.E, Application Completeness and Submission Deadlines, of this Ordinance. Before submitting an application for a Certificate of Historic Appropriateness, the applicant shall confer with the Historic Preservation Officer to discuss the proposal and the applicable review and approval procedures. No application for a Certificate of Historic Appropriateness shall be accepted as complete unless it includes the required fee and the following information:

1. Completed Certificate of Historic Appropriateness application signed by the current property owner(s);
2. As applicable, a copy of a legible approved and recorded plat showing current property boundaries. Exemptions include applications for Certificates of Historic Appropriateness for alterations, modifications, rehabilitation, demolition or restoration of Historic Properties that do not change the footprint of existing structures **and subdivision applications where a new plat will be recorded following approval of the Certificate of Historic Appropriateness**;
3. Restrictive covenant(s) affidavit signed by the applicant or current property owner(s) in compliance with state law;
4. A general description of the present use and proposed activity on the property and a written statement addressing the approval criteria set out in this Ordinance, stating specifically how the Certificate of Historic Appropriateness relates to and meets each criterion;
5. As applicable, a site plan drawn to an engineer's scale showing the property dimensions, dimensions and locations of existing and proposed structures and improvements, parking areas, Grand trees, wetlands (properties containing DHEC-OCRM Critical Line areas must contain an up to date DHEC-OCRM signature on the site plan or plat), and holding basins and buffers when applicable. However, if the property was developed before April 21, 1999, no site improvements have been made since April 21, 1999, and the proposed use does not require site improvements, as determined by the Zoning and Planning Department Director, the applicant may submit an aerial photograph printed to engineer's scale showing the property lines, locations of existing structures and improvements, parking areas, etc. as the site plan. ~~One 24 x 36 copy and 20 reduced 11 x 17 copies shall be submitted.~~
6. As applicable, proposed Subdivision Plats.
7. Any further information or documentation as the Historic Preservation Officer may deem necessary or appropriate to conduct a full and proper consideration and disposition of the application.

D. Historic Preservation Officer Review and Report

The Historic Preservation Officer shall review each application for a Certificate of Historic Appropriateness pursuant to the Approval Criteria of Section 21-4.F, Approval Criteria, of this Ordinance. The Historic Preservation Officer shall provide a report on the application to the Historic Preservation Commission that addresses the Approval Criteria of Section 21-4.F, Approval Criteria, of this Ordinance, and includes, but is not limited to, whether or not the application complies with the requirements contained in the Charleston County Zoning and Land Development Regulations Ordinance.

E. Historic Preservation Commission Public Hearing, Review and Determination

The Historic Preservation Commission shall review the Certificate of Historic Appropriateness application at a public hearing and render a decision based on the Approval Criteria of Section

21-4.F, Approval Criteria, of this Ordinance. A majority of the Historic Preservation Commission members present and voting shall be required to approve, approve with conditions, or deny applications for Certificates of Historic Appropriateness.

Neighbor and Parties in Interest Notice of the Historic Preservation Commission meeting shall be provided in accordance with the requirements of Section 21-6, Notices, of this Ordinance. If a property is located in a NRHP listed or locally designated Historic District ("Historic District"), notifications shall also be sent to the owners of properties located within the Historic District.

F. Approval Criteria

1. In granting a Certificate of Historic Appropriateness applications, the Historic Preservation Commission shall consider:
 - a. The historic, cultural, and architectural significance of the district, site, building, structure, or object under consideration;
 - b. The exterior form and appearance of any proposed additions or modifications and the effect of such additions and modifications upon other structures on the Historic Property or within the Historic District;
 - c. When considering applications for new construction, alteration, repair, rehabilitation, or restoration, the Historic Preservation Commission shall apply the Secretary of the Interior's Standards for the Treatment of Historic Properties; ~~and~~
 - d. Certificate of Historic Appropriateness applications for properties located within Historic Districts, or for Subdivision Plats or Site Plan Review proposals for properties located within 300 feet of Historic Districts, must demonstrate consistency with the prevailing patterns of existing lots, densities, spacing of homes, lot sizes and shapes, and other characteristics of the Historic District that the Historic Preservation Commission deems applicable.
 - e. In granting a Certificate of Historic Appropriateness for Subdivision Plats and Site Plan Review proposals for properties located within 300 feet of a Historic Property *or Historic District*, the Historic Preservation Commission shall require that potential negative impacts of the proposed development be minimized through site design techniques such as the location of vehicular access points, screening treatments, and buffering treatments.

G. Notice of Decision

Following final action by the Historic Preservation Commission, the Historic Preservation Officer shall provide the applicant and property owner with written notice of the decision.

H. Submission of a New Application

If the Historic Preservation Commission denies an application for a Certificate of Historic Appropriateness, a new application affecting the same Historic Property may be submitted if the Historic Preservation Officer determines there has been some substantial change made in the plans for the proposed work or development.

I. Appeals

Any person with a substantial interest in a decision of the Historic Preservation Commission or any officer, board, or bureau of the County may appeal a final decision of the Historic Preservation Commission to the Circuit Court of Charleston County. Appellants shall file with the Court Clerk a written petition plainly and fully setting forth how such decision is contrary to law. Such appeal

shall be filed within 30 calendar days after the date of the meeting at which the decision of the Historic Preservation Commission is rendered.

Sec. 21-5 – Nomination to The National Register Of Historic Places

The Historic Preservation Commission may conduct first review and evaluation of all proposed nominations for the NRHP for properties that are within its jurisdiction, prior to consideration by the State Board of Review. The Commission may send their recommendations to the State Historic Preservation Office for consideration at the meeting of the State Board of Review. The Commission shall not nominate properties directly to the National Register; only the State Board of Review shall have this final review authority unless expressly authorized by the Federal statute.

Sec. 21-6 – Notices

A. Neighbor Notice

When the provisions of this Ordinance require that "Neighbor Notice" be provided, the Historic Preservation Officer shall mail notice to the applicant and all property owners within 300 feet of the subject property. Ownership information shall be obtained from the County Assessor's Office. Unless otherwise expressly provided in state statutes or this Ordinance, required Neighbor Notices shall be deposited in the U.S. mail at least 15 calendar days before the public hearing, meeting, or date of action that is the subject of the notice. Failure to provide this notice will not invalidate any action taken.

B. Parties in Interest Notice

When the provisions of this Ordinance require that notice be sent, the following "Parties in Interest" shall be notified: the applicant and the owner of the property (if other than applicant). Parties in Interest shall mean any individual, associations, corporations or others who have expressed an interest in writing in an application that has been received by the Historic Preservation Officer. It is the responsibility of the Parties in Interest to provide updated contact information to the Historic Preservation Officer. The Historic Preservation Officer will keep the Parties in Interest contact information on file for one year from the initial date received. Failure to provide this notice will not invalidate any action taken.

Sec. 21-7 – Terms and Uses Defined

A

Archaeological Site. A place (or group of physical sites) in which evidence of past activity is preserved (prehistoric, historic, or contemporary), and which has been, or may be, investigated using the discipline of archaeology and represents a part of the archaeological record. A site may range from one with few or no remains visible above ground, to a building or other structure still in use.

C

Certificate of Historic Appropriateness. The document issued by the Historic Preservation Commission (HPC) certifying that proposed actions are found to be acceptable relating to any alteration of, or change to a locally designated or National Register of Historic Places (NRHP) listed Historic Property or District, or for subdivision or site plan review applications for properties located within 300 feet of a locally designated or NRHP listed Historic Property or District.

F

Freeholder. Any person 18 years of age, or older, and any firm or corporation, who or which owns legal title to a present possessory interest in real estate equal to a life estate or greater (expressly excluding leaseholds, easements, equitable interests, inchoate rights, dower rights, and future interests) and who owns, at the date of the application, at least an undivided one-tenth interest in a single tract and whose name appears on the county records as an owner of real estate.

H

Historic Building. A "building", such as a house, barn, church, hotel, or similar construction, that is created principally to shelter any form of human activity. "Building" may also be used to refer to a historically and functionally related unit, such as a courthouse and jail or a house and barn. Buildings must include all of their basic structural elements; parts of buildings, such as interiors, facades, or wings, are not eligible independent of the rest of the existing building. Examples may include, but are not limited to: administration building; carriage house; church; city or town hall; courthouse; detached kitchen, barn, and privy; dormitory; fort; garage; hotel; house; library; mill building; office building; post office; school; shed; social hall; stable; store; theater; or train station.

Historic District. A Historic Preservation District possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. It means a geographically definable area, urban or rural, which contains sites, buildings, structures, objects, works of art, or a combination thereof which:

- Have a special character or special historical or ethnic heritage or aesthetic interest or value;
- Represent one or more periods or styles of architecture typical of one or more eras in the history of Charleston County or the state or region; and
- Cause such area, by reason of these factors, to constitute a visibly perceptible section of Charleston County, which may either be locally-designated or NRHP-listed.

A Historic District derives its importance from being a unified entity, even though it is often composed of a wide variety of resources. The identity of a district results from the interrelationship of its resources, which can convey a visual sense of the overall historic environment or be an arrangement of historically or functionally related properties. For example, a district can reflect one principal activity, such as a mill or a ranch, or it can encompass several interrelated activities, such as an area that includes industrial, residential, or commercial buildings, sites, structures, or objects. A Historic Preservation Overlay District can also be a grouping of archeological sites related primarily by their common components; these types of districts often will not visually represent a specific historic environment.

A Historic District can comprise both features that lack individual distinction and individually distinctive features that serve as focal points. It may even be considered eligible if all of the components lack individual distinction, provided that the grouping achieves significance as a whole within its historic context. In either case, the majority of the components that add to the

district's historic character, even if they are individually undistinguished, must possess integrity, as must the district as a whole.

A Historic District can contain buildings, structures, sites, objects, or open spaces that do not contribute to the significance of the Historic Preservation Overlay District. The number of noncontributing properties a Historic Preservation Overlay District can contain yet still convey its sense of time and place and historical development depends on how these properties affect the Historic Preservation Overlay District's integrity. In archeological districts, the primary factor to be considered is the effect of any disturbances on the information potential of the district as a whole.

Historic Object. The term "Historic Object" is used to distinguish from buildings and structures those constructions that are primarily artistic in nature or are relatively small in scale and simply constructed. Although it may be, by nature or design, movable, an object is associated with a specific setting or environment. Small objects not designed for a specific location are normally not included in this definition. Such works include a transportable sculpture, furniture, and other decorative arts that, unlike a fixed outdoor sculpture, do not possess association with a specific place. Objects should be in a setting appropriate to their significant historic use, roles, or character. Objects relocated to a museum are inappropriate for designation. Examples may include, but are not limited to: boundary marker; monument; milepost fountain; sculpture; or statuary.

Historic Property. A Historic Site, Historic Building, Historic Structure, or Historic Object that is fixed in location, which reflects historic, cultural or architectural significance.

Historic Site. The location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of the value of any existing structure. A site need not be marked by physical remains if it is the location of a prehistoric or historic event or pattern of events and if no buildings, structures, or objects marked it at the time of the events. However, when the location of a prehistoric or historic event cannot be conclusively determined because no other cultural materials were present or survive, documentation must be carefully evaluated to determine whether the traditionally recognized or identified site is accurate. A site may be a natural landmark strongly associated with significant prehistoric or historic events or patterns of events, if the significance of the natural feature is well-documented through scholarly research. Generally, though, the definition of "site" excludes natural waterways or bodies of water that served as determinants in the location of communities or were significant in the locality's subsequent economic development. While they may have been "avenues of exploration," the features most appropriate to document this significance are the properties built in association with the waterways. Examples may include, but are not limited to: battlefield; campsite; cemeteries significant for information potential or historic association; ceremonial site; designed landscape; habitation site; natural feature (such as a rock formation) having cultural significance; petroglyph; rock carving; rock shelter; ruins of a building or structure; shipwreck; trail; or a village site.

Historic Structure. The term "Historic Structure" is used to distinguish from buildings those functional constructions made usually for purposes other than creating human shelter. Structures must include all of the extant basic structural elements; parts of structures cannot be considered eligible if the whole structure remains. For example, a truss bridge is composed of the metal or wooden truss, the abutments, and supporting piers, all of which, if extant, must be included when considering the property for eligibility. If a structure has lost its historic configuration or pattern of organization through deterioration or demolition, it is considered a "ruin" and is categorized as a site.

R

Rehabilitation (Historic Property or District). The process of returning a building or buildings to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the building(s) that are significant to its historic, architectural and cultural values.

Repair (Historic Property or District). The mending or restoration of a building or structure to a sound or good state, at or nearest to its original designed condition, due to decay, dilapidation, damage or partial destruction. Such work shall not change the size or shape in whole or in part of a building or structure to expand a use. It shall include the terms "renovation", "rebuilding" and "reconstruction" for purposes of this Ordinance.

Restoration (Historic Property or District). The act or process of accurately depicting the form, features, and character of a designated property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical and plumbing systems and other code-required work to make properties functional is appropriate within a restoration period.

Charleston County Council

Memorandum

To: Members of the Planning & Public Works Committee
From: Kristen Salisbury, Clerk of Council
Date: September 17, 2021
Subject: Amendments to the Zoning and Land Development Regulations (ZLDR)

At the Planning & Public Works Committee of September 23, 2021, staff will present amendments to the ZLDR for consideration. The proposed amendments can be found on Charleston County's website at <https://www.charlestoncounty.org/departments/zoning-planning/projects-zldev.php>

Post & Courier

CHARLESTON COUNTY COUNCIL PUBLIC HEARING
Tuesday, September 14, 2021 at 6:30 PM

Notice is hereby given that Charleston County Council will hold a public hearing on Tuesday, September 14, 2021, at 6:30 p.m. in the Beverly T. Craven Council Chambers, Lonnie Hamilton, III Public Services Building, 4045 Bridge View Drive, North Charleston, SC 29405 on the following:

HIST-06-21-00034: Request to designate Saint Mark Union Methodist Episcopal Church located at 3657 Old Charleston Highway (TMS# 285-00-00-057) on the Charleston County Historic Designation List.

Public comments, written and oral, are invited. Submission of written public comments is encouraged and those wishing to provide written public comments for the public hearing should email comments to CCHPC@charlestoncounty.org by 12:00 p.m. on Tuesday, September 14, 2021.

This Public Notice is in accordance with Section 6-29-760 of the Code of Laws of South Carolina.

Kristen L. Salisbury
Clerk of Council

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**DESIGNATION OF HISTORIC PROPERTY REQUEST: HIST-06-21-00034
CASE HISTORY**

**Historic Preservation Commission: August 17, 2021
Public Hearing: September 14, 2021
Planning & Public Works Committee: September 23, 2021
First Reading: September 30, 2021
Second Reading: October 12, 2021
Third Reading: October 26, 2021**

CASE INFORMATION

Location: 3657 Old Charleston Hwy. (Johns Island)

Parcel Identification: 285-00-00-057

Council District: 6-Middleton

Property Size: 0.50 acres

Application: Request to designate the Saint Mark Union Methodist Episcopal Church, located at 3657 Old Charleston Highway (TMS# 285-00-00-057), as a historic property on the Charleston County Historic Designation List.

Parcel Information and Area Description:

The subject property is zoned Industrial and contains a church structure. Adjacent properties to the north and west are also zoned Industrial and contain Single-Family residences or are undeveloped. Parcels to the east and south are in the City of Charleston and are composed primarily of wetlands.

Historic Significance: The Saint Mark Union Methodist Episcopal Church was established in 1913 following the separation from the Reformed Methodist Union Episcopal (R.M.U.E.) Church in 1912. The charter for the new Union Methodist Episcopal Church was formed under the direction of Bishop J.A. Ellison and approved in 1913 by the State of South Carolina, making him the first Bishop for the newly formed denomination and the Saint Mark Union Methodist Episcopal Church. St. Mark U.M.E. is the oldest church in the Union, and is considered the Mother Church of the 12 Union Methodist Episcopal Churches located in North and South Carolina.

Beyond St. Mark U.M.E.'s significance in the establishment and continuation of the Union Methodist Episcopal Church, the church has long-standing ties to the Red Top Community. Many formerly enslaved individuals obtained most of the land in Red Top which has been kept within the families for generations. The church takes pride in upholding the history of the church and of the area, providing a place to serve the religious, social, and political needs of the community throughout its history, and seeks to continue to serve in these aspects for generations to come.

The Saint Mark Union Methodist Episcopal Church is not listed on the National Register of Historic Places. The current church structure was constructed in 1969.

Application History

Previous Applications: Permits for various building repairs only.

Designation of Historic Property Requirements:

The Charleston County Code of Ordinances, Chapter 21, Historic Preservation, Sec. 21-3.B states, "The historic preservation commission may nominate historic properties and/or historic districts within the unincorporated area of Charleston County for designation with written consent from the owners of such properties pursuant to this section, provided such nominations comply with the designation of historic property process and requirements contained in this section. Additionally, applications to designate historic properties within the unincorporated area of Charleston County may be submitted by the property owner(s) of the subject property(ies), site(s), building(s), structure(s), object(s), or district(s) provided such applications comply with the designation of historic property process and requirements contained in this section."

Sec. 21-3.h, Approval Criteria, states "In order for an application for designation of historic property to be approved, one or more of the following criteria must be met:(1)Has significant inherent character, interest, history, or value as part of the rural county or heritage of the county, state or nation;(2)Is of an event significant in history;(3)Is associated with a person or persons who contributed significantly to the culture and development of the county, state or nation;(4)Exemplifies the cultural, political, economic, social, ethnic, or historic heritage of the county, state or nation;(5)Individually or collectively embodies distinguishing characteristics of a type, style, or period in architecture or engineering;(6)Is the work of a designer whose work has significantly influenced the development of the county, state or nation;(7)Contains elements of design, detail, materials, or craftsmanship which represent a significant innovation;(8)Is part of or related to a square or other distinctive element of community planning;(9)Represents an established and familiar visual feature of the neighborhood or community;(10)Has yielded, or may be likely to yield, information important in pre-history or history (potential archaeological site); and/or(11)Is deemed eligible for or already listed on the NRHP.

Zoning and Planning Director Review and Report regarding Approval Criteria of Sec. 21-3.H:

In granting a designation of historic property application, the Historic Preservation Commission shall consider one or more of the following criteria:

1. *Has significant inherent character, interest, history, or value as part of the rural county or heritage of the county, state or nation;*
2. *Is of an event significant in history;*
3. *Is associated with a person or persons who contributed significantly to the culture and development of the county, state or nation;*
4. *Exemplifies the cultural, political, economic, social, ethnic, or historic heritage of the county, state or nation;*
5. *Individually or collectively embodies distinguishing characteristics of a type, style, or period in architecture or engineering;*
6. *Is the work of a designer whose work has significantly influenced the development of the county, state or nation;*
7. *Contains elements of design, detail, materials, or craftsmanship which represent a significant innovation;*
8. *Is part of or related to a square or other distinctive element of community planning;*
9. *Represents an established and familiar visual feature of the neighborhood or community;*
10. *Has yielded, or may be likely to yield, information important in pre-history or history (potential archaeological site); and/or*
11. *Is deemed eligible for or already listed on the NRHP.*

The applicant's letter of intent states approval criteria #1, #3, and #4 are met:

1. **Has significant inherent character, interest, history, or value as part of the rural county or heritage of the county, state or nation;**
3. **Is associated with a person or persons who contributed significantly to the culture and development of the county, state or nation; and**
4. **Exemplifies the cultural, political, economic, social, ethnic, or historic heritage of the county, state or nation.**

Applicant Response: “The historical significance of Saint Mark and its rich ties to the Lowcountry, Barrier Islands and African American culture can be traced back to the origins of the R.M.U.E. (Reformed Methodist Union Episcopal) Church. Following the separation from the R.M.U.E. Church in 1912 A.D. under elected Pro Tem J.A. Ellison forming the R.M.U., which upon receiving its Charter from the State of South Carolina in 1913 A.D. forming the Union Methodist Episcopal Church. This made J.A. Ellison the 1st Bishop of the Union Methodist Church and Saint Mark U.M.E. Ellison still has descendants within the Saint Andrews Parish District of West Ashley that still frequents the church today.

The Union Methodist Episcopal Church Diocese now consists of 11 other churches spread throughout Coastal South Carolina and North Carolina let under the Right Bishop Willie Green Jr. Saint Mark is the oldest Church within the Union and is considered the Mother Church amongst all 12 churches. Saint Mark U.M. E. within the Red Top and surrounding community for many years and considered by many within the area a pillar of strength within the local community. Saint Mark ties into the rich historic aspect of Red Top as many slaves freed from the adjacent plantation obtained most of the land in Red Top, and for generations land has been preserved within close-knit families. As descendants of freed slaves, generations of leaders went to their graves hoping that their descendants would preserve Red Top’s land, legacy, and rich culture.

Today, the community is mostly developed with many land sales converting to commercial property and along with it several of the historical sites and contributions of past generations. Saint Mark not only seeks to preserve their land and culture, but also aims to protect its historical significance offering hope, inspiration, education, and a place of refuge for generations to come for all people. Red Top’s churches have always served the religious, social, and political needs of the community. That is no different today, as the churches remain united on behalf of the community and determined to uphold their ancestors’ sacred request.”

Staff Recommendation: The application meets approval criteria #1, #3, and #4; therefore, Staff recommends approval.

Pursuant to Chapter 21, *Historic Preservation*, Section §21-3.H, *Approval Criteria*, of the Charleston County Code of Ordinances, (adopted July 18, 2006), the Historic Preservation Commission may recommend approval of designations of historic property requests to County Council only if the Historic Preservation Commission finds that the proposed designation meets one or more of the criteria in §21-3.H.

HISTORIC PRESERVATION COMMISSION MEETING: August 17, 2021

Recommendation: Approve (9-0).

Notifications: 285 notification letters were sent to owners of property within 300 feet of the boundaries of the subject parcel, individuals on the Historic Preservation Interested Parties List, and the St. Andrews Interested Parties List on July 30, 2021. Additionally, the request was noticed in the Post & Courier on July 30, 2021.

Public Input: One letter in support of the application was received and is included in the packet materials.

PUBLIC HEARING: September 14, 2021

Notifications: 285 notification letters were sent to owners of property within 300 feet of the boundaries of the subject parcel, individuals on the Historic Preservation Interested Parties List, and the St. Andrews Interested Parties List on August 27, 2021. Additionally, the request was noticed in the Post & Courier on August 27, 2021.

Public Input: A total of two letters in support of the application were received and are included in the packet materials.

Speakers: Adrian Dingle, Doris Johnson, Gwen Simmons, Phyllis Jones, Michael Bligen, and Glenn Snipe all spoke in support of the application.

Designation of Historic Property Application:
Saint Mark Union Methodist Episcopal Church
Johns Island

Historic Preservation Commission: August 17, 2021

Council Public Hearing: September 14, 2021

PPW Committee: September 23, 2021

First Reading: September 30, 2021

Second Reading: October 12, 2021

Third Reading: October 26, 2021

Designation of Historic Property Application

Parcel ID: 285-00-00-057

Acreage: 0.50 acres

Property Address: 3657 Old Charleston Hwy.

Area: Johns Island/ Red Top

Owner: Saint Mark U.M.E. Church

Request: Designate the Saint Mark Union Methodist Episcopal Church, located at 3657 Old Charleston Highway (TMS# 285-00-00-057), as a historic property on the Charleston County Historic Designation List.

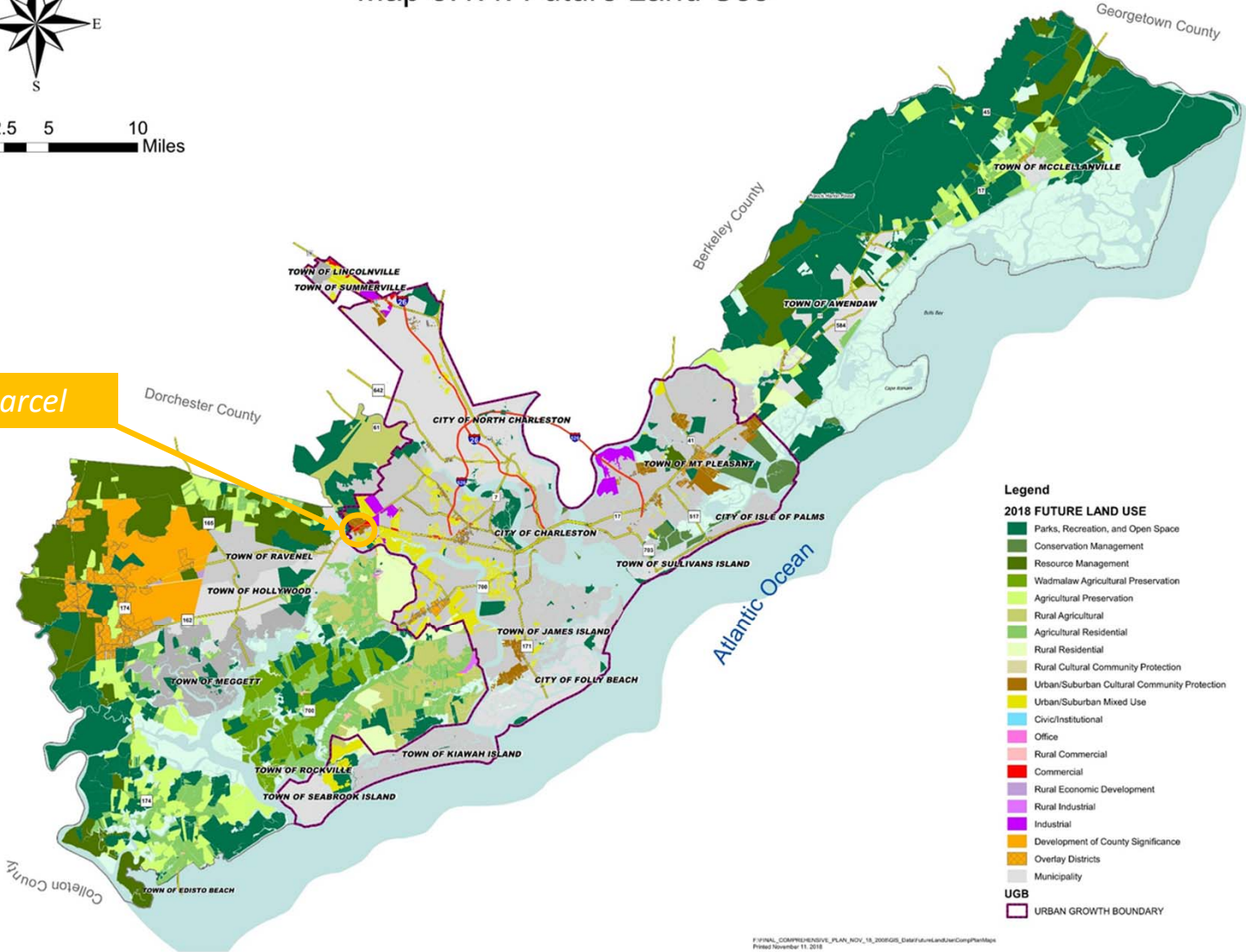
Application History

- Previous Applications: Permits for various building repairs only.

Map 3.1.4: Future Land Use



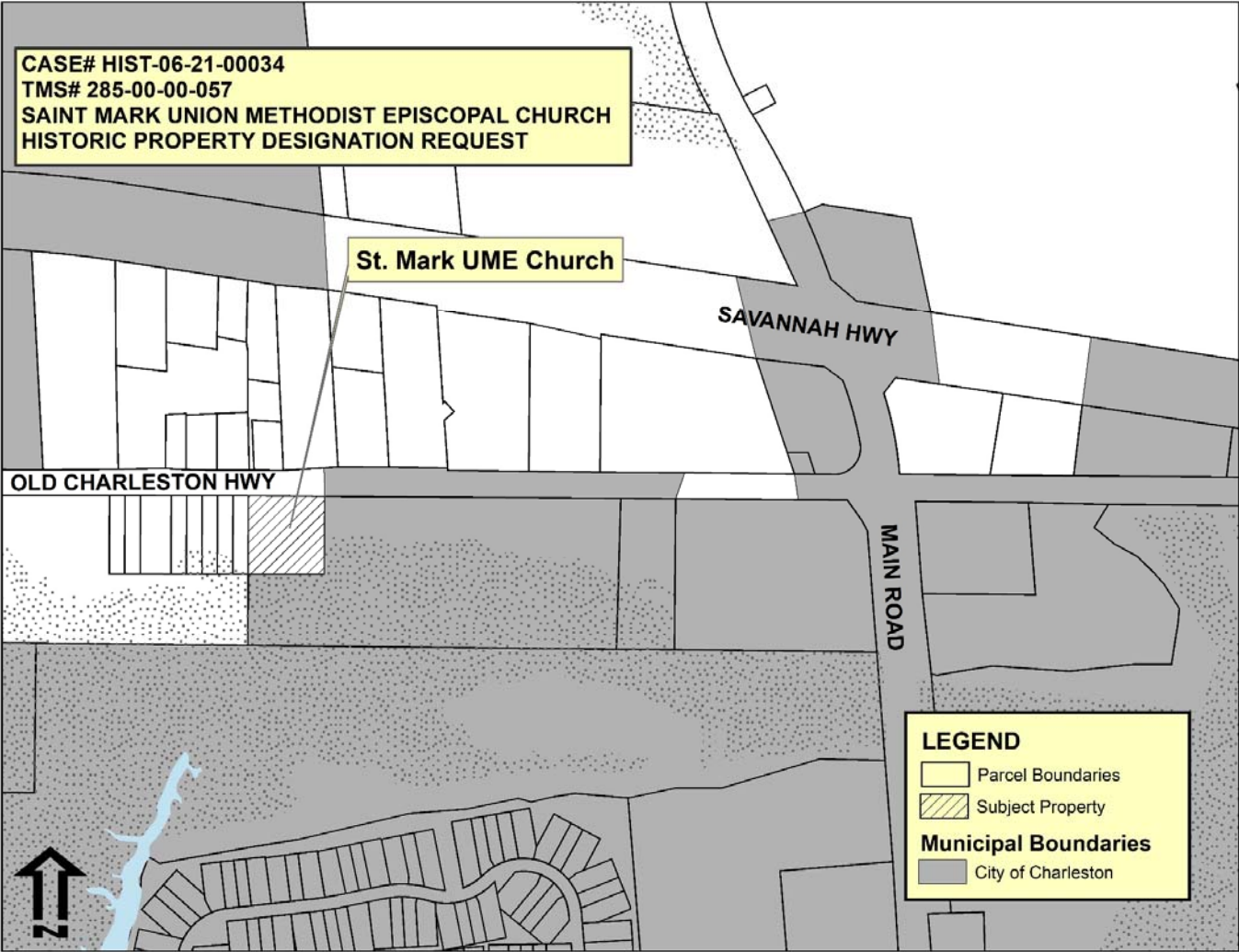
Subject Parcel



- Legend**
- 2018 FUTURE LAND USE**
- Parks, Recreation, and Open Space
 - Conservation Management
 - Resource Management
 - Wadmalaw Agricultural Preservation
 - Agricultural Preservation
 - Rural Agricultural
 - Agricultural Residential
 - Rural Residential
 - Rural Cultural Community Protection
 - Urban/Suburban Cultural Community Protection
 - Urban/Suburban Mixed Use
 - Civic/Institutional
 - Office
 - Rural Commercial
 - Commercial
 - Rural Economic Development
 - Rural Industrial
 - Industrial
 - Development of County Significance
 - Overlay Districts
 - Municipality
- UGB**
- URBAN GROWTH BOUNDARY

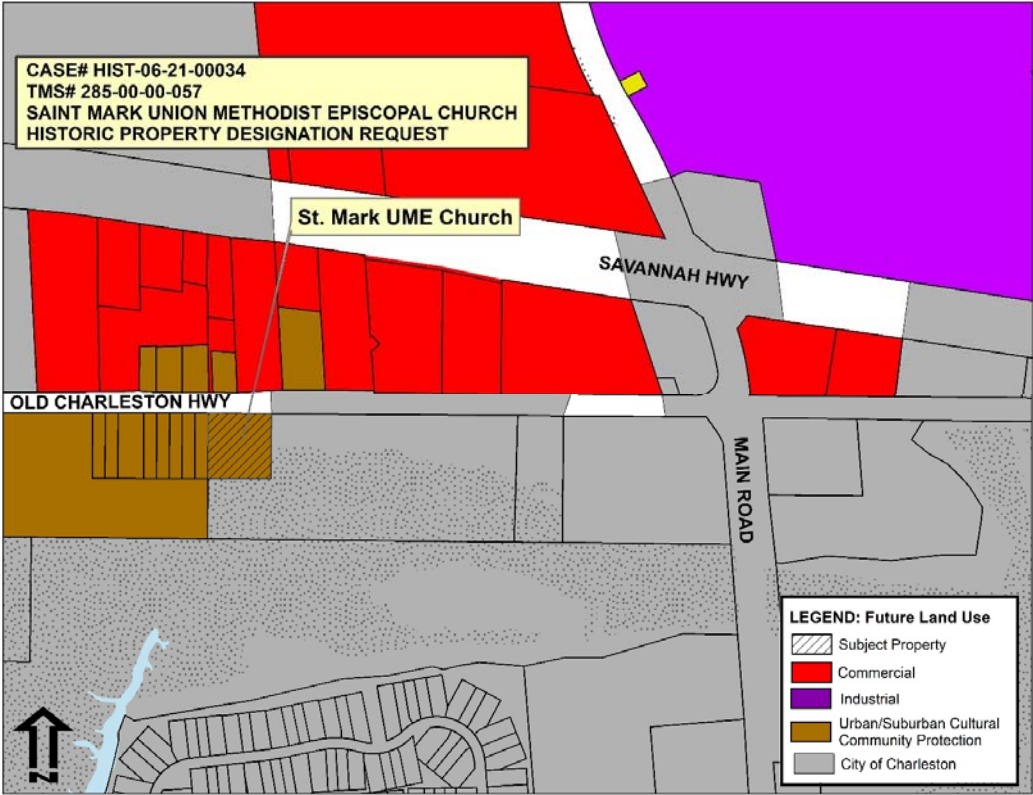
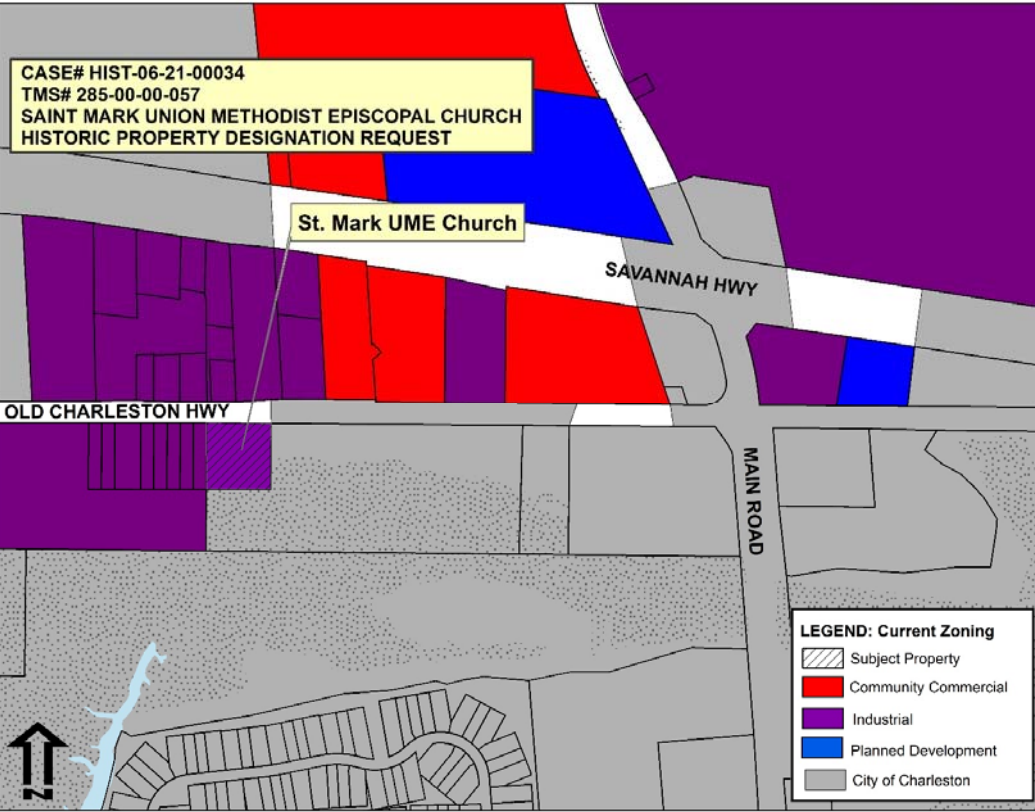
FINAL_COMPREHENSIVE_PLAN_NOV_18_2008GIS_DataFutureLandUseCompParishes
 Printed November 11, 2018

Location Map



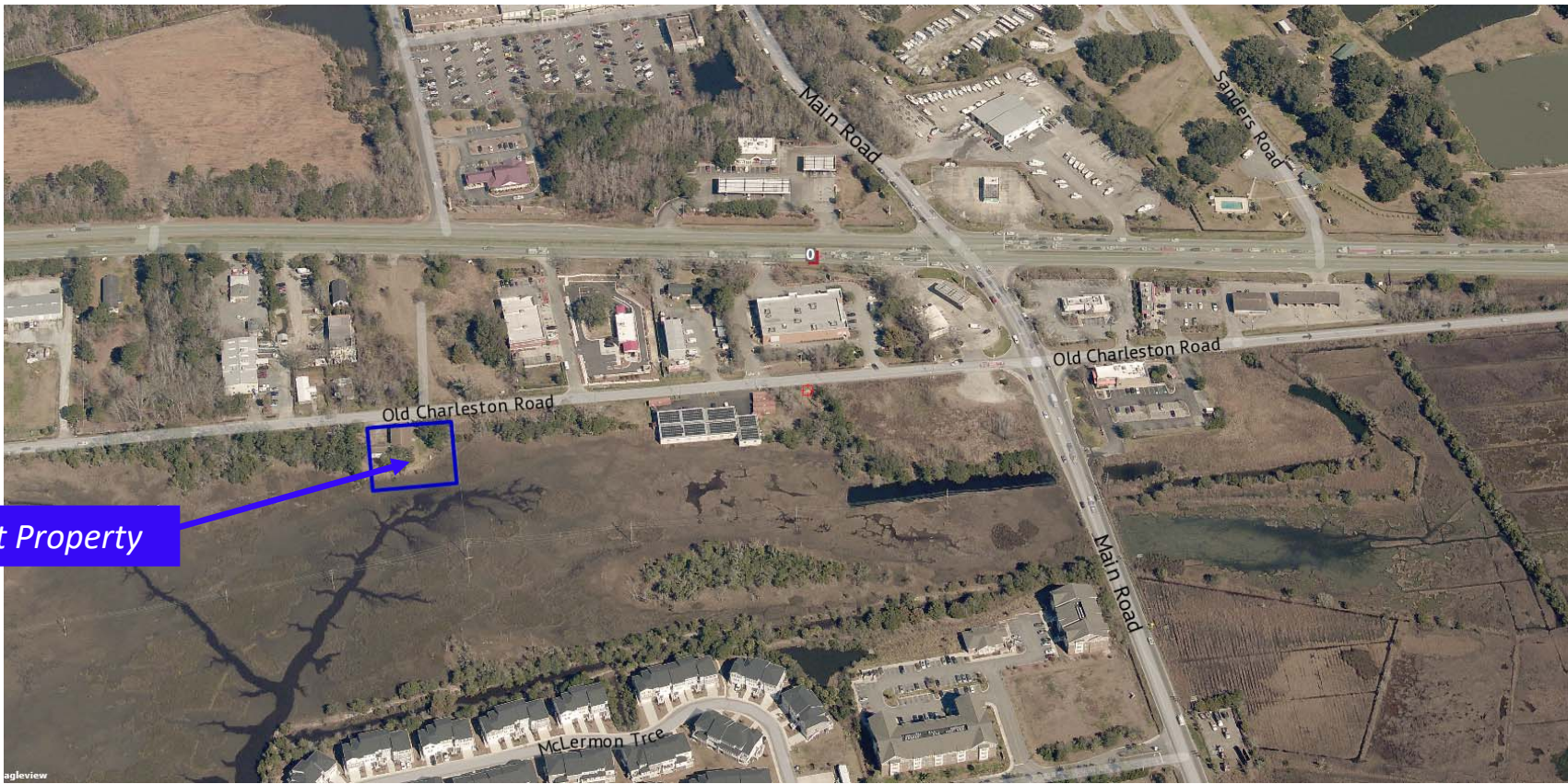
Zoning and Future Land Use Maps

Current Zoning Map



Comprehensive Plan Future Land Use Designation

Aerial View



The subject property is zoned Industrial and contains a church structure. Adjacent properties to the north and west are also zoned Industrial and contain Single-Family residences or are undeveloped. Parcels to the east and south are in the City of Charleston and are composed primarily of wetlands.

Saint Mark U.M.E. Church- Site Visit



Front Elevation



Side/Rear Elevation

Saint Mark U.M.E. Church- Site Visit



Interior of Church



Interior of Church/ Window Details

Saint Mark U.M.E. Church– Site Visit

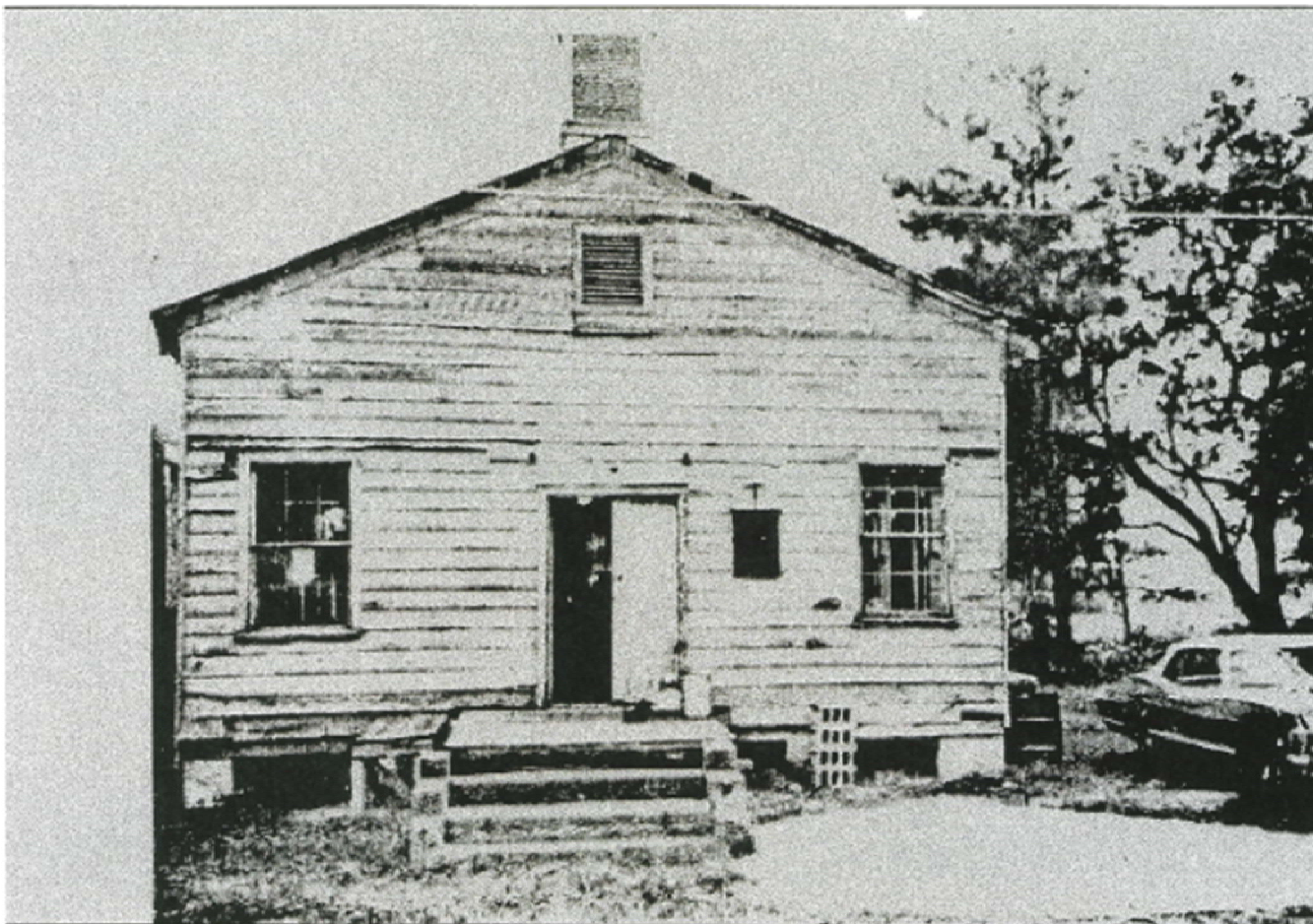


View from rear churchyard



View from rear churchyard

Saint Mark U.M.E. Church



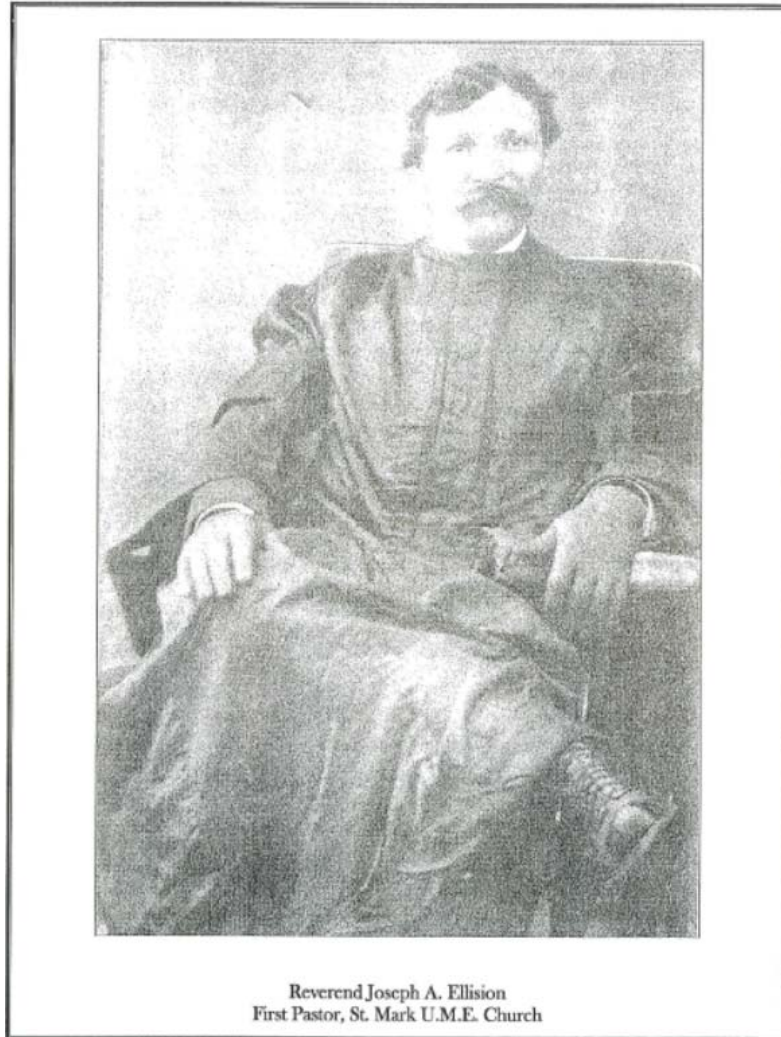
Original Saint Mark U.M.E. Church structure, c. 1913

Saint Mark U.M.E. Church



Current Saint Mark U.M.E. Church structure, c. 1969

Saint Mark U.M.E. Church



Reverend Joseph A. Ellison,
First Pastor of St. Mark U.M.E.
Church

Approval Criteria for Designation of Historic Property

Sec. 21-3.h, Approval Criteria, states “In order for an application for designation of historic property to be approved, one or more of the following criteria must be met:

- (1) Has significant inherent character, interest, history, or value as part of the rural county or heritage of the county, state or nation;
- (2) Is of an event significant in history;
- (3) Is associated with a person or persons who contributed significantly to the culture and development of the county, state or nation;
- (4) Exemplifies the cultural, political, economic, social, ethnic, or historic heritage of the county, state or nation;
- (5) Individually or collectively embodies distinguishing characteristics of a type, style, or period in architecture or engineering;
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- (10) Has yielded, or may be likely to yield, information important in pre-history or history (potential archaeological site); and/or
- (11) Is deemed eligible for or already listed on the NRHP.

Applicant's Response: Approval criteria #1, #3, and #4 are met

1. Has significant inherent character, interest, history, or value as part of the rural county or heritage of the county, state or nation;
3. Is associated with a person or persons who contributed significantly to the culture and development of the county, state or nation; and
4. Exemplifies the cultural, political, economic, social, ethnic, or historic heritage of the county, state or nation.

Applicant's Response: "The historical significance of Saint Mark and its rich ties to the Lowcountry, Barrier Islands and African American culture can be traced back to the origins of the R.M.U.E. (Reformed Methodist Union Episcopal) Church. Following the separation from the R.M.U.E. Church in 1912 A.D. under elected Pro Tem J.A. Ellison forming the R.M.U., which upon receiving its Charter from the State of South Carolina in 1913 A.D. forming the Union Methodist Episcopal Church. This made J.A. Ellison the 1st Bishop of the Union Methodist Church and Saint Mark U.M.E. Ellison still has descendants within the Saint Andrews Parish District of West Ashley that still frequents the church today."

Applicant's Response to Approval Criteria (continued)

“The Union Methodist Episcopal Church Diocese now consists of 11 other churches spread throughout Coastal South Carolina and North Carolina let under the Right Bishop Willie Green Jr. Saint Mark is the oldest Church within the Union and is considered the Mother Church amongst all 12 churches. Saint Mark U.M. E. within the Red Top and surrounding community for many years and considered by many within the area a pillar of strength within the local community. Saint Mark ties into the rich historic aspect of Red Top as many slaves freed from the adjacent plantation obtained most of the land in Red Top, and for generations land has been preserved within close-knit families. As descendants of freed slaves, generations of leaders went to their graves hoping that their descendants would preserve Red Top's land, legacy, and rich culture.

Today, the community is mostly developed with many land sales converting to commercial property and along with it several of the historical sites and contributions of past generations. Saint Mark not only seeks to preserve their land and culture, but also aims to protect its historical significance offering hope, inspiration, education, and a place of refuge for generations to come for all people. Red Top's churches have always served the religious, social, and political needs of the community. That is no different today, as the churches remain united on behalf of the community and determined to uphold their ancestors' sacred request.”

Historic Preservation Commission & Staff
Recommendation:
Approval (9-0)

Public Input

Letters of support received:

- St. Mark UME Church
- Johns Island Task Force

Public Hearing:

- 6 individuals spoke in support of the application.

Notifications

August 17, 2021 HPC Meeting:

- **July 30, 2021:** 285 notification letters were sent to owners of property within 300 feet of the boundaries of the subject parcel, individuals on the Historic Preservation Interested Parties List, and the St. Andrews Interested Parties List.
- **July 30, 2021:** Advertisement in the Post & Courier.

September 14, 2021 Council Public Hearing:

- **August 27, 2021:** 285 notification letters were sent to owners of property within 300 feet of the boundaries of the subject parcel, individuals on the Historic Preservation Interested Parties List, and the St. Andrews Interested Parties List.
- **August 27, 2021:** Advertisement in the Post & Courier.

Designation of Historic Property Application:
Saint Mark Union Methodist Episcopal Church
Johns Island

Historic Preservation Commission: August 17, 2021

Council Public Hearing: September 14, 2021

PPW Committee: September 23, 2021

First Reading: September 30, 2021

Second Reading: October 12, 2021

Third Reading: October 26, 2021

APPLICATION DOCUMENTS

Certificate of Historic Appropriateness – Application Form

843.202.7200

Owner Information * ST MARK U.M.E Church

First Name: N/A

First Name: N/A

Mailing Address:

N/A 3657 Old Charleston Hwy Johns Is

Home/Cell Phone #:

N/A

Email Address:

N/A Michael Bligen, Glenn Snipe, Christopher Watkins, Doris Johnson, Adrian Dingle

Applicant Information (if not being submitted by owner)

First Name: N/A

Organization Name: Saint Mark Union Methodist Episcopal Church

Mailing Address:

3657 Old Charleston Highway Johns Island, SC 29455

Home/Cell Phone:

843-437-1210 / 843-412-0972/843-200-8241

Email Address:

mbligen@comcast.net; glenn.snipe@gmail.com; apostledjs@icloud.com

Property Information

Address: 3657 Old Charleston Highway Johns Island, SC 29455

TMS #: 2850000057

Acres: 1

Deed:

Plat: 2850000057

Zoning: A-3

I (we) certify that Glenn Snipe, Michael Bligen, Doris Johnson, Adrian Dingle and Christopher Watkins is the authorized representative for my (our) Certificate of Historic Appropriateness application.

Glenn Snipe, Doris Johnson, Michael Bligen, Christopher Watkins, Adrian Dingle

Signature of Owners

Date

Michael Bligen, Doris Johnson, Glenn Snipe, Adrian Dingle, Christopher Watkins

6/27/21

Signature of Applicant (if other than owner)

Date

OFFICE USE ONLY

Amount Received \$25.00 Cash? Check? # 1184 Invoice Number HIST 06-21-00034

Permit Specialist/Planner's Signature [Signature]

Date 6/29/2021

Certificate of Historic Appropriateness – Letter of Intent

1. In granting a Certificate of Historic Appropriateness, the Historic Preservation Commission shall consider:
 - a. The historic, cultural, and architectural significance of the district, site, building, structure, or object under consideration;
 - b. The exterior form and appearance of any proposed additions or modifications and the effect of such additions and modifications upon other structures on the Historic Property or within the Historic District;
 - c. When considering applications for new construction, alteration, repair, rehabilitation, or restoration, the Historic Preservation Commission shall apply the Secretary of the Interior's Standards for the Treatment of Historic Properties; and
 - d. Certificate of Historic Appropriateness applications for properties located within Historic Districts, or for Subdivision Plats or Site Plan Review proposals for properties located within 300 feet of Historic Districts, must demonstrate consistency with the prevailing patterns of existing lots, densities, spacing of homes, lot sizes and shapes, and other characteristics of the Historic District that the Historic Preservation Commission deems applicable.
2. In granting a Certificate of Historic Appropriateness for Subdivision Plats and Site Plan Review proposals for properties located within 300 feet of a Historic Property, the Historic Preservation Commission shall require that potential negative impacts of the proposed development be minimized through site design techniques such as the location of vehicular access points, screening treatments, and buffering treatments.

Please provide a general description of the present use and proposed activity on the property and a written statement addressing how the Certificate of Appropriateness relates to and meets each criterion above.

Saint Mark Union Methodist Episcopal Church would like to submit for your review and consideration Designation of our location at 3657 Old Charleston Highway Johns Island, SC 29455 as an Historical Marker Site within The Red Top Community located within the Saint Andrew Parish District. The Historical significance of Saint Mark and its rich ties to the Low Country, Barrier Islands and African American Culture can be traced back the Origins of the R.M.U.E Church. Following the separation from the R.M.U.E Church in 1912 A.D. under elected Pro Tem J.A. Ellison forming the R.M.U, which upon receiving its Charter from the State of South Carolina in 1913 A.D. forming the Union Methodist Episcopal Church. This made J.A. Ellison the 1st Bishop of the Union Methodist Church and Saint Mark U.M.E. Bishop Ellison still has descendants within the Saint Andrews Parish District of West Ashley that still frequents the church today.

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Submitted Saint Mark Union Methodist Episcopal Church


Glenn Snipe

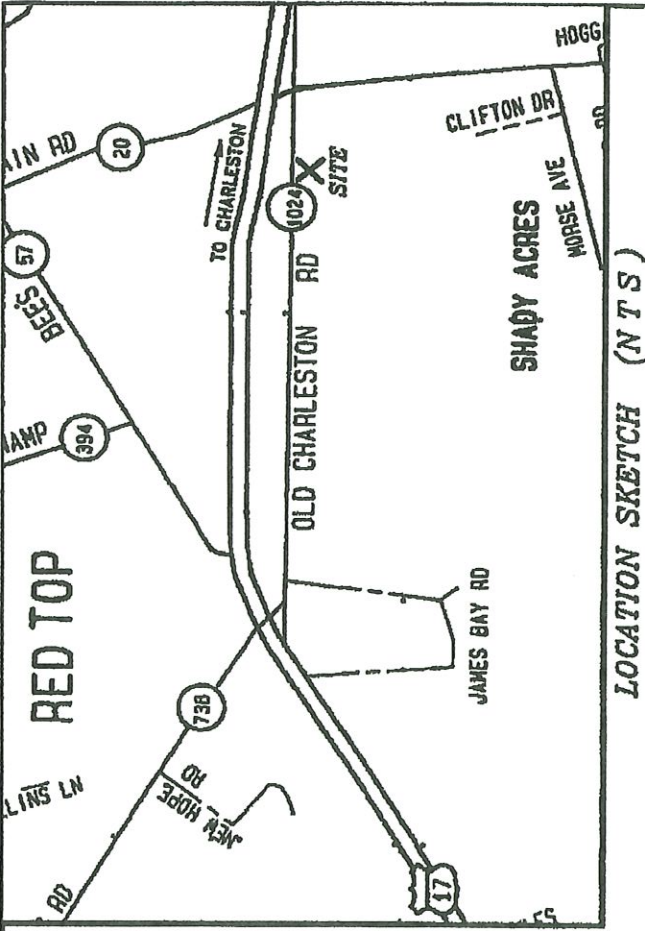
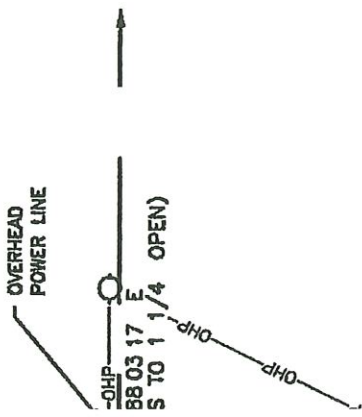

Doris Johnson


Michael Bligen


Adrian Dingle


Christopher Watkins

BK Y390PG234



LOCATION SKETCH (N T S)

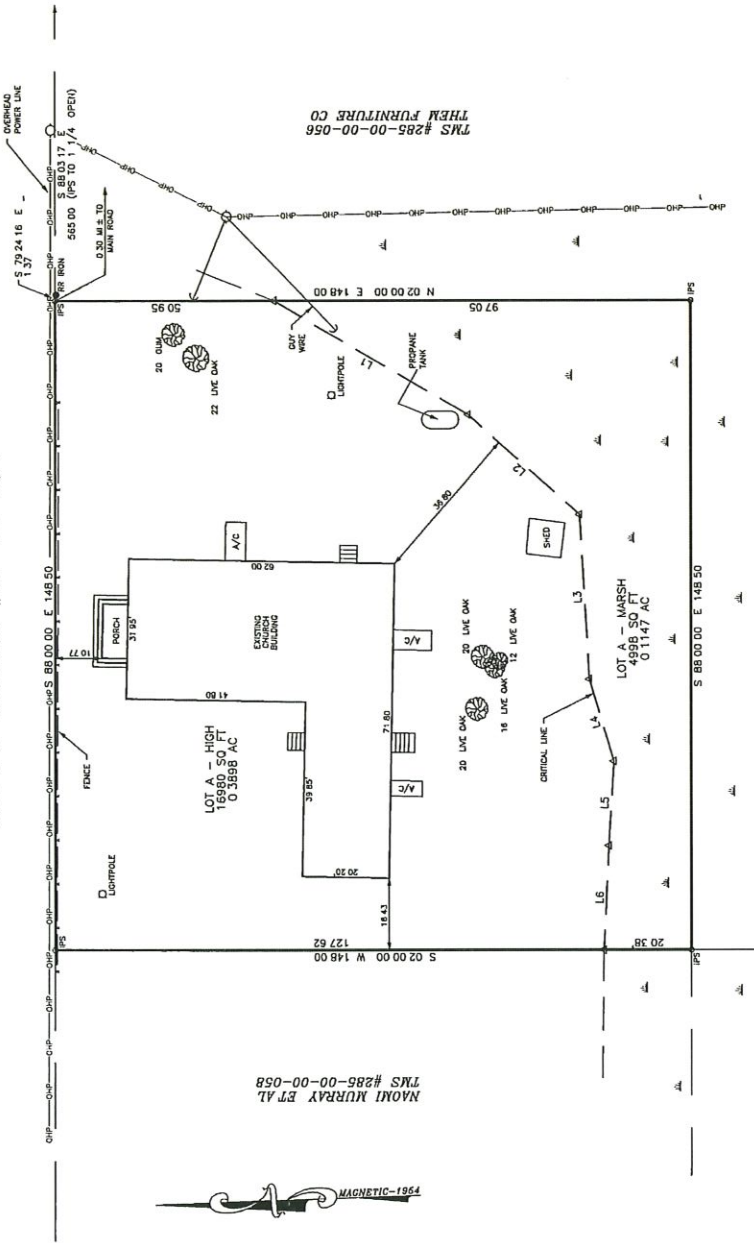
A BOUNDARY SURVEY OF
 THE LANDS OF THE ST MARKS W M E CHURCH
 LOCATED IN ST ANDREWS PARISH
 CHARLESTON COUNTY
 SOUTH CAROLINA

TMS #285-00-00-056
THEM FURNITURE CO

- NOTES
- 1 TMS #285-00-00-057
 - 2 IRON PIPES FOUND UNLESS OTHERWISE SHOWN
 - 3 IPS = IRON PIPE SET (1/2 ROD)
 - 4 PLAT REFERENCE DEED BOOK V-58 PAGE 65 DEED BOOK Q-42 PAGE 358 BOOK U PAGE 131 BOOK X PAGE 161
 - 5 LOCATED IN FLOOD HAZARD ZONE A-3 MINIMUM

ROBERT FRANK SURVEYING
 1923 MAYBANK HWY - CHARLESTON S C 29412
 843/762-4608 E-mail - rfrank@wpmedia.com

OLD US HIGHWAY #17 50' R/W



NAOMI MURRAY ET AL
 TMS #285-00-00-058

NAOMI MURRAY ET AL
 TMS #285-00-00-058

TMS #285-00-00-056
 THEM FURNITURE CO



NOTE: THIS PLAT DOES NOT CONSTITUTE AN OFFICIAL SURVEY OF THE PROPERTY UNLESS STAMPED WITH THE EMBOSSED SEAL OF THE SURVEYOR.

IN WITNESS WHEREOF, I HAVE HEREON SET MY HAND AND SEAL OF OFFICE AND BELIEVE THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF SOUTH CAROLINA, AND ALSO THESE ARE NO VISIBLE ENCUMBRANCES OR PROJECTIONS OTHER THAN SHOWN

THE AREA SHOWN ON THIS PLAT IS A GENERAL REPRESENTATION OF THE DEDICATED PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS ARE SHOWN FOR INFORMATION ONLY. THE PERMIT AUTHORITY OF THE DEDICATED AREA IS NOT GUARANTEED BY THIS PLAT. THE DEDICATED AREA IS NOT A CRITICAL AREA ON THE SUBJECT PROPERTY WHETHER SHOWN THEREIN OR NOT.

THE CRITICAL LINE SHOWN ON THIS PLAT IS VALID FOR THREE YEARS FROM THE DATE OF THIS SIGNATURE SUBJECT TO THE CAUTIONARY LANGUAGE ABOVE.

Signature: *Robert L. Frank*
 DATE: 12-07-01

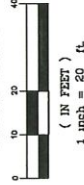
NUMBER	DIRECTION	TRAVELER	DISTANCE
L1	S	22 11 37 W	34.48
L2	S	88 37 53 W	37.67
L3	S	88 37 53 W	37.67
L4	N	75 14 52 W	19.37
L5	N	84 37 44 W	19.37
L6	N	85 08 39 W	23.85

DK Y390PC234

A BOUNDARY SURVEY OF
 THE LANDS OF THE ST MARKS W M E CHURCH
 LOCATED IN ST ANDREWS PARISH
 CHARLESTON COUNTY
 SOUTH CAROLINA

- NOTES
1. TMS #285-00-00-057
 2. IRON PIPES FOUND UNLESS OTHERWISE SHOWN
 3. IPS = IRON PIPE SET (1/2" ROD)
 4. PLAT REFERENCE DEED BOOK V-58 PAGE 65
 5. DEED BOOK Q-42 PAGE 353 BOOK U PAGE 131
 6. BOOK X PAGE 161
 7. LOCATED IN 6' FLOOD HAZARD ZONE A-S MINIMUM
 8. 17' FLOOD HAZARD ZONE A-S MINIMUM
 9. 17' FLOOD HAZARD ZONE A-S MINIMUM
 10. #456413 0286-G PANEL INDEX DATED 9/02/88
 11. MAP REVISED 7/15/88
 12. TOTAL AREA - 21978 SQ FT

MAY 2 2001
 REVISED DECEMBER 5 2001
 GRAPHIC SCALE



CHARLESTON COUNTY STAMPS

APPROVED PLAT
 Escorted by *Robert L. Frank*
 Charleston County, South Carolina
 CHAIRMAN OF THE BOARD

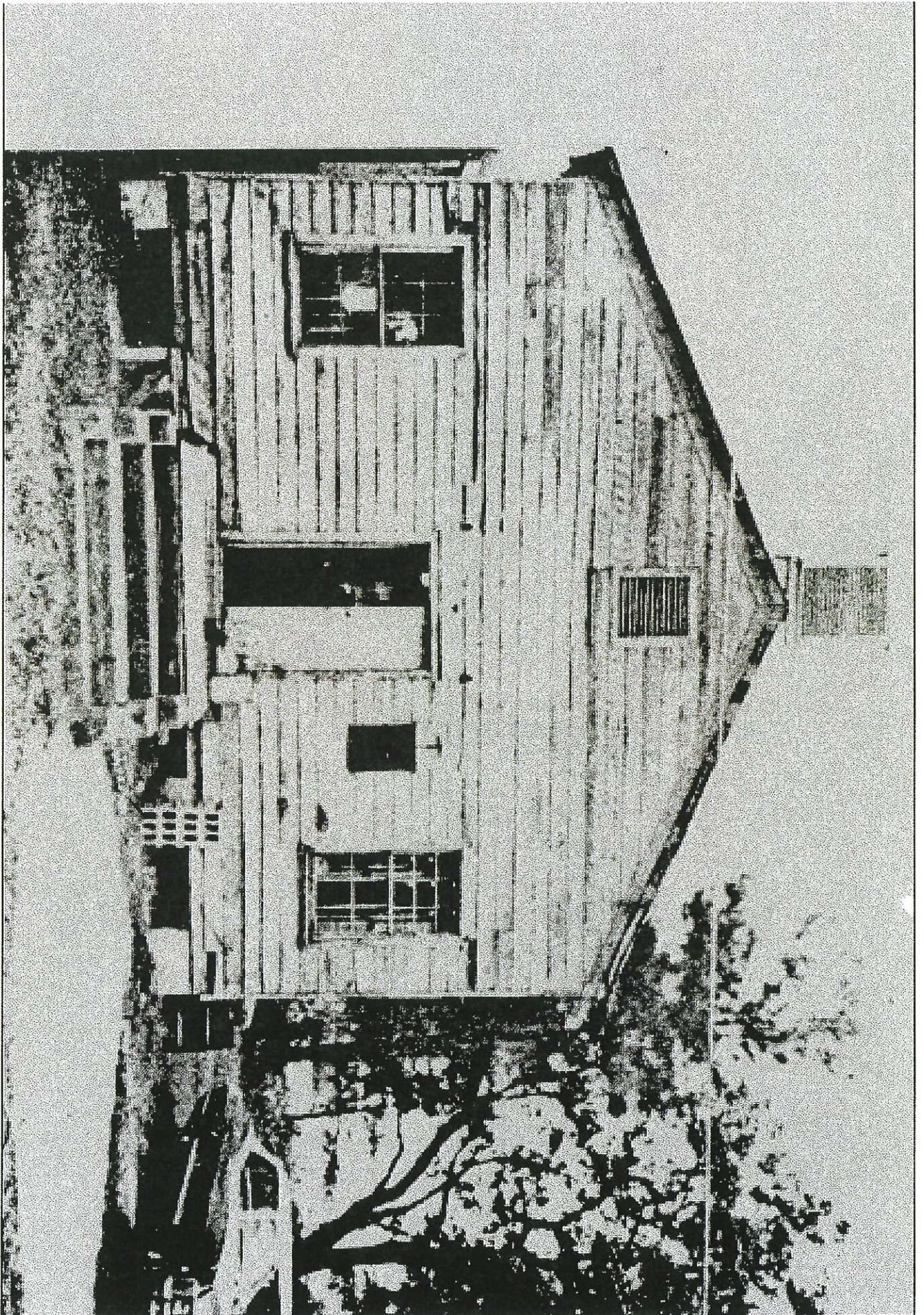
06-04-02 12-14-01
 APP # DATE

Charleston, South Carolina
 Office of Register Meane Conveyance
 Plus recorded this 18th day of Dec. 2001 at
 2:42 p.m. in Plat Book No. 10, Folio 38, Drawing No. 10
 Original Plat (a Whole Print) delivered to Chas Co Planning Board

Register Meane Conveyance



South 13 ft, East 64.11ft, West 7.31ft







The State of South Carolina

EXECUTIVE DEPARTMENT

BY THE SECRETARY OF STATE

CERTIFICATE OF INCORPORATION

Whereas,

Joseph A. Ellison, Charleston, S.C.
Winter O. Kershaw, Remini, S.C.

two or more of the officers or agents appointed to supervise or manage the affairs of

Union Methodist Church of the State of South Carolina
which has been duly and regularly organized, did on the 18th day of Dec
A. D. 1913, file with the Secretary of State a written declaration setting forth:

That at a meeting of the aforesaid organization held pursuant to the by-laws or regulations of the said organization, they were authorized and incorporated.

That the said organization holds, or desires to hold, property in common for a Religious, Educational, Social, Fraternal, Charitable or other eleemosynary two or more of said purposes, and is not organized for the purpose of profit or gain to the members, otherwise than as above stated, or for the insurance of life property; and that three days' notice in the Charleston Evening Post, a newspaper published in the County of Charleston has been given that the aforesaid Declaration would be filed.

AND WHEREAS, That said Declarants and Petitioners further declared and affirmed:

FIRST. Their names and residences are as above given.

SECOND. The name of the proposed Corporation is

Union Methodist Church of the State of South Carolina
Charleston, S.C.

THIRD. The place at which it proposes to have its headquarters, or be located is

FOURTH. The purpose of the said proposed Corporation is

Educational
and Religious

FIFTH. The names and residences of all Managers, Trustees, Directors or other officers, are as follows:

Joseph A. Ellison, President, Charleston
Winter O. Kershaw, Secretary, Remini
S. C. Colclough, Treasurer, W. C. of
SIXTH. That they desire to be incorporated in perpetuity

NOW, THEREFORE, I, R. M. McCOWN, Secretary of State, by virtue of the authority in me vested by Chapter XLVIII, 1902, and Acts amendatory thereto, do hereby declare the said organization to be a body politic and corporate, with all privileges and immunities, and subject to all the limitations and liabilities, conferred by said Chapter XLVIII, Article and Acts amendatory thereto.

GIVEN under my Hand and Seal of the State, at Columbia, this 18th day of Decr. 1913 and in the one hundred and 38th year of our Lord one thousand nine hundred and 13 of the United States of America,

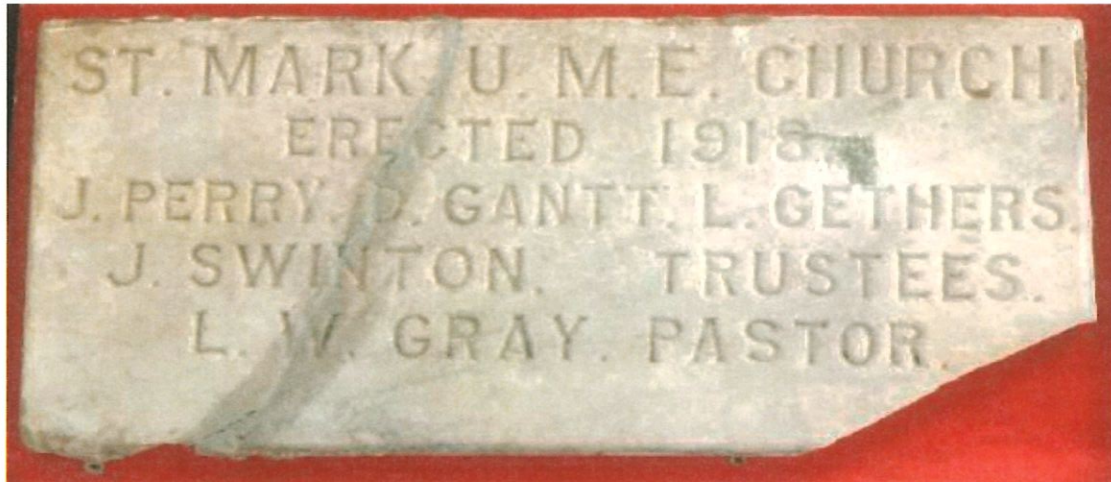
R. M. McCown

Secretary



Reverend Joseph A. Ellision
First Pastor, St. Mark U.M.E. Church

Corner Stone



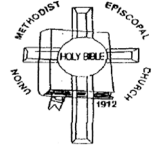
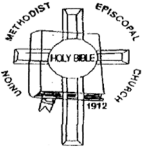
PUBLIC INPUT

ST. MARK UNION METHODIST EPISCOPAL CHURCH

3657 Old Charleston Road † Johns Island, SC † 29455

Phone: (843) 571-3584 † Email: stmarkume@gmail.com

PASTOR: REVEREND HANFORD SCOTT JR.



Historic Designation List. HIS-06-21-00034.

St. Mark Union Methodist

Human's sustenance depends on the movement from obscurity to illumination. Such a transformative act compels a confluence of intricacies. When a group understands its responsibilities in relation to other members of the human society, that group sharing and participating contribute to that illumination process.

Placing St. Mark Union Methodist Episcopal Church on Charleston Historic District Designation List ensures that the preservation of the church's contributions becomes part of that illumination.

One of two existing churches serving as landmark on Historic Old Charleston Highway, of the Red Top Community, St. Mark Union Methodist Episcopal Church sits in front of one of the authentic slave dwellings from Bulow Plantation which Mrs. Evelina G. Brown obtained adding rooms and a porch to the core structure making it her residence at 3660.

Extremely significant, the church's physical location serves as a fortress for the priceless marsh which protects the integrity of the ecological system. The protection theme interwoven into history of everyday experiences showed life in diverse encounters for worshippers. For instances, some ingenious forefathers engineered a "marsh path" using low hanging branches of trees for support or fallen trees as path - designators to facilitate movement from St. Mark to many of their homes in the

area currently identified as Marshfield. Conscious of the natural environment, no foreign materials or hazardous elements could invade the habitat.

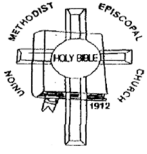
Like the “marsh path”, other non-traditional routes emerged: one often called “walk the track” translated “walk the railroad track to arrive at the desired destination.” Directives and instructions accompanied these travel routes concerning expected and appropriate behavior upon arriving to church as well as lessons in general for life’s survival. If time remained, additional opportunities gave information about the location relatives in distant places. At worship time, all irrelevant activities ceased.

The revered church became a place of solace which extended the human connection through worship and glorification of God that was then and is still now.

The Supreme Court rendered a decision attempting to settle a dispute which brought division in the Reformed Methodist Union Episcopal Church which started October 26, 1912 and ended July 9, 1913. A group of parishioners, led by Pastor J. A. Ellison, who was pastoring St. Mark at that time, rebelled against the Supremes’ Court decision starting a new organization called Union Methodist Episcopal Church. St. Mark, one of those churches of the rebellion and the oldest church in the Union Methodist Episcopal Church presented itself in that year, Pastor J. A. Ellison was elected Bishop.

The original church burned in the year of 1918 under the pastorship of the late Rev Grant Gary. A new structure was built.

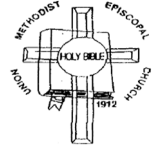
Nine faithful members decided to build again. On September 18, 1969, the present edifice was rebuilt under the leadership of Rev. Q. B. Conyers. Under the leadership of Rev. James C. Sumter in 1976 the



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fellowship hall added new dimension by providing various activities in rendering opportunities to enhance the service and enrich the community.

St. Mark like the marsh, fulfills its obligation in preserving the culture and integrity for humanity.

For these reasons St. Mark seeks a place on the Charleston County Historic Designation List. HIS-06-21-00034.

Submitted Saint Mark Union Methodist Episcopal Church Historic Committee

Glenn Snipe

Glenn Snipe

Doris Johnson

Doris Johnson

Michael Bligen

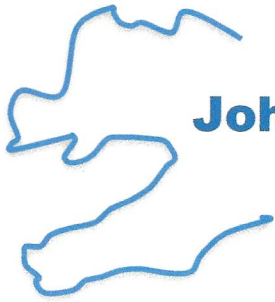
Michael Bligen

Adrian Dingle

Adrian Dingle

Christopher Watkins

Christopher Watkins



Johns Island Task Force
Respect, Protect, Enhance

Kristen Salisbury, Charleston County Clerk of Council
4045 Bridge View Drive
North Charleston, SC 29405

14 Sep 2021

Reference: County Council Public Hearing regarding Historic Property Application for St Mark U.M.E. Church

Dear Ms. Salisbury:

The Johns Island Task Force supports the historic property application for St Mark U.M.E. Church. The church and its congregation are integral to the history of Johns Island and Red Top. The added protection the historic designation would provide will help ensure that both the building and the congregation continue to prosper.

Sincere regards,

John Zlogar

Chair, Johns Island Task Force

*The **Johns Island Task Force** is a coalition of community members, landowners and nonprofit organizations dedicated to promoting the welfare of the diverse and vibrant community of Johns Island by providing places dedicated to traditional land uses including culture, history, agriculture, forestry, and outdoor recreation.*