



Ordinance NO. 8-2019

AN ORDINANCE OF THE CITY OF ABBEVILLE, S.C. AMENDING ORDINANCE 1-2006, THE HISTORIC PROPERTIES PROTECTION ORDINANCE, AS REVISED IN 2012, TO BETTER DEVELOP THE DESIGN REVIEW PROCESS AND TO INCLUDE UPDATED RESPONSIBILITIES FOR COMMISSIONED MEMBERS

WHEREAS, to better facilitate a more efficient design review process without losing the intent of the original ordinance, the Historic Properties Protection Commission's (HPPC) design review process must be updated; and

WHEREAS, the process will be streamlined to identify and list projects of a smaller scope that would be eligible for administrative review; and

WHEREAS, to better align the ordinance with the design review process provided in the guidelines; and

WHEREAS, to better formulate a cohesive City function that will work to encourage business development and still maintain the historic standards that makes the City of Abbeville a destination for visitors and residents alike; and

WHEREAS, upon the recommendation from the Upper Savannah Council of governments and in light of the downtown development plan the City has underway, it is now time to make these changes; and

WHEREAS, a majority of City Council is now prepared to enact an ordinance that will amend Ordinance NO. 1-2006 The Historic Properties Protection Ordinance to better streamline the design review process.

Be It Therefore Ordained, as follows:

Sec. 9-1. Ordinance Amendments

Changes, additions or removals to the ordinance will be in **bold**.

1. Section - 2. Purpose.

E. Strengthen the local economy **and encourage business development in the historic commercial district;** and **(Addition)**

2. Section - 5. Powers and duties.

G. No member will interact with the public about matters relating to violations of the ordinance unless in the confines of a public meeting. No member should review buildings for violations or talk with property owners about violations. All complaints about violations of the ordinance should be addressed to the City of Abbeville, Code Enforcement Officer through proper documented channels. (Addition)

3. Section - 11. Contents of Application

B. Pre-Application Review Process. Prior to significant expenditures of time and financial resources, applicants are encouraged to submit a pre-application, consisting of drawings, photographs, and specifications, including material samples, for review and discussion with the designated city administrator. Pre-application review is advisory only and is not binding on either the applicant or the HPPC. The COA application form adopted by the HPPC shall contain a provision by which the designated city administrator is authorized to approve very minor projects which slightly alter a property but not its character, design, materials or the outer appearance of a structure or landscape. **(Existing)**

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C. Contents of Application. **Paint Colors and Schemes. (Removal)**

D. Maintenance, Repair, and Interior Projects. A COA is not required for the ordinary maintenance or repair of any historic landscapes or exterior architectural feature of structures subject to review unless that repair involves a change in design, material, or outer appearance of the structure. The HPPC shall not consider the interior arrangements or alterations to the interior of a building unless the interior of a public building space of a private building is specifically described and designated as historic. **(Existing)**

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K. Requirements of Municipality, County, and Public Utilities. The City of Abbeville shall lead by example. The City and County of Abbeville and all public utility companies shall consult with the HPPC in accordance with this ordinance prior to initiating any changes in the character of street paving, sidewalks, trees, utility installations, lighting, walls, fences structures, and buildings on property on property designated historic by Council. **(Existing)**

K. Requirements of Municipality, County, and Public Utilities. The City of Abbeville shall lead by example. The City and County of Abbeville and all public utility companies shall follow the guidelines and review procedures laid out in Section 12 of this ordinance. (Replacement)

4. Section - 12. Design Guidelines

C. Administrative Review. This is a staff level review that does not have to go before the HPPC. Property owners are encouraged to contact the Zoning Administrator to discuss their projects to determine what level of review might be necessary. Staff can explain the City of Abbeville's design guidelines and the standards of design required for a planned project. Forms will be made available for projects that are deemed acceptable for administrative review.

1) No review required - for interior changes and changes classified as repairs or maintenance as described in Section 11 - Subsection D.

2) Minor Work - Simple repairs to existing building fabric using similar means of replacing the material with like-materials as would have been employed at the time the historic material was used.

Other minor work that can be approved by staff include but are not limited to:

- **Additions or New Construction not visible from street**
- **Awnings and Canopies (New Installation)**
- **Curb Cuts**
- **New Decorative Shutters**
- **New Garage Doors (Any location or Change in Material or Size)**

- **Equipment (Antennas, Satellite Dish 18” or less, HVAC, Refrigeration Unit, Exterior Exhaust etc.)**
- **Replacement of Non-historic materials with Original Configuration**
- **Mechanical Systems (New or Relocation)**
- **Pools (Rear Façade Only)**
- **Re-Pointing, Repair of Masonry**
- **Site and Landscaping Lighting**
- **Solar Collectors, Sky Lights (Install new, any location)**
- **Steps (Install new, any location)**
- **Windows (Replace, same material, size, shape, configuration, any location)**
- **Roofing (retaining original design and material type)**
- **Fences or gates, new or change in materials**
- **Gutters & downspouts, gutter covers replaced with new materials**
- **Mechanical Systems (New or Relocation)**
- **Windows and Doors within existing openings (Retain original size/design)**
- **Siding and masonry repairs using like materials**
- **Porch rails, decking and skirting (retain original design)**
- **Temporary Signage**
- **Permanent Signage which meets the Zoning Ordinance**
- **The repair of streets and sidewalks using like materials**
- **Paint changes on pre-painted buildings**
- **Any additional minor change that uses the new materials, size, design and location**

D. Review by the Historic Properties Protection Commission. The HPPC Board Review process is limited to major changes to the exterior of structures located in the local Historic District. Applications are discussed at scheduled meetings and approvals are called “Certificates of Appropriateness” or COA’s. The HPPC makes every effort to work with applicants to achieve mutually beneficial outcomes. (Addition)

1) Major Work – Changes in contextual site and setting that require meeting with the commission with documentation include **but are not limited to:**

- **Additions / New Construction visible from street/new, any size, or demolition**
- **Decks, Patios and Porches that are new and visible from the street / with structure**
- **Demolitions (Part or all of structure)**
- **New Doors, Garages or Windows requiring a change in opening**
- **Exterior Siding if replacing with new materials**

- Storefront facades, bulkhead, displays (repair, removed, reconstruct, new or new opening), Entry Doors (New or New Opening), Transom Windows
- Fountains that are new or visible from street
- Relocation of building or structure
- Change shape of roof
- Sheds
- Private walkways (New construction, new materials, and relocation)
- **Plaques & Murals**
- Storm Windows and Storm Doors (New Installation)
- Trim (New, change in size, design or repair with new materials)

(Addition)

Introduced By:

Santana Delano Freeman
Mayor

First Reading: _____

Attest:

Second Reading: _____

Amber M. Price
City Clerk

Approval as to Form:

Tommy E. Hite, Jr., Heather Stone
Thomas E. Hite, III
City Attorney