

3.18 Certificate of Appropriateness – Historic District (HD)

Purpose: The amendments to this section include providing a process for relocation of contributing and non-contributing structures, a refined process for demolition of contributing and non-contributing structures, and better protection of contributing resources in portion of Old Town that is within the Bluffton National Register Historic District. As this section has extensive reformatting and revisions, a “clean” version is provided. The existing Sec. 3.18 is provided as an attachment for reference. Guidelines for relocation and demolition will be developed concurrently with these amendments for adoption by Town Council by resolution. The guidelines will include information, such as building and site documentation requirements, and other policy requirements that are best separated from the ordinance. An example of such guidelines, from Chapel Hill, North Carolina, is provided as an attachment.

3.18.1 Intent

This Section provides procedures and criteria to facilitate the review of Certificates of Appropriateness – Historic District (HD) for the new construction, alteration, relocation, or demolition of certain structures within the Old Town Bluffton Historic District.

3.18.2 Applicability

- A. The Historic Preservation Commission shall review applications for a Certificate of Appropriateness-HD for the activities described in this Section and that are not otherwise able to be reviewed through a Site Feature-Historic District Permit.

Except for the replacement, relocation or demolition of an existing manufactured home, no structure located within Old Town Bluffton Historic District can be constructed, altered, relocated, or demolished, in whole or in part, without an approved Certificate of Appropriateness-HD.

- B. Any application for a Public Project located in Old Town Bluffton Historic District shall be reviewed “for comment only” by the Historic Preservation Commission using the criteria in this Section. The UDO Administrator will maintain approval authority and may consider the comments of the Historic Preservation Commission. The application shall not require a Certificate of Appropriateness-HD to proceed.

3.18.3 Review Criteria for New Construction and Alterations

- A. To maintain the special character of Old Town Bluffton Historic District, new construction and alterations shall be consistent with the standards, criteria and guidelines developed for the district. The Historic Preservation Commission shall consider the following criteria in assessing an application for a Certificate of Appropriateness-HD for new construction and alterations:
1. The application must be in conformance with the approved Final Development Plan, Subdivision Plan, and any other agreements or plans that are applicable;
 2. Conformance with applicable provisions in Article 5, Design Standards;
 3. Consistency with applicable principles set forth in the *Old Town Bluffton Master Plan* and *Town of Bluffton Comprehensive Plan*; and,
 4. Compliance with applicable requirements in the Applications Manual.

In addition to 1-4 above, alterations to a Contributing Resource shall also comply with the below criteria:

5. Consistency with the *U.S. Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Structures*; and,
 6. Preservation of historic and architectural features to maintain the resource as a Contributing Resource to the Old Town Bluffton Historic District. Additions shall not destroy cultural, historical, architectural materials that characterize the Contributing Resource. New work shall be differentiated from the old and shall be compatible with the size, scale, material and character of the property and surroundings. New additions shall be undertaken in such a manner that, if such additions were to be removed in the future, the essential form and integrity of the structure would be unimpaired.
- B. In addition to Sec. 3.18.3.A., within and adjacent to the Bluffton National Register Historic District, a compatible visual relationship between new construction or alterations and existing Contributing Resources, streetscapes and open spaces must be demonstrated. A compatible visual relationship must be generally of a similar structural mass, scale, form, height, proportion, directional expression of the principal elevation and rhythm of spacing, as applicable.
- C. For any Contributing Resource that has been approved for relocation by the Historic Preservation Commission, and in addition the requirements of Sec. 3.18.3.A-B, the relocated structure should be sited as close to the original site as possible, in a setting similar to its historic lot coverage, building orientation and setback from the street, and the new foundation should match the original foundation in height, design, and materials.

3.18.4 Review Criteria for Relocation of Structures

A. Review Criteria for Relocation

1. Non-contributing Structures

The relocation of non-contributing structures within Old Town Bluffton Historic District shall be reviewed as new construction applying the criteria in Sec. 3.18.3.

2. Contributing Structures

The relocation of any structure that is a Contributing Resource is detrimental to the integrity of Old Town Bluffton Historic District and, where applicable, the Bluffton National Register Historic District, as significance of the resource is embodied in location, context, and setting, as well as the resource itself. Relocation of a Contributing Resource may destroy the relationship between the resource and its surroundings, associations with historic events and persons, historic features (such as landscaping, foundation, chimneys), and known or potential archaeological resources. Relocation may also create a false sense of historic development. For these reasons, relocation of a Contributing Resource that is individually listed in the National Register of Historic Places, contributes to the Bluffton National Register Historic District, or that was designated as contributing to the Old Town Bluffton Historic District on June 19, 2007 should not be permitted except in extraordinary circumstances and

when all on-site preservation alternatives have been exhausted. The below criteria shall be applied to assess the appropriateness of relocating a Contributing Resource:

- a. The construction date, history of ownership, development, use(s), and other pertinent history of the Contributing Resource, and the reason for the request;
- b. An explanation of all on-site alternatives that were explored and why they are not feasible;
- c. Clear and convincing evidence that relocation is necessary to alleviate a threat to public health or public safety;
- d. If there is no threat to public health or public safety, evidence that one or more extraordinary circumstances exists to support relocation;
- e. Information regarding the proposed relocation site and its proximity to the original site and how the relocation site will approximate the historic character and development of the original site; and,
- f. A structural engineering report prepared by a State of South Carolina registered professional structural engineer with demonstrated experience in historic preservation as to the structural soundness of the Contributing Resource and its ability to be relocated intact without irreparable harm, supported by findings. If the structural engineering report finds that intact relocation is not possible, findings shall also be provided for relocation by partial or complete disassembly of the Contributing Resource for reassembly in another location without irreparable loss of integrity.

B. Review Process for Relocation

1. The proposed relocation shall be reviewed applying the applicable criteria in Section 3.18.4.A.
2. If the Historic Preservation Commission approves relocation of a Contributing Resource, an approved Certificate of Appropriateness-HD and, when applicable, an approved Final Development Plan, for the receiving site must be obtained before the Contributing Resource can be relocated.
3. The process for relocating and documenting a Contributing Resource to be relocated shall comply with relocation guidelines approved by Town Council.

3.18.5 Review Criteria for Demolition

A. Review Criteria for Demolition

1. Non-contributing Structures

The below criteria shall be applied to assess an application to demolish any structure in Old Town Bluffton Historic District that is not designated a Contributing Resource:

- a. The construction date, history of ownership, development, use(s), and the reason for the request;
- b. Compliance with all applicable requirements in the Applications Manual.

2. Contributing Structures

The demolition of any structure that is a Contributing Resource, either in whole or in part, is detrimental to the integrity and status of Old Town Bluffton Historic District and, where applicable, the Bluffton National Register Historic District, as significance of these districts is embodied by their contributing resources. Demolition of a Contributing Resource that is individually listed in the National Register of Historic Places, contributes to the Bluffton National Register Historic District, or that was designated as contributing to the Old Town Bluffton Historic District on June 19, 2007, should not be permitted except in extraordinary circumstances and when all preservation alternatives have been exhausted. The below criteria shall be applied to assess the appropriateness of demolishing a Contributing Resource, either in whole or in part:

- a. The construction date, history of ownership, development, use(s), and other pertinent history of the Contributing Resource, and the reason for the request;
- b. A structural engineering report prepared by a State of South Carolina registered professional structural engineer with demonstrated experience in historic preservation as to the structural soundness of the Contributing Resource supported by findings, including clear and convincing evidence that demolition is necessary, in whole or in part, to alleviate a threat to public health or public safety;
- c. Evidence that demolition is required to avoid exceptional practical difficulty or undue hardship upon the owner of the property and that no other reasonable alternatives to demolition exist, including but not limited to relocation.
- d. Consistency with applicable principles set forth in the *Old Town Bluffton Master Plan* and *Town of Bluffton Comprehensive Plan*; and,
- e. Compliance with all applicable requirements in the Applications Manual.

B. Delay of Decision Regarding Demolition

In considering the criteria for demolition, the Historic Preservation Commission may find that the preservation and protection of the Contributing Resource and the public interest will best be served by postponing a decision for a designated period not to exceed 180 days. During the period of postponement, the Historic Preservation Commission shall consider what alternatives to demolition may exist. Consideration by the Historic Preservation Commission shall include:

1. Alternatives for preservation of the structure, either in whole or in part, including consultation with civic groups, interested private citizens, and other boards or agencies (both public and private); and,
2. If other alternatives for preservation cannot be identified, including relocation, and the preservation of the Contributing Resource is clearly in the interest of the general welfare of the community, investigation of the potential of the Town to acquire the property.

The Historic Preservation Commission shall make a recommendation to Town Council regarding the application for demolition, which may include reasonable and additional conditions as will mitigate the possible loss of Historic Integrity.

C. Review Process for Demolition

1. The proposed demolition shall be reviewed applying the applicable criteria in Section 3.18.5.A.
2. In granting a Certificate of Appropriateness-HD for demolition, the Historic Preservation Commission may impose such reasonable and additional conditions, which may include disassembly of historic building components for re-use.
3. If the Historic Preservation Commission approves demolition of a Contributing Resource, an approved Certificate of Appropriateness-HD and, when applicable, an approved Final Development Plan, for the affected site must be obtained before the Contributing Resource can be demolished.
4. The process for demolishing a Contributing Resource, including documentation to be provided, shall comply with demolition guidelines approved by Town Council.

3.18.5 Effect Expiration of Approvals

Approval of a Certificate of Appropriateness-HD shall expire two years from the date of approval unless an appreciable amount of improvement or development commences, as determined by the UDO Administrator, and proceeds to completion in a timely and customary manner in accordance with the Certificate of Appropriateness HD.

3.18.6 Amendments to Approvals

- A. An Applicant who has been granted a Certificate of Appropriateness HD shall notify the UDO Administrator of any proposed amendments to approved plans.
- B. Changes may be approved by the UDO Administrator if the proposed revision complies with the standards of this Ordinance and does not substantially alter the approval by the Historic Preservation Commission.
- C. If the UDO Administrator determines that the requested modification to the approved plans substantially deviates from the approval by the Historic Preservation Commission in accordance with the Certificate of Appropriateness HD, a new application shall be submitted.