



JOEL EVANS, AICP, PLA
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MEMORANDUM

TO: County Council Members

FROM: Joel Evans, PLA, AICP

THRU: Walt Smalls, Chief Deputy County Administrator

DATE: May 3, 2024

SUBJECT: Community Outreach regarding Historic Preservation Ordinance Amendments

At the March 12, 2024 County Council meeting, Council voted 6-2, with one absence, for a 45-day deferral of final reading of the proposed amendments of the Historic Preservation Ordinance (the "Ordinance") to allow staff, the community, and historic interest groups to meet.

Staff held three community workshops on April 11 and April 20, 2024, where the entire proposed Historic Preservation Ordinance was read, and staff explanation was provided. Citizens were able to ask questions pertaining to the Historic Preservation Ordinance, as well as provide feedback on the proposed Ordinance. 2,526 notification letters for all meetings were sent to property owners of historic parcels, individuals on the Historic Preservation Interested Parties list, and the Interested Parties list for each area in which a National Register of Historic Places listed Historic Property/District or County designated Historic Property/District is located on March 29, 2024. All meetings were advertised in the Post & Courier on March 29, 2024. Additionally, a news release was put out on March 29, 2024. All April community workshops were held at the Wando Mt. Pleasant Library. 19 citizens attended the 1pm meeting on April 11; 11 citizens attended the 5pm meeting on April 11; and 18 citizens attended the 10am meeting on April 20.

Council has been provided with all public input received via email and mail that was submitted prior to the March 12, 2024 Council meeting. The attachments of this memo provide a summary of all comments received at the three April community workshops along with any received via email, phone, and mail since March 12, 2024. Staff also received a joint letter from the Coastal Conservation League, Historic Charleston Foundation, Preservation Society of Charleston, and South Carolina Environmental Law Project on May 2, 2024.

The role of the Historic Preservation Commission in subdivision plat review has been an ongoing topic of discussion amongst citizens and preservation advocacy groups throughout the Ordinance amendment process. Below is a consideration of potential pros and cons for several possible processes involving preliminary and minor plat application review for Historic Properties or properties within Historic Districts. The following application types are currently exempt from the Historic Preservation Ordinance, and staff would recommend that these exemptions remain in place:

1. 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;
2. The combination or recombination of portions of previously platted Lots where the total number of Lots is not increased;
3. Boundary plats;
4. Property line adjustments where no new Lots are created; and
5. Subdivision Plats that are the result of a court order.

Subdivision plat applications reviewed by staff:

Pros:

1. Shorter review process; and
2. No additional fee for CHA application (\$25).

Con:

1. Does not require public meeting, however, subdivision plat applications are available online.

Subdivision plat applications on Historic Properties or in Historic Districts reviewed by Planning Commission:

Pros:

1. Allows for public participation in the subdivision process; and
2. No additional fee for CHA application (\$25).

Con:

1. Lengthier review process than staff review

Historic Preservation Commission as advisory role to the Planning Commission, who has final review/approval of subdivision plat applications:

Pros:

1. Allows for public participation at two public meetings;
2. Largely citizen supported, based on input received during this amendment process; and
3. Allows for the HPC to continue to have a voice in subdivision application review.

Cons:

1. Potential to create conflict between Historic Preservation Commission and Planning Commission;
2. Additional application fee (\$25); and
3. Lengthier review process than Planning Commission review.

Attachments:

1. Public Comment Summary
2. Case History
3. Sample of Notification for the April 11 and April 20, 2024, Community Workshops
4. Advertisement for the April 11 and April 20, 2024, Community Workshops
5. News Release for April 11 and April 20, 2024, Community Workshops
6. Sign-in Sheet from April 11, 2024, 1pm Community Workshop
7. Sign-in Sheet from April 11, 2024, 5pm Community Workshop
8. Sign-in Sheet from April 20, 2024, 10am Community Workshop
9. Public Input received since March 12, 2024
10. Redlined Proposed Ordinance Amendments

Public Comment Summary

- Comments staff supports (have been addressed in the updated Historic Preservation Ordinance amendments in blue):
 - Stated that language should be added to the Ordinance to clarify that all National Register Listed properties, regardless of the date of designation, are subject to the regulations of this Ordinance. (Gigi Frampton) **Sec. 21-5.B.2**
 - Concerns about heirs' property being unable to apply for a Certificate of Historic Appropriateness without clear title and a deed. (Jerome Vanderhorst) **Sec. 21-2.F; Sec. 21-2.C; Sec. 21-3.E.2; Sec. 21-3.K; Sec. 21-5.D.1.a**
 - Stated that the definition of historic district should not be changed. Believes the amended historic district definition is focused on individual structures and properties rather than the district as a whole and does not address new development within historic districts. (Filippo Ravalico) **Sec. 21-3.A**
 - Define 'approvable state.' (Filippo Ravalico) **Sec.21-5.D.1.f; Sec. 21-10**
 - Add replacement of a Manufactured Housing Unit to the list of CHA applications that can be reviewed at the staff-level. (Liz Boyles) **Sec. 21-5.B.6.a.i**
 - Stated that 50% of the Commissioners should be representatives from the Settlement Communities; the Commission should reflect the majority of people being represented in the Historic Districts. (Michael German) **Sec. 21-2.A**
 - Would like the HPC to have no land use authority. (Tisdale Family)
 - Removal of exclusions for considering Certificates of Appropriateness (Coastal Conservation League; Historic Charleston Foundation; Preservation Society of Charleston; Southern Environmental Law Project) **Sec. 21-5.H.3.a**
 - Temporary interim protections for existing districts to allow for adoption of newly required documentation (Coastal Conservation League; Historic Charleston Foundation; Preservation Society of Charleston; Southern Environmental Law Project) **Sec. 21-5.I.d**
 - Support for heirs' properties to ensure statutes are not an encumbrance for property improvements (Coastal Conservation League; Historic Charleston Foundation; Preservation Society of Charleston; Southern Environmental Law Project) **Sec. 21-2.F; Sec. 21-2.C; Sec. 21-3.E.2; Sec. 21-3.K; Sec. 21-5.D.1.a**
 - Clarify the process and conditions by which individual properties can be removed from designated historic districts (Coastal Conservation League; Historic Charleston Foundation; Preservation Society of Charleston; Southern Environmental Law Project) **Sec. 21-3.K; Sec. 21-3.L; Sec. 21-3.M**
 - Reinstate the definition of 'Historic District' to adequately codify the significance of the County historic preservation ordinance (Coastal Conservation League; Historic Charleston Foundation; Preservation Society of Charleston; Southern Environmental Law Project) **Sec. 21-3.A**
- Comments staff does not support:
 - Believes that the HPC responsibility is an overreach. Thinks that a board representing the communities should make the final decisions, and the HPC should be an appeal body, not a decision-making body. (Michael German)
 - Recommended the creation of an advisory board that is recognized by the communities and County Council. (Richard Habersham)
 - Wants the HPC to continue to review subdivision plats. (Jerome Vanderhorst)
 - Does not think that the section discussing what the Commission cannot do should be included. (Filippo Ravalico)
 - Only require written notice from property owners to opt out of the Historic District designation, no application and approval from County Council needed. (Tisdale Family)
 - Would like the HPC to have no architectural authority. (Tisdale Family)

- Existing and new construction should not have neighborhood signage. (Tisdale Family)
- Create an advisory role for the Historic Preservation Commission in subdivision plat review. (Coastal Conservation League; Historic Charleston Foundation; Preservation Society of Charleston; Southern Environmental Law Project)
- Comments that cannot be addressed in the Historic Preservation Ordinance:
 - Concerns about drainage issues in Ten Mile. (Pearl Ascue)
 - Work with SCDOT to ensure maintenance of state roads and ditches. Ensure the County maintains their drainage infrastructure and provide assistance for property owners to maintain their ditches. (Tisdale Family)
 - Build sidewalks and require all roads to be public. (Tisdale Family)
 - Existing and new construction should not have HOAs. (Tisdale Family)
 - Exempt current property owners at a determined income level from increases in property taxes. (Tisdale Family)
- General Comments
 - Stated support for demolition by neglect language. Added that the City of Charleston recently adopted penalties for property owners found to be practicing demolition by neglect. (Sam Spence)
 - Stated the importance of understanding the difference between zoning and historic preservation. (Richard Habersham)
 - Spoke about the importance of each community drafting an Area Character Appraisal. (Pearl Ascue)
 - Stated there is still confusion in the community regarding the Ordinance and designation process. (Pleshette Grant)
 - Stated it is important to ask the communities what they want to get out of becoming a Historic District and explain the positives and negatives. (Richard Habersham)
 - Stated it is additional work for communities to complete area character appraisals and identify contributing resources. Also stated that transition provisions are needed for the existing historic districts. (Filippo Ravalico)
 - Believes the Ordinance unreasonably restricts property owners' use of their land and thinks the HPC a government-sponsored HOA. (Tisdale Family)
 - Stated families should be able to sell their land to better themselves. (Miriam Levy)
- Questions asked and answered during Public Workshops:
 - Asked about the process for obtaining registered voters' signatures for Historic District designation. (Jerome Vanderhorst)
 - Asked about the process to remove a property from both County and National Register designation. (Richard Habersham)
 - Asked for clarification of the approval criteria and process for district/property designation removal. (Sam Spence)
 - Asked about the preservation of archeological features. (Pearl Ascue)
 - Asked about the application fee for amendments to historic property/district designations. (Jerome Vanderhorst)
 - Asked why designations of historic properties/districts and amendments to those designations cannot be approved with conditions. (Richard Habersham)
 - Asked if the Phillips Community National Register Listing would be considered a list of contributing resources. (Richard Habersham)
 - Asked why the ability for the HPC to consider density, land use, subdivision, and density/intensity/dimensional standards is being removed. (Sam Spence)
 - Asked if there was an Attorney General determination on the HPC purview for subdivision plat review. (Jerome Vanderhorst)
 - Asked what 'Interested Parties' means. (Richard Habersham)
 - Asked if all application packet documents need to be submitted each time an application for the same property is submitted. (Gigi Frampton)

- Asked about the process of appealing a decision of the HPC. (Jerome Vanderhorst)
- Asked about the exemption for Short-Term Rentals. (Jerome Vanderhorst and Richard Habersham)
- Asked about how the BZA process interacts with the HPC process. Also asked about how these ordinance amendments might affect mobile home placement. (Pearl Ascue)
- Asked about the 300-foot radius protections remaining in place. (Pearl Ascue)
- Asked why a recorded plat cannot be submitted in lieu of a site plan. (Richard Habersham)
- Asked if new construction was subject to the regulations of this Ordinance. Also asked if the Ordinance requires property owners to make upgrades to their property. (Mildred Swinton)
- Asked if renovating a deck would require a CHA. (Viola Stokes)
- Asked about the process to add properties to an existing Historic District. (Chellon Porcher)
- Asked about property owners that are unable to maintain their properties, in the context of demolition by neglect. (Name not given)
- Asked about the process for property owners and developers to opt out of the historic district designation. (Name not given)
- Asked if the community would receive the public input gathered at the workshops prior to the County Council meeting on May 7th. (Michael German)
- Asked how communication regarding historic preservation can be improved. (Pleshette Grant)
- Asked if the Secretary of the Interior's Standards for the Treatment of Historic Properties applies to the Long Point Schoolhouse. (Rhudine Washington)
- Asked if the National Register of Historic Places had their own regulations. (Richard Habersham)
- Asked what application types would be reviewed at staff-level. (Fran White)
- Asked what the role of the Historic Preservation Officer is. (Robin Moses)
- Asked if the Planning & Zoning Department would be hiring additional staff to assist with HPC. (No name given)
- Asked what prevents a developer from removing their property from a historic district and building anything they want. (Fran White)
- Asked if the Ordinance prevents development. (No name given)
- Asked staff to explain why the ability of the HPC to nominate historic properties/districts is being proposed for removal. Also inquired about funding to assist with drafting area character appraisals and identifying contributing resources (Filippo Ravalico)
- Asked if 51% of the heirs' signatures for heirs' property would be required for a CHA application. (Fran White)
- Asked if funding could be applied for without formal historic designation. (No name given)
- Asked for staff to elaborate on the process to designate an individual property as historic. (Pleshette Grant)
- Asked how the existing historic districts would be able to meet the proposed approval criteria. (Filippo Ravalico)

**PROPOSED TEXT AMENDMENTS TO THE CHARLESTON COUNTY HISTORIC PRESERVATION
ORDINANCE, ZONING AND LAND DEVELOPMENT REGULATIONS,
AND FEE ORDINANCE**

Planning Commission Meeting: August 14, 2023
Historic Preservation Commission Meeting: August 16, 2023
Public Hearing: September 12, 2023
Planning/Public Works Committee: October 5, 2023
First Reading: October 10, 2023
Second Reading: October 24, 2023; January 30, 2024
Finance Committee: February 22, 2024
Public Hearing: February 27, 2024
Third Reading: March 12, 2024; May 7, 2024

Background

The Charleston County Historic Preservation Ordinance (Ord. No. 2028) 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 (HPC);
- 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).

Since its adoption, the Ordinance has been amended three times:

- April 13, 2021: The Historic Preservation Ordinance was amended (Ord. No. 2150) to remove the application requirement for owners of property within proposed historic districts to sign restrictive covenant affidavits.
- October 26, 2021: The Historic Preservation Ordinance was amended (Ord. No. 2176) to exempt limited site plan review applications and specific types of subdivision plat applications from the Certificate of Historic Appropriateness requirements, and make clerical changes and clarifications as needed.
- October 25, 2022: The Historic Preservation Ordinance was amended (Ord. No. 2234) to remove the application requirement for owners of property within proposed historic districts to obtain approval for certain zoning permit applications, to create and administrative process for minor amendments, and to clarify application filing procedures.

Recently, the HPC requested guidance on restructuring of the approval criteria in order to help guide decision making. Additionally, upon review of the Ordinance, staff identified additional changes which include:

- Removing subdivision plat application approvals from the HPC's purview, because Sec. 6-29-340 of South Carolina state law places the authority of subdivision regulation under the powers and duties of the Planning Commission;
- Clarifying the list of exemptions for Certificates of Historic Appropriateness and simplifying the approval criteria;
- Creating a process to amend designated Historic Properties and Historic Districts to identify contributing resources, area character appraisals and other supporting documentation;
- Adding posted notice requirements for certain application types; and
- Updating definitions.

Additionally, an amendment to the County Fee Ordinance is proposed in order to include a fee for the processing of applications to amend Historic Property and District designations to add contributing resources and other documentation that adds to the significance of the Historic Property or District.

Amendments to the ZLDR consistent with the proposed changes to the Historic Preservation Ordinance will be proposed at the August 14, 2023 Planning Commission meeting.

Summary of proposed amendments to ZLDR Chapter 3, *Development Review Procedures*:

- Remove references to the following application types in Table 3.1.6, Notices: Certificate of Historic Appropriateness; Designation of Historic Property/District; and Removal of Designation of Historic Property/District.
- Clarify the requirement that site plans must be in an approvable state prior to submitting to the HPC.

Summary of proposed amendments to ZLDR Chapter 8, *Subdivision Regulations*:

- Remove all references to subdivision plats requiring Certificates of Historic Appropriateness.

Staff Recommendation:

Amend the Historic Preservation Ordinance, ZLDR, and Fee Ordinance to incorporate the changes summarized above (proposed amendments are attached).

Outreach with Councilmembers:

Prior to bringing the Historic Preservation Ordinance amendments forward to Council, staff held meetings with Councilmembers to discuss the proposed changes on the following dates:

1. Meeting with Councilmembers Honeycutt and Boykin, August 17, 2023
2. Meeting with Councilmember Moody, August 22, 2023
3. Meeting with Councilmember Middleton, September 6, 2023
4. Meeting with Councilmembers Darby, Pryor, and Wehrman, September 7, 2023

Outreach with Citizens:

In addition to the Community Workshops, staff also made themselves available to meet with any citizen that wanted to learn more, ask questions, and/or provide feedback about the proposed amendments. Meetings were held on the following dates:

1. Meeting with Michael German, Pearl Ascue, Myra Richardson, Richard Habersham, Pleshette Grant, Tiffany Jefferson, and Jonathan Ford, September 6, 2023
2. Meeting with Richard Habersham, September 28, 2023
3. Phone Call with Charlie Smith, December 7, 2023
4. Meeting with Ben Cunningham (South Carolina Environmental Law Project), December 12, 2023

Planning Commission Meeting: August 14, 2023

Recommendation: Approval (6-2).

Speakers: Five individuals spoke regarding the amendments, two of which said they were in opposition to the proposed changes.

Public Input: 36 letters in opposition to the Chapter 8 amendments were received.

Notifications: 431 notifications were sent to individuals on the Comprehensive Plan/ZLDR Interested Parties List on July 28, 2023. Additionally, the meeting was advertised in the Post & Courier on July 28, 2023.

Historic Preservation Commission Meeting: August 16, 2023

Speakers: Six individuals spoke in opposition to the proposed amendments.

Public Input: Eight letters in opposition to the amendments regarding subdivision were received.

Notifications: 1,334 notifications were sent to individuals on the Historic Preservation Interested Parties list, Comprehensive Plan/ZLDR Interested Parties List, and the Interested Parties list for each area in which a National Register of Historic Places listed Historic Property/District or County designated Historic Property/District is located on July 28, 2023. Additionally, the meeting was advertised in the Post & Courier on July 28, 2023.

Public Hearing Meeting: September 12, 2023

Speakers: Fifteen individuals spoke regarding the proposed amendments.

Public Input: Twenty letters in opposition to the amendments regarding subdivision were received.

Notifications: 1,334 notifications were sent to individuals on the Historic Preservation Interested Parties list, Comprehensive Plan/ZLDR Interested Parties List, and the Interested Parties list for each area in which a National Register of Historic Places listed Historic Property/District or County designated Historic Property/District is located on August 25, 2023. Additionally, the meeting was advertised in the Post & Courier on August 11 and August 25, 2023.

Planning/Public Works Committee: October 5, 2023

Recommendation: Approval (7-2) with ability to amend up to 3rd Reading.

Public Input: Eight letters in opposition to the amendments regarding subdivision were received.

First Reading: October 10, 2023

Vote: Approval (5-2) with ability to amend up to 3rd Reading.

Second Reading: October 24, 2023

Vote: Ordinance failed (3-5).

County Council: November 14, 2023

Vote: Motion to reconsider approved (6-2). Motion to defer until January, with recommendation that staff meet with the community in the meantime (6-2).

Community Workshop: December 6, 2023

Comment Themes

- Discussed the current approval criteria for historic districts and Certificates of Historic Appropriateness;
- Concerned about why these amendments are being proposed and who is driving the changes;
- Expressed the desire for more protections against clearing and grubbing on historic properties;
- Concerned about density within the Settlement Areas;
- Asked about what the opposition has been to the amendments thus far; and
- Concerned about removing the subdivision regulations from the Historic Preservation Ordinance.

Attendance: 70 citizens; Councilmembers Kobrovsky and Wehrman

Meeting Details: 6:00pm at the Wando Mt. Pleasant Library, 1400 Carolina Park Blvd, Mt Pleasant, SC 29466

Notifications: 2,074 notifications were sent to property owners of historic parcels, individuals on the Historic Preservation Interested Parties list, and the Interested Parties list for each area in which a National Register of Historic Places listed Historic Property/District or County designated Historic Property/District is located on November 21, 2023. The meeting was advertised in the Post & Courier on November 24, 2023. Additionally, a news release was put out on November 27, 2023.

Community Workshop: December 13, 2023

Comment Themes

- Concerned about timeline of adoption for Overlay Zoning Districts and Area Character Appraisals;
- Opposition to the removal of subdivision regulations from the Historic Preservation Ordinance;
- Expressed the desire for more protections against clearing and grubbing on historic properties; and
- Concerned about the impacts on heir's property.

Attendance: 17 citizens

Meeting Details: 6:00pm at the Lonnie Hamilton Public Services Building, 4045 Bridge View Drive, North Charleston, SC 29405

Notifications: 2,074 notifications were sent to property owners of historic parcels, individuals on the Historic Preservation Interested Parties list, and the Interested Parties list for each area in which a National Register of Historic Places listed Historic Property/District or County designated Historic Property/District is located on November 21, 2023. The meeting was advertised in the Post & Courier on November 24, 2023. Additionally, a news release was put out on November 27, 2023.

Second Reading: January 30, 2024

Public Input: Four letters with suggestions for the ordinance amendments were received.

Vote:

- HP-O Amendments: Approval (5-4) with ability to amend up to 3rd reading.
- ZLDR Amendments: Approval (5-4) with ability to amend up to 3rd reading.

Finance Committee: February 22, 2024

Recommendation:

- Fee Ordinance Amendments: Recommendation to consider (7-0).

Public Hearing: February 27, 2024

Speakers: 14 individuals spoke regarding the amendments, seven of which stated they were in opposition.

Public Input: A petition with 55 signatures in opposition to the proposed Historic Preservation Ordinance amendments and related ZLDR amendments was received on February 13, 2024. Another petition with 72 signatures in opposition to the proposed Historic Preservation Ordinance amendments and related ZLDR amendments were received on February 27, 2024.

Notifications: 1,334 notifications were sent to individuals on the Historic Preservation Interested Parties list, Comprehensive Plan/ZLDR Interested Parties List, and the Interested Parties list for each area in which a National Register of Historic Places listed Historic Property/District or County designated Historic

Property/District is located on February 9, 2024. Additionally, the meeting was advertised in the City Paper on February 9, 2024.

Third Reading: March 12, 2024

Vote: 45-day deferral to allow staff, the community, and historic interest groups to meet: Approval (6-2).

Three Community Workshops: April 11 and April 20, 2024

Attendance: 48 citizens in total

Meeting Details:

- 1pm on April 11, 2024 at the Wando Mt. Pleasant Library;
- 5pm on April 11, 2024 at the Wando Mt. Pleasant Library; and
- 10am on April 20, 2024 at the Wando Mt. Pleasant Library.

Notifications: 2,526 notifications were sent to property owners of historic parcels, individuals on the Historic Preservation Interested Parties list, and the Interested Parties list for each area in which a National Register of Historic Places listed Historic Property/District or County designated Historic Property/District is located on March 29, 2024. The meeting was advertised in the Post & Courier on March 29, 2024. Additionally, a news release was put out on March 29, 2024.

Third Reading: May 7, 2024

Vote:

Joel Evans, PLA, AICP
Planning Director
843.202.7200
Fax: 843.524.7222
Lonnie Hamilton III Public Services Building
4045 Bridge View Drive
North Charleston, SC 29405



March 29, 2024

COMMUNITY MEETING NOTICE

You are receiving this notification because you own a historic property or property within a historic district or have requested to be on a County interested parties' list. The Charleston County Zoning & Planning Department will be hosting three community meetings regarding the proposed amendments to the Charleston County Historic Preservation Ordinance. The first meeting will be held on **Thursday, April 11, 2024 at 1 PM.** The second meeting will be held on **Thursday, April 11, 2024 at 5 PM.** The third meeting will be held **Saturday, April 20, 2024 at 10 AM.** All meetings will be held at Wando Mount Pleasant Library, located at 1400 Carolina Park Boulevard, Mt. Pleasant, SC 29466. All meetings will cover the same topic. The purpose of these meetings is to provide an explanation of the proposed Historic Preservation Ordinance and answer questions about the proposed amendments. Proposed amendments can be viewed online: <https://www.charlestoncounty.org/departments/zoning-planning/files/HP-Ordinance-DRAFT-2023-for-8-16-23-HPC-meeting.pdf?580>. Questions and comments may also be emailed to CCPC@charlestoncounty.org or mailed to the address listed above by 5 PM on Tuesday, April 9, 2024.

We hope you can attend this meeting. Contact the Zoning & Planning Department at (843) 202-7225 or CCHPC@charlestoncounty.org for additional information.


Joel Evans, PLA, AICP

Post & Courier

CHARLESTON COUNTY COMMUNITY MEETINGS:
Proposed Amendments to the Charleston County Historic Preservation Ordinance

Thursday April 11, 2024 at 1:00 PM

Thursday April 11, 2024 at 5:00 PM

Saturday April 20, 2024 at 10:00 AM

The Charleston County Zoning & Planning Department will be hosting three community meetings regarding the proposed amendments to the Charleston County Historic Preservation Ordinance. The first meeting will be held on Thursday, April 11, 2024 at 1 PM. The second meeting will be held on Thursday, April 11, 2024 at 5 PM. The third meeting will be held Saturday, April 20, 2024 at 10 AM. All meetings will be held at Wando Mount Pleasant Library, located at 1400 Carolina Park Boulevard, Mt. Pleasant, SC 29466. All meetings will cover the same topic. The purpose of these meetings is to provide an explanation of the proposed Historic Preservation Ordinance and answer questions about the proposed amendments. Proposed amendments can be viewed online: <https://www.charlestoncounty.org/departments/zoning-planning/files/HP-Ordinance-DRAFT-2023-for-8-16-23-HPC-meeting.pdf?580>. Questions and comments may also be emailed to CCPC@charlestoncounty.org or mailed to the address listed above by 5 PM on Tuesday, April 9, 2024. Contact the Zoning and Planning Department at (843) 202-7225 or CCHPC@charlestoncounty.org for additional information.



News Release

March 29, 2024
Release Number: 4835

MEDIA CONTACT

Kaitlin Jordan, Communications Coordinator
Phone: (843) 958-4007/Fax: (843) 958-4004
Email: kbjordan@charlestoncounty.org

Charleston County Hosting Community Workshops for Historic Preservation Ordinance

Charleston County Zoning and Planning Department will host three community workshops regarding proposed amendments to the Charleston County Historic Preservation Ordinance at the **Wando Mount Pleasant Library, 1400 Carolina Park Boulevard, Mount Pleasant** in the Community Meeting Room. The meetings will cover the same topics, so residents do not need to attend all three.

- **Thursday, April 11, 2024**
 - 1 p.m. – 4 p.m.
 - 5 p.m. – 8 p.m.
- **Saturday, April 20, 2024**
 - 10 a.m. - 1 p.m.

The purpose of these meetings is to provide an explanation of the proposed amendments to the Historic Preservation Ordinance and answer questions. Questions and comments about the Historic Preservation Ordinance can also be emailed to CCHPC@charlestoncounty.org or mailed to Charleston County Zoning and Planning Department at 4045 Bridge View Drive, Suite A-314, North Charleston, S.C. 29405 by 5 p.m. on Tuesday, April 9.

Proposed amendments can be found here: <https://www.charlestoncounty.org/departments/zoning-planning/index.php>

In keeping with the Americans with Disabilities Act (ADA), those needing assistance should contact Charleston County at (843) 202-6917 during regular business hours.

For information on Charleston County Government news and services, visit our website: www.charlestoncounty.org



- written by the Public Information Office -

Attachment 6: Sign-in Sheets from April 11, 2024, 1pm Community Workshop

HISTORIC PRESERVATION ORDINANCE WORKSHOP April 11, 2024 @ 1:00 PM

NAME	EMAIL <small>*Required to be added to notification lists*</small>	ADDRESS	CHECK HERE IF YOU WOULD LIKE TO BE ADDED TO OUR INTERESTED PARTIES LIST
<i>Osgood Hamlin Sr</i>		<i>2385 Rifle Range Rd.</i>	
<i>Michael J Grama</i>	<i>MichaelGramma@gmail.com</i>	<i>285 Green St</i>	<input checked="" type="checkbox"/>
<i>Kristin A Warty</i>	<i>wartykristin@gmail.com</i>	<i>3875 Williams Ave SE</i>	
<i>Levone E Vanderhoop</i>	<i>lvondhoop@gmail.com</i>	<i>1039 Theodore Rd. NW</i>	<input checked="" type="checkbox"/>
<i>Rick Pelletier</i>	<i>pelletier@bcpl.org</i>	<i>1133 Mathis Ferry Rd</i>	

HISTORIC PRESERVATION ORDINANCE WORKSHOP April 11, 2024 @ 1:00 PM

NAME	EMAIL <small>*Required to be added to notification lists*</small>	ADDRESS	CHECK HERE IF YOU WOULD LIKE TO BE ADDED TO OUR INTERESTED PARTIES LIST
<i>Lin + Ginette Hamlin</i>	<i>ginettehamlin@yahoo.com</i>	<i>2471 Rifle Range Rd</i>	
<i>Ben Parley</i>	<i>ben@parleydesign.com</i>	<i>624 Oak Knoll</i>	<input checked="" type="checkbox"/>

HISTORIC PRESERVATION ORDINANCE WORKSHOP April 11, 2024 @ 1:00 PM

NAME	EMAIL <small>*Required to be added to notification lists*</small>	ADDRESS	CHECK HERE IF YOU WOULD LIKE TO BE ADDED TO OUR INTERESTED PARTIES LIST
Gigi Frampton	GFRAM@HOTMAIL.COM	PO Box 513, Edisto Island, SC	
Jason Puerz	JPUERZ763@GMAIL.COM	' ' ' '	
Maddy Qwan	Mqwan@postandcourier.com		
Carl Middleton III	Carl.Middleton3cma@gmail.com	1821 Sadie street	
Inga George	ingtideres@yahoo.com	1869 Palmetto Isle	
Richard Habersham	habersham_richard@att.net	2938 Bennett Charles, GA	
Paul Ascoe		977 Madamville Rd S 29428	
Sam Spence		147 King St	
Danell Mains	hamlinforms2@yahoo	2535 Ripple Range 29466	
Veronica Van der Horst	St.vanderve BT40@gmail	1039 Theodore Rd 29449	
Mirjam Veldkamp	veldkampm@ccpl.org	1165 Willoughby lane	

Attachment 7: Sign-in Sheet from April 11, 2024, 5pm Community Workshop

HISTORIC PRESERVATION ORDINANCE WORKSHOP April 11, 2024 @ 5:00 PM

NAME	EMAIL <small>*Required to be added to notification lists*</small>	ADDRESS	CHECK HERE IF YOU WOULD LIKE TO BE ADDED TO OUR INTERESTED PARTIES LIST
Barney Gailiard	barneygailiard@gmail.com	220 Down Hill Dr, Cts 29414	
Clara Ravenel	clararavenel@gmail.com	1018 Gadsdenville Rd Awerda, SC	
Chellon Purcher	cnhpurcher@gmail.com	442 Harry Habersham Rd, Mt Pleasant, SC	
Michele Swinton	Swintonawendaw@comcast.net	1384 Chandler Rd, Awerda, SC 29529	
Rosetta Fraser	SAME →	1374 Chandler Road, Awerda, SC 29529	
Liz Bailes	ebailes@tampsc.com	100 Anne Edwards 29464	
Destiny Kennedy	Destiny.a.kennedy@yahoo.com	160 Ivy Green Way	
Shelby B.	Fred Brown 1947@gmail.com	2946 N. Hwy -17 Mt. Pleasant,	
Zhola Stokes	gabrielgirl@gmail.com	360 Maggie Rd Mt Plea	

HISTORIC PRESERVATION ORDINANCE WORKSHOP April 11, 2024 @ 5:00 PM

NAME	EMAIL <small>*Required to be added to notification lists*</small>	ADDRESS	CHECK HERE IF YOU WOULD LIKE TO BE ADDED TO OUR INTERESTED PARTIES LIST
Charles Habersham	Papa Sule 4@aol.com	440 Harry Habersham Rd, Mt. Pleasant	
Cindy Swinton	58996@aol.com	1058 E Gadsdenville Rd, Awerda, SC 29529	

Attachment 8: Sign-in Sheet from April 20, 2024, 10am Community Workshop

HISTORIC PRESERVATION ORDINANCE WORKSHOP April 20, 2024 @ 10:00 AM

NAME	EMAIL <small>*Required to be added to notification lists*</small>	ADDRESS <i>Chs.</i>	CHECK HERE IF YOU WOULD LIKE TO BE ADDED TO OUR INTERESTED PARTIES LIST
Alberta Whaley	Whaley925@gmail.com	1812 Battery BL, Dr. 29112	
Charlotte A. Jenkins	4416 Hwy 17 N. Awendaw	juellohcey@yahoo.com	
Malcolm Grant	migrant36@gmail.com	1684 La Troy Ave. Mt. Pl. 29101	
Marshall Worthy	worthy.marshall@gmail.com	3875 Watson Dr. Awendaw SC 29112	
Richard Habersham	habershamrich@gmail.com	2938 Bennett Charles Rd	
Anna Verhuson			

HISTORIC PRESERVATION ORDINANCE WORKSHOP April 20, 2024 @ 10:00 AM

NAME	EMAIL <small>*Required to be added to notification lists*</small>	ADDRESS	CHECK HERE IF YOU WOULD LIKE TO BE ADDED TO OUR INTERESTED PARTIES LIST
Rhylene D Washington	rhud.new@gmail	965 Long Bintl Rd Mt Pleasant	yes
Robin & Gary Moses	rdoin633000use@yahoo.com	1125 Chandle Rd. Awardeaw	yes
Michael S Gorman	MichaelS.Gorman1@gmail.com	385 Green St Mt Pleasant	Yes
Frances P White	fran_0033@aol.com	2015 Hammond Dr	yes
Veronica Washington	VeronicaL.Washington@y.com	1837 Red Fully Rd	
Hattie Harty	HorryHM67@a-mail.com	1255 Lk Mallard Blvd Mt Pleasant	Yes
Kisha Jenkins	kishajenkins@gmail	4116 Hwy 17 N	
FILIPPO RAVALICO	filippo@scdp.org	510 Live Oak Dr	✓
Pheshette Grant	contactpgrant21@gmail	1684 Latron Ave 29464	Yes
Deal Anne		977 Seaboardville Rd 29429	✓

HISTORIC PRESERVATION ORDINANCE WORKSHOP April 20, 2024 @ 10:00 AM

NAME	EMAIL <small>*Required to be added to notification lists*</small>	ADDRESS	CHECK HERE IF YOU WOULD LIKE TO BE ADDED TO OUR INTERESTED PARTIES LIST
Julia F Burden	Julia4046@bellsouth.net	1841 Old Folly Beach Rd Charleston SC 29512	✓

To whom it may concern,

My name is Miriam Levy. I am the POA on the George Singleton, Helen Singleton Estates. I was assigned POA in 2018 to conduct any business that needed to be done with the attorneys or buyers and to get any information out to my family. I recently have been told by the attorneys that some folks who are not family members have said they are members of the George/Helen Singleton Estates. I am writing this because my family and I are in a contract to sell our property with Crescent Homes that are now called DreamFinders Homes. We have been in a fight with the 10-mile communities. Some folks have been fighting us not to sell our property, and some folks who are fighting us have sold their property without any opposition from any of us. Now that we are selling our property, they are giving us all kinds of trouble! all of the heirs on the George Singleton/Helen Singleton estate are in favor of having our property remain an R-4. We are not with the 10-mile community with the HPC. Some of the family members were lied to about signing a petition, not knowing what was signed. It was not thoroughly explained to several people in the 10 mile community. What the petition was all about I feel that this is an underhand devious scheme that was done to some of the members of the 10-mile community, not only our family. Our family is trying to better ourselves by selling our property. It's our right to sell as a family without any opposition. We did not stop anyone else from selling, this money for the sake of the property would benefit a lot of us and take some of us out of hardship. Giving us a chance to do things that we couldn't. All Heirs of George/ Helen Singleton Estate 955 Gadsdenville Road Awendaw SC 29429

Miriam Levy

Dear Charleston County Council,

5/1/2024

My family has lived at 935 Gadsdenville Road in Awendaw since 1978. Both of my parents Corrie and Thomas Tisdale have taught in public schools for over forty years. The current Ten Mile Historic Preservation in its current form goes against the prevailing culture of my community. Property owners made improvements and changes to their property without interference of additional governing bodies. Property owners bought, sold, and develop property as they please. Our family watched over the years without any objections other property owners buy, sell, and develop their properties. We did not have any problems with this because it was the owner's rights to do so. Now that some families in the community have profited from selling their properties, the community has become restrictive and or against allowing property owners to continue this culture and tradition. The current Historic Preservation guidelines are extreme and unfairly limits homeowners on their use of their land. It is in a way a government sponsored and ran HOA. There are no reasonable accommodations to families and property owners who don't want to be a part of the Historic designation or agree with their rules. The current and proposed designation:

1. Devalues property value.
2. Limits property owner's freedoms to build their dream home and or develop the land as they see fit.
3. Destroys generational wealth for their children.

We believe that if the Historic Preservation exists, it should ensure that current property owners making a certain income level shall be exempt them from any increases in their property taxes. Any new and existing development should not have special decorative signage and their own special HOA. The developed streets should be public that anyone can access.

We are asking that the following Historic Preservation ordinance change:

1. Historic Preservation shall only require in writing from property owners to opt out of the district. No applications and 51% petition approval needed.
2. The Historic Preservation has no architectural nor land use authority.

As a community, we need to work together to have state-maintained roads and drainage be properly maintained. Ensure that Charleston County maintains their outfall ditches and structures. Work with Charleston County to build sidewalks in the community. Provide assistance to help property owners maintain their drainage ditches and structures.

Thank you for your time and consideration of our concerns.

Best Regards,

Thomas E. Tisdale
Corrie Tisdale



5/1/24



PRESERVATION
ESTD SOCIETY 1920
of CHARLESTON



To: Joel Evans, Planning Director, Charleston County
(via email jevans@charlestoncounty.org)

From: Coastal Conservation League
Historic Charleston Foundation
Preservation Society of Charleston
South Carolina Environmental Law Project

Re: Suggested Amendments to Historic Preservation Ordinance and
Historic Preservation Commission

Date: May 2, 2024

Each of our organizations wish to express thanks for the opportunity to continue to offer recommendations for improving Charleston County's Historic Preservation Ordinance (HPO). We appreciate the resources county staff has devoted to receiving and processing public input in preparation for consideration by Charleston County Council.

There seems to be consensus that while imperfect, Charleston County's current historic preservation ordinance can serve as an important foundation to strengthen protections for irreplaceable cultural resources in current and future historic districts. As the ordinance is further modified and new issues arise, additional amendments may be necessary to account for shifting forces that threaten rural communities.

It's important to recognize that these amendments come in response to experiences of residents, who have remained engaged throughout this process, advocating for their communities in collaboration with our organizations, county leaders, and county staff.

In accordance with the goals of Charleston County Council and staff, the amendments included in this memo are intended as a framework for proposed updates to the HPO, ahead of the May 7, 2024, meeting of council.

The following amendments are recommended:

1. Create an advisory role for the Historic Preservation Commission in Subdivision Plat review

As a creation of the Charleston County Planning Commission, the Charleston County Historic Preservation Commission (HPC) retains powers under the South Carolina Comprehensive Planning Enabling Act ("the Act") to function

in support of the administration of subdivision and zoning regulation. Specifically, the Act spells out the “power and duty” of local planning commissions to prepare “regulations for the subdivision or development of land” and “to oversee the administration of regulations.”¹ The Act also describes one of the key purposes of zoning ordinances as developing procedures necessary to protect unique historic resources within a jurisdiction.²

Large lots, sparsely developed over generations are character-defining features of historic settlement communities across rural Charleston County. Continued subdivision and subsequent dense redevelopment threatens these historic settlement patterns and should be avoided.

With ample authority spelled out in state law, the HPC should retain a recommending role in the consideration of subdivision plats within designated historic districts to provide a preservation perspective to aid Planning Commission in its ultimate determination.

Amendment description: Rework provisions and create an advisory role for subdivision plat approval within designated historic districts.

2. Removal of exclusions for considering certificates of appropriateness

While state law provides wide authority for local planning commissions to administer their zoning ordinances, as described above, it also places clear limits on how those ordinances can be applied. The Act clearly describes the role of local governing bodies on decisions of land use, density, development, and architectural guidelines.^{3,4}

Proposed additions to the county HPO include mechanisms to adopt and utilize Area Character Appraisals (ACAs), which include detailed descriptions of character-defining features of historic districts, including historic land use, density, intensity, and dimensional standards. Together, these criteria help describe what constitutes the integrity of a historic district.

The amended HPO would make ACAs helpful tools the HPC can reference in its decision-making to uphold the integrity of historic districts. Preventing the HPC’s ability to base decisions on character-defining features described in the ACA would hamper the county’s ability to protect its historic districts.

Amendment description: Remove proposed amendments in Amended Sec. 21-5.H.3(a).

¹ S.C. Code § 6-29-340

² S.C. Code § 6-29-710(A)(4)

³ S.C. Code § 6-29-720(A)

⁴ S.C. Code § 6-29-870

3. Temporary interim protections for existing districts to allow for adoption of newly required documentation

Amendments in the HPO require new county historic districts to compile a list of resources that contribute to the significance of the district under the approval criteria found in Sec. 21-3.H. The amendments also allow for the inclusion of ACAs for new districts or properties and the adoption of ACAs for existing districts or properties.

However, as of now, if enacted immediately upon adoption by County Council, two of the county's three historic districts (Beefield and Ten Mile) would not have defined lists of contributing resources. For example, Ten Mile's resident-driven ACA will be a helpful tool for guiding HPC decisions.

The absence of these reference materials while the HPC continues to receive and consider matters leaves the Commission without guidance needed to adequately evaluate Certificates for Historical Appropriateness under the amended HPO.

Amendment description: Provide an effective date for the new approval criteria for Certificate of Historic Appropriateness (Amended Sec. 21-5.I) to take effect six months after adoption of the amendments to allow time for compilation of contributing resources or adoption of ACAs. Alternatively, add a provision after Amended Sec. 21-5.I(c) to ensure continued protection for existing districts until contributing resources and ACAs, if any, are approved by Council.

4. Support for heirs properties to ensure statutes are not an encumbrance for property improvements

Regulation and legislation around heirs' properties present unique challenges for local governments across the country. In the Charleston area, the prevalence of heirs' properties means policy impacts can be compounded. Therefore, it is urgent to prioritize resolution of impediments that may rise to the level of creating structural inequity in our local codes.

Amendment description: Eliminate disparities in regulatory requirements while also providing a framework for accountability to other freeholders of a given property.

5. Clarify the process and conditions by which individual properties can be removed from designated historic districts

Just as the HPC plays a role in historic property and district designation, it should also have an important role in removals of designations.

This is especially true for removals of individual properties within districts, Amended Sec. 21-3.L.

A district can meet the Approval Criteria (Sec. 21-3.H) because of the collective significance of its assembled properties, meaning that removals of individual properties could impact its overall integrity.

This may be a question of clarifying the process: Staff said during the April 11 public meeting that removals would receive HPC review. However, unless any removal is considered an amendment according to Amended Sec. 21-4 — whether an individual property, district, or property within a district — HPC review is not spelled out in the current or amended ordinances.

Amendment description: Clarify that all removals in Sec. 21-3.K – Sec. 23-3.M would receive HPC review to provide an adequate level of oversight to ensure effectiveness of the ordinance and to avoid negative impacts to the integrity of designated historic districts.

6. Reinstate the definition of “Historic District” to adequately codify the significance of the county historic preservation ordinance

The Lowcountry faces a preservation challenge for local governments, and with growth constraints around Charleston forcing development into outlying areas, historic and cultural landscapes face increasing threats. Charleston County’s 2016 *Historic Resources Survey Update* documented several of those landscapes as unique and worthy of preservation, and the 2018 HPO enacted several recommendations from the survey update. The Phillips Community became the first settlement community designated to the National Register of Historic Places, in part, because of the diligent work by Charleston County planning staff and its leaders.

Today, as the ordinance continues to evolve, the focused work of the HPC remains essential. With innumerable historic resources in need of protection, definitive guidance within the ordinance can strengthen HPC determinations and their protections.

Amendment description: Reinstate the full definition of “Historic District” in Sec. 21-10.

Conclusion

This group of nonprofit community partners agrees that certain amendments can make the county’s historic preservation program more effective and efficient, but those updates cannot come at the expense of historic communities. We welcome the opportunity to further discuss the path forward for the county’s historic preservation program.

cc via email:

County Council Chair Herb Sass, hsass@charlestoncounty.org
Planning and Public Works Committee Chair Brantley Moody,
bmoody@charlestoncounty.org

Historic Preservation Ordinance Amendments

Legend:

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

Blue, bold, italicized text (***example***): proposed additions to text based on public input received at April community workshops

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

Black, highlighted, struck-through text (~~example~~): proposed deletions of text based on public input received at April community workshops

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 (*the "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 Commission aims to represent the ethnic, racial, and geographical diversity of Charleston County.* The members shall serve without compensation from the County. Any vacancy which may occur on the Commission shall be filled by *the* 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 of~~ the Commission may determine.

The County 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 ~~Zoning Planning and Planning~~ 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 *and amendments thereto*. The Commission may also conduct first review and evaluation of ~~all~~ proposed nominations for the *National Register of Historic Places* (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~~ Charleston 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 *or in the Commission Rules and Procedures*. 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. *A written request for postponement of an application and the letter* must be *submitted* signed by the *applicant* ~~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. General

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 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 District. The number of noncontributing properties a Historic District can contain yet still convey its sense of time and place and historical development depends on how these properties affect the Historic 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.

B. 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.

C. 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) *or a registered voter* of the subject property(ies), site(s), building(s), structure(s), or object(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.

D. Pre-Application Conference

Before submitting an application for **a** 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.~~

E. 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 ~~the~~ 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) *or a registered voter residing at the subject property.*
 - 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 *the* 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 *application* ~~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 *application* ~~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 *approval* criteria of this Section and documentation of the historical or cultural significance such as photos, primary source documents, etc.
 - e. *A list of the Contributing Resources of the Historic Property or Historic District that add to its significance and that the applicant desires to preserve, including but not limited to, specific Historic Buildings, structures, sites, objects, and/or properties. The location of each Contributing Resource and a description of why each is being included as a Contributing Resource must be submitted;*
 - f. *Area Character Appraisals and other similar documentation may be submitted;* and
 - g. 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.

F. 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.~~

G. 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 Commission shall not recommend approval "with conditions" for Designations of Historic Property and Historic Districts.*

When rendering its recommendation decision, the Historic Preservation Commission shall cite which of the specific Approval Criteria of Section 21-3.H, Approval Criteria, of this Ordinance apply, and how each applicable criterion is or is not met. When recommending approval of a Designation of Historic Property or Historic District, the Commission shall list the Contributing Resources of the Historic Property or Historic District that add to its significance and may identify any other documentation that supports the designation shall render its decision based on the Approval Criteria of Section 21-3.H, Approval Criteria, of this Ordinance. Newspaper, Community Interest, Neighbor, and Parties in Interest Notice of the Historic Preservation Commission meeting shall be provided in accordance with the requirements of Section 21-67, Notices, of this Ordinance.

H. 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. Designations of Historic Property *and Historic Districts* shall not be approved "with conditions."

When approving an application, the County Council shall list the Contributing Resources of the Historic Property or Historic District that add to its significance and may identify any other documentation that supports the designation. The County Council shall hold a public hearing prior to giving second reading to Designation of Historic Property or Historic District applications. Newspaper, Community Interest, Neighbor, and Parties in Interest Notice of the Public Hearing shall be provided in accordance with the requirements of Section 21-67, Notices, of this Ordinance. Designations of Historic Property shall not be approved "with conditions."

I. Approval Criteria

In order for an application for *a* 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.

J. Final Action

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

K. Notice of Decision

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

L. 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) *or a registered voter residing at the subject property* and shall be submitted utilizing the application, fee(s), and process as described in ~~this Section Article 21-3.D-H and 21-3.J-K~~. In order for the designation to be removed, ~~the~~ 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 *in* 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.

M. Removal of Individual Properties from Designated Historic Districts

~~Applications to remove one or more properties from a designated Historic District must include written consent of the subject property owner(s). The application, fee(s), and process as described in this Section 21-3.D-H and 21-3.J-K shall apply. shall apply.~~ In order for one or more properties to be removed from a Historic District designation, the County Council must find that the property or properties have ceased to meet the criteria for designation as described *in* 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.

N. Removal of Designation of Historic District in its Entirety

Applications to remove a Designation of a Historic District *in its entirety* ~~or to remove one~~

~~or more properties from a Historic District must be **signed and** 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 of the subject property owner pursuant to the requirements of Section 21-3.D.2.b. In addition to a completed application form signed~~ *by an owner of a property located within the Historic District or a registered voter residing at a property located within the 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 Historic District are in favor of the application. Where the 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 Historic District of the qualified electors residing in the Historic District as to whether the Historic District designation should be removed. 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 Historic District are in favor of the application.* The application, fee(s), and process as described in this ~~Section~~ *Article 21-3.D-H and 21-3.J-K* shall apply. In order for a Historic District designation to be removed *in its entirety*, ~~the~~ County Council must find that one or more of the following criteria has been met:

1. The *Historic* 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* 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 – Amendments to Designated Historic Properties and Historic Districts

A. Purpose

The standards of this Section are intended to allow for amendments to designated Historic Properties and Historic Districts such as the ongoing identification of Contributing Resources; the inclusion of Area Character Appraisals and other similar documentation that add to the significance of the designation of the Historic Property or Historic District; and the addition of properties to designated Historic Districts. The criteria and procedures in this Section are to be used by the Commission to review, consider, and make recommendations regarding such applications, and for the County Council to approve or deny the same.

B. Applicability

Applications to amend Historic Properties or Historic Districts within the unincorporated area of Charleston County may be submitted pursuant to the process and requirements contained in this Section.

C. Pre-Application Conference

Before submitting an application, the property owner or applicant shall confer with the Historic Preservation Officer to discuss the proposal and the applicable review and approval procedures.

D. Application Filing

Applications shall be submitted to the Historic Preservation Officer on forms provided by the Charleston County. Applications shall comply with Section 21-2.E, Application Completeness and Submission Deadlines, of this Ordinance. Applications must include the required fee and the following information, as determined by the Historic Preservation Officer:

- 1. Completed application form and signatures signed in compliance with Sec. 21-3.E.2.b by the owner(s) of the subject property(ies);*
- 2. A list of all proposed Contributing Resources including the name of each resource; the type of each resource (building, object, site, or structure); the location/address of each resource; and the Parcel Identification Number of the property(ies) on which the resource is located;*
- 3. Photos of proposed Contributing Resources;*
- 4. A statement indicating how each proposed Contributing Resource meets the Approval Criteria found in Section 21-4.H;*
- 5. The inclusion of Area Character Appraisals and other similar documentation that add to the significance of the designation of the Historic Property or Historic District;*
- 6. Additional signatures of support (optional); and*
- 7. Additional information as determined necessary by the Historic Preservation Officer.*

E. Historic Preservation Officer Review and Report

The Historic Preservation Officer shall review the application pursuant to the Approval Criteria of Section 21-4.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 Commission.

F. Historic Preservation Commission Review and Recommendation

The Commission shall review the 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 based on the Approval Criteria of Section 21-4.H, Approval Criteria, of this Ordinance. When approving an application, the Commission shall list the Contributing Resources and may identify any other documentation that supports the application, as applicable. The Commission shall not recommend approval "with conditions." Newspaper, Community Interest, Neighbor, and Parties in Interest Notice of the Commission meeting shall be provided in accordance with the requirements of Section 21-7, Notices, of this Ordinance.

G. County Council Hearing

After receiving the recommendation of the Commission, the County Council shall approve or deny the application based on the Approval Criteria of Section 21-4.H, Approval Criteria, of this Ordinance. Applications shall not be approved "with conditions." The County Council shall hold a public hearing prior to giving second reading to the application. Newspaper, Community Interest, Neighbor, and Parties in Interest Notice of the Public Hearing shall be provided in accordance with the requirements of Section 21-7, Notices, of this Ordinance.

H. Approval Criteria

1. *In order to approve an application to identify Contributing Resources, all of the following criteria must be met:*
 - a. *The resource is located within a Designated-Historic District or on a Designated Historic Property;*
 - b. *The resource contributes to the historic associations, historic architectural qualities, or archaeological values for which the Designated Historic Property or Historic District is significant; and*
 - c. *The resource retains enough of its historic physical features to convey its significance as part of the Designated Historic Property or Historic District.*
2. *In order to approve an application for an Area Character Appraisal study or any other documentation that supports the application, all of the following criteria must be met:*
 - a. *The documentation refers to the Historic Property or Historic District;*
 - b. *The documentation contributes to the reason/significance of the designation; and*
 - c. *The documentation was verified by an appropriate third-party professional, as determined by the Historic Preservation Officer.*
3. *In order to approve an application to add a property or properties to a designated Historic District, the subject property must meet one or more of the following criteria:*
 - a. *Has significant inherent character, interest, history, or value as part of the rural county or heritage of the county, state or nation;*
 - b. *Is of an event significant in history;*
 - c. *Is associated with a person or persons who contributed significantly to the culture and development of the county, state or nation;*
 - d. *Exemplifies the cultural, political, economic, social, ethnic, or historic heritage of the county, state, or nation;*
 - e. *Individually or collectively embodies distinguishing characteristics of a type, style, or period in architecture or engineering;*
 - f. *Is the work of a designer whose work has significantly influenced the development of the county, state, or nation;*
 - g. *Contains elements of design, detail, materials, or craftsmanship which represent a significant innovation;*
 - h. *Is part of or related to a square or other distinctive element of community planning;*
 - i. *Represents an established and familiar visual feature of the neighborhood or community;*

- j. *Has yielded, or may be likely to yield, information important in pre-history or history (potential Archaeological Site); or*
- k. *Is deemed eligible for or already listed on the NRHP.*

I. Final Action

If approved, the amendments to Designated Historic Properties or Historic Districts shall be adopted as an amendment to the designation ordinance of the Charleston County Council and shall be included as part of the applicable Designated Historic Property or Historic District.

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.

Sec. 21-45 – Certificate of Historic Appropriateness

A. Purpose

In order to ensure that ~~the preservation of the historic character of Historic Properties and Historic Districts, 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 *prior to the issuance of any Zoning Permits or approvals as described below*, pursuant to the standards set forth in this Section, except where exempt pursuant to the provisions of this Section.

B. Applicability

1. The requirements of this Section shall apply to applications for the permits described herein that are submitted after August 21, 2018.
2. *The requirements of this Section shall apply to all National Register listings approved since 1966 within unincorporated Charleston County.*
3. *Certificates of Historic Appropriateness may be issued by the Commission or the Historic Preservation Officer pursuant to this Section.*
4. *Certificates of Historic Appropriateness Issued by the Commission. Certificate Review and determination of Certificates of Historic Appropriateness by the Commission pursuant to the requirements and processes of this Section and as determined by the Historic Preservation Officer is required prior to the following:*
5. ~~A Certificate of Historic Appropriateness is required before:~~
 - a. ~~Subdivision Plat and Site Plan Review and Limited Site Plan Review approvals~~ *approvals for Historic Properties and properties within Historic Districts, with the exception of short-term rental zoning permit applications.*, except that the following specific types of Subdivision Plat applications are exempt from the Certificates 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.~~
- b. 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 short-term rental zoning permit applications for properties within 300 feet of a Historic Property or Historic District.*
- c. The issuance of *The issuance of z*Zoning *p*Permits *on* 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. The following specific types of *z*Zoning *p*Permit applications are exempt from the Certificate of Historic Appropriateness requirements of this Ordinance:
- i. *The proposed work is part of a project undertaken by Charleston County Public Works and the subject property(ies) do not contain identified Contributing Resources;*
 - ii. *Historic markers/signs;*
 - iii. Existing Communications Towers where no changes to the lease area or equipment area are proposed;
 - iv. Face changes for existing, legally permitted Signs;
 - v. Home Occupations;
 - vi. Permits for Tree Removal that meet the requirements of the Charleston County Zoning and Land Development Regulations Ordinance;
 - vii. *Use changes that do not require Site Plan Review approval;*
 - viii. *Sweetgrass basket stands;*
 - ix. *Short-term rentals;*
 - x. Power Poles where no *A*alteration, modification, addition to, new construction, *R*rehabilitation, relocation, or *R*estoration is proposed;
 - xi. Temporary Special Events; ~~and~~
 - xii. Temporary *u*Uses and *s*Structures; ~~and~~
 - xiii. *Proposed work that does not include changes to the architecture, site layout, or building size/configuration and that is not located on a property containing a Contributing Resource as determined by the Historic Preservation Officer.*
- d. *The issuance of zoning permits for the Demolition of structures on Historic Property(ies) or on property(ies) located in a Historic District when the structure proposed for Demolition has been noted as a Contributing Resource on the National Register of Historic Places listing or by the County Council.*
- e. *The issuance of any zoning permit for:*

- i. *Clearing and grubbing of one acre or more on Historic Property(ies) or on property(ies) located in a Historic District; and*
- ii. *For clearing and grubbing on Historic Property(ies) or on property(ies) located in a Historic District when there is a Contributing Resource on the subject property or an adjacent property.*

The clearing and grubbing application must illustrate the proposed development for which the clearing and grubbing is requested. A Certificate of Historic Appropriateness is not required for clearing and grubbing applications associated with an approved development plan or violation.

- f. ~~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.~~
6. *Certificates of Historic Appropriateness Issued by the Historic Preservation Officer.*
- a. *Review and determination of Certificates of Historic Appropriateness by the Historic Preservation Officer pursuant to the requirements and processes of this Section is required prior to the following:*
 - i. *Replacement of existing manufactured housing units where there are no expansions of the building footprint;*
 - ii. *Any exterior repairs that do not involve changing the appearance of the structure; and*
 - iii. *Utilities and mechanical units, including, but not limited to, applications for location of radio and television receiving antennas or dishes; supply boxes; service meters; and HVAC equipment, along with any necessary screening.*
 - b. *The Historic Preservation Officer may require review and determination from the Commission for any of the application types listed above.*
 - c. *The Historic Preservation Officer shall provide the applicant and property owner with written notice of the decision.*
 - d. *Notice pursuant to Section 21-7 is not required for Certificates of Historic Appropriateness approved by the Historic Preservation Officer.*
 - e. *Any person with a substantial interest in the decision of the Historic Preservation Officer may appeal the decision to the Commission. Applications for such appeals shall be submitted to the Zoning and Planning Department Director on forms available in the Zoning and Planning Department. Appeals of such decisions shall be filed within 30 calendar days after date the Certificate of Historic Appropriateness is approved.*

7. *Ordinary Maintenance. Nothing in this Ordinance shall be construed to prevent the Ordinary Maintenance of any exterior architectural feature of structures designated as historic when that maintenance does not involve a change in design, material, or external appearance.*
8. *Emergency Permits. If the Zoning and Planning Department Director has declared an emergency condition and granted a temporary administrative permit due to a use, structure, or building being damaged or destroyed by fire, flood, wind, or other act of God, such temporary administrative permits are exempt from the requirements of this Ordinance.*
9. *Interiors. Certificates of Historic Appropriateness shall not be required for Alterations to the interior of structures.*
10. ~~These requirements shall apply to applications for the permits described herein, that are submitted after August 21, 2018.~~

C. Pre-Application Conference

Before submitting an application for a Certificates of Historic Appropriateness the property owner or applicant shall confer with the Historic Preservation Officer to discuss the proposal and the applicable review and approval procedures.

D. Application Filing

1. *Application Requirements.* Applications for Certificates of Historic Appropriateness shall be submitted to the Historic Preservation Officer on forms provided by ~~the~~ 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:
 - a. Completed Certificate of Historic Appropriateness application signed by the ~~current property owner(s);~~
 - b. 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;
 - c. Restrictive covenant(s) affidavit signed by the applicant or current property owner(s) in compliance with state law;
 - d. *Posted notice affidavit(s) signed by the applicant or current property owner(s);*
 - e. *A letter of intent addressing how the application complies with each of the approval criteria in Sec. 21-5.1 individually. The letter must include a complete description general description of the present use and proposed activity on the property of the proposed design, including but not limited to, proposed building size, number of stories, architectural style, percentage of impervious surface coverage, and material choice, as applicable. The letter of intent shall also indicate if there are any Contributing Resources on the subject 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;*

- f. ~~As applicable, a~~ **A** site plan drawn to an engineer's scale, **as applicable**. ~~showing~~ ~~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. **If a site plan is required, it shall include the following, as applicable:**
- i. The property dimensions;-
 - ii. Dimensions and locations of existing and proposed structures and improvements;-
 - iii. **Impervious surface coverage and building coverage percentages, as applicable;**
 - iv. Parking areas;-
 - v. Grand trees; **and**:-
 - vi. 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.

All site plans must be in an approvable state, per the Zoning and Planning Department Director, at the time of Certificate of Historic Appropriateness application submittal.

~~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.~~

~~g. As applicable, proposed Subdivision Plats.~~

h. Architectural elevations; and:-

- i. 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.

2. **Board of Zoning Appeals. In the event an applicant is required to obtain approval from the Board of Zoning Appeals for a property(ies) that also requires a Certificate of Historic Appropriateness, the Commission approval must be obtained prior to placement on a Board of Zoning Appeals agenda. When decisions from both the Board of Zoning Appeals and the Historic Preservation Commission are required, the Board of Zoning Appeals decision must occur prior to the Historic Preservation Commission decision.**

E. Community Workshop

After the pre-application conference, it is recommended that the applicant hold one or more community workshops. The purpose of a community workshop is to:

1. **Ensure early citizen participation in an informal forum, in conjunction with the development applications; and**
2. **Provide an applicant the opportunity to understand and try to mitigate any impacts an application may have on an affected community.**

A community workshop is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors. It shall be the responsibility of the applicant to provide Neighbor, Community Interest, Parties in Interest Notice of the community workshop in accordance with Sec. 21-7 of this Ordinance.

F. Conceptual Plan Workshop

Prior to submitting a formal application, Certificate of Historic Appropriateness applicants may present their conceptual plans to the Commission at a workshop. This presentation shall be for discussion and feedback purposes only and no action shall be taken on the conceptual plan at the workshop. The applicant shall submit a memo and presentation describing the proposed plan no later than 12:00 p.m. on the Friday, six weeks prior to the regularly scheduled Commission meeting.

G. 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 21-45.FI, *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 21-45.FI, *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.

H. Historic Preservation Commission Public Hearing, Review and Determination

1. *Commission Review and Determination.* The ~~Historic Preservation~~ Commission shall review the Certificate of Historic Appropriateness application at a public hearing and *shall approve, approve with conditions, or deny the application based on the Approval Criteria of Section 21-5.I, Approval Criteria, of this Ordinance.* ~~render a decision based on the Approval Criteria of Section 21-4.F, Approval Criteria, of this Ordinance.~~ *When rendering its decision, the Commission shall cite how each of the specific Approval Criteria of Section 21-5.I, Approval Criteria, of this Ordinance have or have not been met.* 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.
2. *Notice. Newspaper, Posted, Community Interest,* Neighbor, and Parties in Interest Notice of the ~~Historic Preservation~~ Commission meeting shall be provided in accordance with the requirements of Section 21-67, *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.~~
3. *Commission Consideration. In granting a Certificate of Historic Appropriateness, the Commission shall seek to avoid Negative Impacts to the Historic Property or Historic District in the context of the designation ordinance for the applicable Historic Property or Historic District or as included in the NRHP listing.*
 - a. ~~When considering applications for Certificates of Historic Appropriateness, the Commission shall not:~~
 - i. ~~Make determinations regarding land uses, including whether a property~~

~~can be developed;~~

- ~~ii. Make determinations on or review subdivision plat applications; or~~
- ~~iii. Regulate density, intensity, and dimensional standards and other matters addressed in the Zoning and Land Development Regulations Ordinance, except dimensional standards, such as setbacks, which can be affected secondarily to address design-related decisions in the context of the property's historic Setting.~~

- ~~b. The Commission shall consider, among other things, the general design, the character and appropriateness of design, the height, scale and mass of the structure, the arrangement, texture, materials, and color of the structure in question, and the relation of such aspects, features and elements to similar aspects, features, and elements of structures in its historic Setting. The Commission may require the use of architectural techniques such as building façade and mass modulations or adjustments to the footprint of a structure on a site to achieve appropriate form and proportion of a structure in relation to its Setting, so long as such techniques do not unreasonably restrict the use of a site in light of its current zoning.~~
- ~~c. For Properties and Districts listed on the NRHP, the Commission shall consider the areas of significance and Contributing Resources outlined in the NRHP nomination listing;~~
- ~~d. For Properties and Districts on the Charleston County list of Historic Properties and Historic Districts, the Commission shall consider the criteria under which the County Council approved the designation application and identified Contributing Resources;~~
- ~~e. When considering applications for Preservation, Rehabilitation, Restoration, or Reconstruction, the Commission shall consider the Secretary of the Interior's Standards for the Treatment of Historic Properties as contained in Section 21-8 of this Ordinance; and~~
- ~~f. If the application involves a request for Demolition, the Commission shall consider the following:

 - ~~i. Whether the historic structure is of such architectural or historic significance that demolition would be contrary to the purpose of this Ordinance;~~
 - ~~ii. Whether a structure within a Historic District contributes to the distinctive historic character of the district and the probable visual impact of its removal;~~
 - ~~iii. The extent to which the structure is of such unusual or uncommon design, texture, or materials that it could not be reproduced or be reproduced only with great difficulty and/or expense;~~
 - ~~iv. Consideration shall be given to economic hardship or to deprivation of reasonable use of the property;~~
 - ~~v. Whether ~~or not~~ the demolition is necessary to facilitate a defined public purpose;~~
 - ~~vi. Whether the request is a result of Demolition by Neglect; and~~
 - ~~vii. The structural soundness and integrity of the structure and the feasibility for its restoration or rehabilitation so as to allow for its reasonable use.~~~~

I. Approval Criteria

~~In granting a Certificate of Historic Appropriateness applications, the Historic Preservation Commission shall consider:~~ *In order for a Certificate of Historic Appropriateness to be*

approved, all of the following approval criteria must be met:

- a. The proposed site improvements are compatible with the historic, cultural, and/or architectural character of the applicable Historic Property or Historic District based on the NRHP listing or designation by the County Council;*
- b. The proposed site improvements do not decrease the Historic Integrity of properties containing identified Contributing Resources; and*
- c. Any negative impacts to the applicable Historic Property or Historic District have been minimized and mitigated.*

For Historic Districts designated without Contributing Resources, Area Character Appraisals, or other similar documentation, the Commission shall evaluate Certificates of Historic Appropriateness based on Sec. 21-5.H.3, Commission Considerations.

- ~~d. The historic, cultural, and architectural significance of the district, site, building, structure, or object under consideration;~~
- ~~e. 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;~~
- ~~f. 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~~
- ~~g. 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.~~
- ~~h. 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.~~

J. 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.

K. 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 *substantive* substantial change made in the plans for the proposed work or development, *in response to the decision of the Historic Preservation Officer or Commission, as applicable.*

L. 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.

M. Modifications to Approved Certificates of Historic Appropriateness

~~The Zoning and Planning Director shall determine whether a proposed modification to a previously approved Certificate of Historic Appropriateness is considered a minor or major modification, pursuant to the criteria in this section. Modifications of approved Certificates of Historic Appropriateness are categorized as major or minor depending on the type and extent of proposed changes, as described below: *Substantive alterations to approved Certificates of Historic Appropriateness, as determined by the Zoning and Planning Department Director, are considered major modifications and* Major modifications require a new Certificate of Historic Appropriateness, in accordance with the *requirements and procedures* specified in this Article. Any Certificate of Historic Appropriateness application must comply with all requirements of this Article. Minor modifications are those that do not meet the threshold of major modifications, *as determined by* ~~per~~ the Zoning and Planning ~~Department~~ Director. The *Historic Preservation Officer* Zoning and Planning Director is authorized to approve minor modifications to an approved Certificate of Historic Appropriateness.~~

~~1. Minor Modifications.~~

- ~~a. Increase in Common Open Space area;~~
- ~~b. Decrease in residential Density or number of Dwelling Units;~~
- ~~c. Increase in Setbacks;~~
- ~~d. Increase in the area, dimensions, and/or Density of Landscape Buffers;~~
- ~~e. Decrease in Building Floor Area;~~
- ~~f. Decrease in the number or size of Signs;~~
- ~~g. Minor shifts in the layout of the land uses in an approved Site Plan;~~
- ~~h. Minor shifts in the location of access points or internal Roadways necessary to resolve regulatory (e.g., SCDOT) permitting issues; and~~
- ~~i. The Zoning and Planning Director is authorized to approve minor modifications to an approved Certificate of Historic Appropriateness.~~

~~Major modifications require a new Certificate of Historic Appropriateness, in accordance with the procedure specified in this Article. Any Certificate of Historic Appropriateness application must comply with all requirements of this Article.~~

~~2. Major Modifications.~~

- ~~a. Any modification not considered "minor" pursuant to paragraph 1, above, is considered a major modification;~~
- ~~b. Major modifications require a new Certificate of Historic Appropriateness, in accordance with the procedure specified in this Article; and~~
- ~~c. Any Certificate of Historic Appropriateness application must comply with all requirements of this Article.~~

N. Board of Zoning Appeals

~~In the event an applicant is required to obtain approval from the Board of Zoning Appeals for a property(ies) that also requires a Certificate of Historic Appropriateness, the Certificate of Historic Appropriateness approval must be obtained from the Historic Preservation Commission prior to placement on a Board of Zoning Appeals agenda.~~

Sec. 21-56 – 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. 21-67 – 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, *subject property owner*, 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.

C. Newspaper Notice

When the provisions of this Ordinance require that "Newspaper Notice" be provided, the official responsible for accepting the application shall ensure that notice is published in a newspaper of general circulation in the County. Unless otherwise expressly provided in state statutes or this Ordinance, the first required newspaper notice shall be published at least 15 calendar days before the public hearing, meeting, or date of action that is the subject of the notice. Newspaper Notice shall indicate the time and place or date of action that is the subject of the notice, describe the property involved in the application by street address and, if required, by legal description, describe the nature, scope, and purpose of the application or proposal.

D. Posted Notice

When the provisions of this Ordinance state that "Posted Notice" should be provided, the official responsible for accepting the application shall post the notice on the Subject Property in a manner that makes the notice clearly visible to neighboring residents and passers-by from each public street bordering the Subject Property. Unless otherwise expressly provided in state statutes or this Ordinance, Posted Notice shall be in place at

least 15 calendar days before the public hearing, meeting, or date of action that is the subject of the notice. Once the notice has been posted, the owner(s) of the Subject Property are responsible for notifying the Zoning and Planning Department in writing if the Posted Notice is removed or damaged prior to the public hearing, meeting, or date of action that is the subject of the notice. Failure to notify the Zoning and Planning Department in writing of removed or damaged Posted Notice may result in rescheduling of the public hearing and a delay in decision from the Decision-Making Body.

E. Community Interest Notice

When the provisions of this Ordinance require that "Community Interest Notice" be provided, the official responsible for accepting the application shall provide written notice to any individual, group, or organization that has submitted a written statement of interest to the Zoning and Planning Department Director. When Community Interest Notice is required, courtesy notice will be provided to the Zoning and Planning Director of any municipality within the Planning Area of the subject tract. Community Interest Notice is a courtesy notice; failure to provide this notice will not invalidate any action taken.

Sec. 21-8 – Secretary of the Interior’s Standards for the Treatment of Historic Properties

When considering applications for Preservation, Rehabilitation, Restoration, or Reconstruction the Historic Preservation Commission shall ~~apply~~ consider the Secretary of the Interior's Standards for the Treatment of Historic Properties.

A. Standards for Preservation. When reviewing an application for a Certificate of Historic Appropriateness for a Preservation project, the Commission shall consider the Secretary of Interior’s Standards for Preservation, which state:

1. A property will be used as it was historically or be given a new use that maximizes the retention of distinctive materials, features, spaces, and spatial relationships. Where a treatment and use have not been identified, a property will be protected and, if necessary, stabilized until additional work may be undertaken.
2. The historic character of a property will be retained and preserved. The replacement of intact or repairable historic materials or Alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Work needed to stabilize, consolidate and conserve existing historic materials and features will be physically and visually compatible, identifiable upon close inspection and properly documented for future research.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. The existing condition of historic features will be evaluated to determine the appropriate level of intervention needed. Where the severity of deterioration requires Repair or limited replacement of a distinctive feature, the new material will match the old in composition, design, color and texture.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources

must be disturbed, mitigation measures will be undertaken.

B. Standards for Rehabilitation. *When reviewing an application for a Certificate of Historic Appropriateness for Rehabilitation the Commission shall consider the Secretary of Interior's Standards for Rehabilitation, which state:*

- 1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.*
- 2. The historic character of a property will be retained and preserved. The removal of distinctive materials or Alteration of features, spaces and spatial relationships that characterize a property will be avoided.*
- 3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*
- 4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.*
- 5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*
- 6. Deteriorated historic features will be Repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*
- 7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*
- 8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*
- 9. New additions, exterior Alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*
- 10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the Historic Property and its environment would be unimpaired.*

C. Standards for Restoration. *When reviewing an application for a Certificate of Appropriateness for a Restoration project, the Commission shall consider the Secretary of Interior's Standards for Restoration, which state:*

- 1. A property will be used as it was historically or be given a new use that interprets the property and its Restoration period.*
- 2. Materials and features from the Restoration period will be retained and preserved. The removal of materials or Alteration of features, spaces and spatial relationships that characterize the period will not be undertaken.*
- 3. Each property will be recognized as a physical record of its time, place and use. Work needed to stabilize, consolidate and conserve materials and features from the Restoration period will be physically and visually compatible, identifiable upon close inspection and properly documented for future research.*
- 4. Materials, features, spaces and finishes that characterize other historical periods will be documented prior to their Alteration or removal.*

5. *Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize the Restoration period will be preserved.*
6. *Deteriorated features from the Restoration period will be Repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials.*
7. *Replacement of missing features from the Restoration period will be substantiated by documentary and physical evidence. A false sense of history will not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically.*
8. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*
9. *Archeological resources affected by a project will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*
10. *Designs that were never executed historically will not be constructed.*

D. Standards for Reconstruction. *When reviewing an application for a Certificate of Appropriateness for a Reconstruction project, the Commission shall consider the Secretary of Interior's Standards for Reconstruction, which state:*

1. *Reconstruction will be used to depict vanished or non-surviving portions of a property when documentary and physical evidence is available to permit accurate reconstruction with minimal conjecture and such reconstruction is essential to the public understanding of the property.*
2. *Reconstruction of a landscape, building, structure or object in its historic location will be preceded by a thorough archeological investigation to identify and evaluate those features and artifacts which are essential to an accurate reconstruction. If such resources must be disturbed, mitigation measures will be undertaken.*
3. *Reconstruction will include measures to preserve any remaining historic materials, features, and spatial relationships.*
4. *Reconstruction will be based on the accurate duplication of historic features and elements substantiated by documentary or physical evidence rather than on conjectural designs or the availability of different features from other historic properties. A reconstructed property will re-create the appearance of the non-surviving Historic Property in materials, design, color, and texture.*
5. *A reconstruction will be clearly identified as a contemporary re-creation.*
6. *Designs that were never executed historically will not be constructed.*

Sec. 21-9 – Demolition by Neglect

Property owners shall maintain and repair Contributing Resources in the National Register of Historic Places listing or designated by the County Council as necessary, in accordance with the provisions of this Ordinance, to protect Historic Integrity.

Sec. 21-910 – Terms and Uses Defined

For the purpose of this Ordinance, certain words and terms used herein are defined as set forth in this Section. If not specifically defined herein, words and terms shall be defined in Merriam-Webster's Collegiate Dictionary, 11th Edition.

Alteration. Any construction or change of the exterior of a Historic Building, Object, Site, or Structure that requires a Zoning Permit. This shall not include Ordinary Maintenance.

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.

Area Character Appraisal. A character assessment is a document that describes the distinct appearance and feel of a settlement or an area. It communicates the key physical features and characteristics that combine to give a particular settlement or an area its local distinctiveness and unique identity.

C

Certificate of Historic Appropriateness. The document issued by the Historic Preservation Commission (HPC) or Historic Preservation Officer, as applicable, certifying that proposed actions are found to be acceptable pursuant to the requirements of this Ordinance. 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.

Contributing Resource. A building, object, site, or structure in a Historic District or on a Historic Property that contribute to the District or Property's historical significance through location, design, Setting, materials, workmanship, and association.

D

Demolition. To raze or destroy, whether entirely or in significant part, a Historic Building, Structure, Site, or Object. Demolition includes the removal of a Building, Structure, or object from its site, the removal or destruction of the Façade or surface, or the Alteration to such an extent that Repair is not feasible or is so costly so as to be prohibitive, rendering the property unfit for use.

Demolition by Neglect. The willful neglect of the maintenance or repair of a building or structure that does not result from the property owner's financial inability to maintain or repair the property and may necessitate the Demolition of the property.

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, or works of art *united historically or aesthetically by plan or physical development; demonstrates cultural cohesiveness; or a combination thereof as designated pursuant to this Ordinance.* 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 Integrity. *The ability of a property to convey its historical associations or attributes*

including location, design, Setting, materials, workmanship, feeling, and association.

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 **S**etting 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 **S**etting 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 **D**emolition, it is considered a "ruin" and is categorized as a site.

N

Negative Impact. *Adversely changing the quality of the historical, architectural, or cultural significance of a resource, or the characteristics that qualify the resource as historically important.*

P

Preservation. *The act or process of applying measures necessary to sustain the existing form, integrity, and materials of a Historic Property or Historic District. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project. However, new exterior additions are not within the scope of this treatment.*

R

Reconstruction. *The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving Historic Site, Historic Landscape, Historic Building, Historic Structure, or Historic Object for the purpose of replicating its appearance at a specific period of time and in its historic location.*

Rehabilitation (Historic Property or District). The process of returning a building or buildings to a state of utility, through ~~R~~repair or ~~A~~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 ~~R~~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" ~~and~~, "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 ~~R~~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 ~~R~~restoration period.

S

Setting. *The surrounding environment of a resource, including other structures, site features, landscaping and streets, which contributes to the aesthetic quality of the historic resource.*