



APPLICATION PROCEDURE FOR ARCHAEOLOGICAL REVIEW

The Beaufort County Community Development Code (Division 5.10) requires that all development projects in Beaufort County be reviewed for any possible impact the project will have on archaeological and historic resources. In order for this review to be conducted, the applicant must provide the following:

1. A brief cover letter that provides:
 - a. The name, location (address and/or PIN), size, and type of project.
 - b. The name, address, phone number, and email address of the person or firm requesting the review.
2. An 8 ½" x 11" copy of a section of a United States Geological Survey (USGS) 7.5 Minute Series Topographic Map that shows the exact location of the project. Be sure the Quadrangle name of the map is shown on the map copy (i.e. Bluffton, Port Royal Island, Sheldon, etc.). These maps are available online at USGS.gov.
3. A copy of a letter from the South Carolina Department of Archives and History regarding the project (if applying for state or federal permits). It is not necessary to submit plats or other related documents.

The above should be submitted to the Beaufort County Planning & Zoning Department, Attn: Kristen Forbus, Long Range Planner. Submittals may be made by email to kristen.forbus@bcgov.net; by mail to Beaufort County Planning & Zoning Department, P.O. Drawer 1228, Beaufort, SC 29902-1228; or in person to Room 115, Beaufort County Administration Building, 100 Ribaut Road, Beaufort, SC.

A copy of Division 5.10 of the Beaufort County Community Development Code and samples of a cover letter and topographic map section are attached.

If you have any questions, please call the Beaufort County Planning & Zoning Department at (843) 255-2147.

SAMPLE LETTER

ABC Engineering Co.
P.O. Box XXXX
Beaufort, SC 29901
(843)-123-4567
jdoe@abcengineering.com

January 1, 2020

Kristen Forbus
Beaufort County Planning & Zoning
P.O. Drawer 1228
Beaufort, SC 29901-1228

Re: Commercial Building
XXX Sea Island Parkway; R100-000-000-0000
Lady's Island, SC

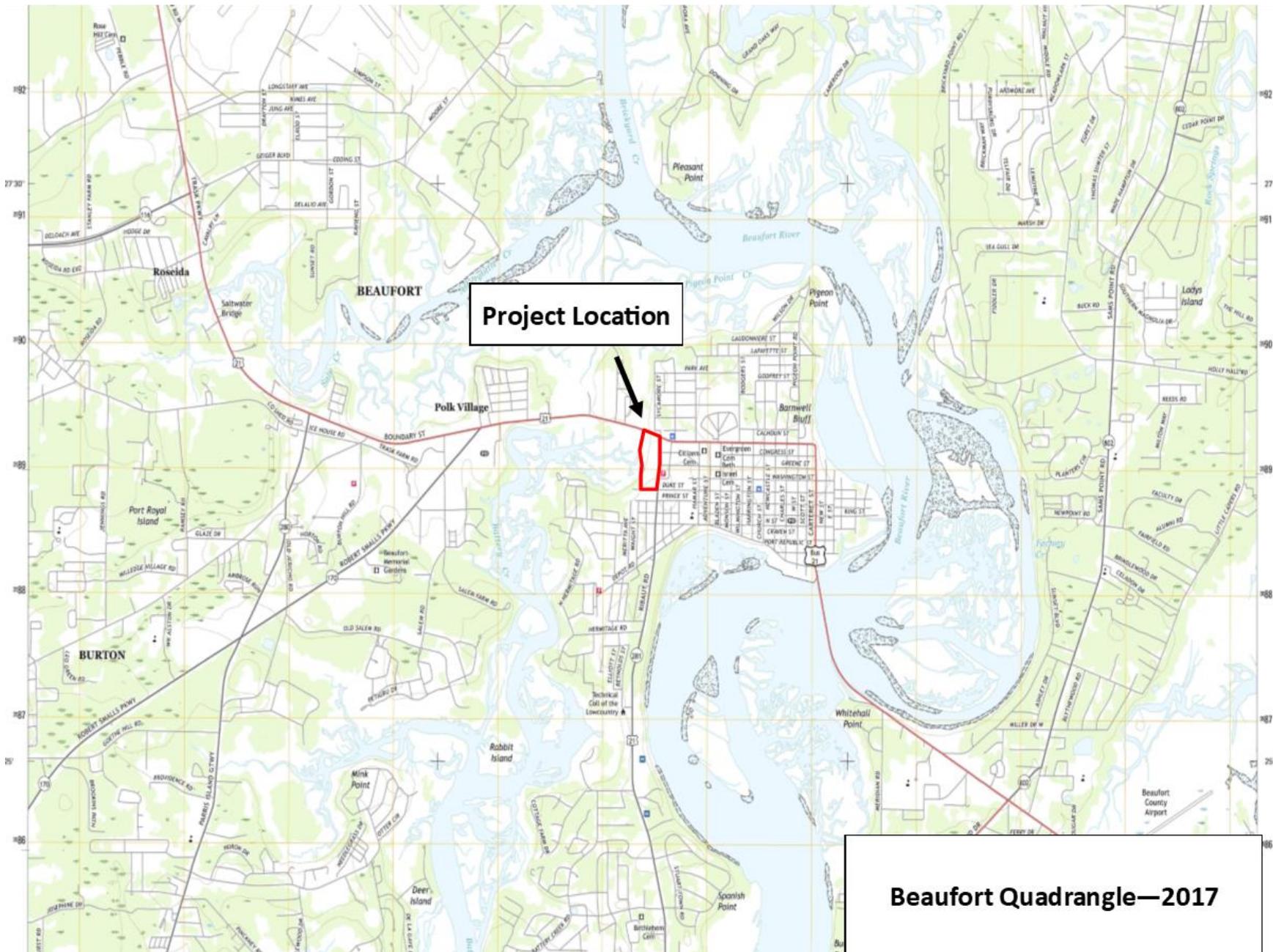
Dear Miss Forbus:

I am requesting an archaeological review for the Commercial Building project in Beaufort. The project is a 5,000 square foot building on a 2 acre site. Attached is a copy of a section of the Beaufort Quadrangle USGS Topographic Map showing the location of the project.

Please contact me if you have any questions.

Sincerely,

Jane Doe
ABC Engineering Co.



Project Location

Beaufort Quadrangle—2017

Division 5.10: Historic Preservation

Sections:

- 5.10.10 Purpose
- 5.10.20 Identification of Historic Resources
- 5.10.30 Historic Property Inventory
- 5.10.40 National Register of Historic Places Nominations
- 5.10.50 Certificate of Appropriateness
- 5.10.60 Maintenance, Repair and Interior Projects
- 5.10.70 Adaptive Reuse of Historic Structures
- 5.10.80 Access to Cemeteries on Private Properties
- 5.10.90 Archaeological and Historic Impact Assessment

5.10.10 Purpose

The preservation and protection of buildings, structures, sites, objects, districts and landscape features of historic, architectural, cultural, archeological, educational and aesthetic merit are critical to the character of the County. The preservation of these historic resources promotes and enhances the County's distinctive architectural and cultural heritage. Preservation also provides educational, cultural, and economic enrichment for the people of the County.

The board responsible for the preservation of historic resources is the Beaufort County Historic Preservation Review Board (HPRB), see Section 7.5.40 (Historic Preservation Review Board (HPRB)).

5.10.20 Identification of Historic Resources

The regulations of this Division provide the mechanism to identify resources and provide for their long-term maintenance and preservation in a form that is as close to their historic use and character as is consistent with the economic realities of the neighborhoods and County. This is done by reviewing development plans in a manner that encourages the purposes of this Division.

5.10.30 Historic Property Inventory

The HPRB shall maintain a local inventory of buildings, structures, objects, cemeteries and sites that meet the historic survey eligibility standards of the State Historic Preservation Office (SHPO) guidelines. These records shall be available to the public.

5.10.40 National Register of Historic Places Nominations

The HPRB may conduct first review and evaluation of all proposed nominations for the National Register of Historic Places for properties that are within its jurisdiction, prior to consideration by the state board of review. The HPRB may send its recommendations to the state historic preservation office for consideration at the meeting of the state board of review. The HPRB 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 federal statute.

5.10.50 Certificate of Appropriateness

A Certificate of Appropriateness (see Section 7.2.120) is required before a Building Permit can be issued for the exterior alteration, modification or addition to, or demolition of, a designated historic resource or before a Development Permit can be issued for any property on which is located one or more designated historic resources. Any Building Permit not issued in conformity with this Division shall be considered void.

5.10.60 Maintenance, Repair and Interior Projects

- A. Nothing in this Division shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of structures designated as historic when that repair does not involve a change in design, material, color, or outer appearance of the structure.
- B. The HPRB shall not consider the interior arrangements or alterations to the interior of a building.
- C. The HPRB may authorize a staff member to approve minor projects involving repairs and ordinary maintenance that do not alter design, materials, color or the outer appearance of a structure or interior projects not subject to other reviews.

5.10.70 Prohibited Acts

No person may excavate, remove, damage, or otherwise alter or deface or attempt to excavate, remove, damage, or otherwise alter or deface any archaeological or historic resource, including any tabby structure or remnant, located in the County unless such activity is pursuant to a permit issued by the Director. Any person violating this Division shall be subject to penalties prescribed in this Division and additional penalties prescribed by State laws.

5.10.80 Adaptive Reuse of Historic Structures

For vacant structures listed in the Historic Property Inventory, or eligible to be listed in the Inventory as determined by the HPRB, a special use permit to adaptively reuse the property may be approved by the ZBOA; see Section 7.2.130 (Special Use Permit). The permitted use of the structure shall be the same or similar to its historic use, unless the ZBOA determines that another use is compatible with the surrounding community. In addition to a special use permit, any exterior alteration, modification or addition to the structure to adaptively reuse it shall require a Certificate of Appropriateness; see Section 7.2.120 (Certificate of Appropriateness).

5.10.90 Access to Cemeteries on Private Properties

An owner of private property on which a cemetery, burial ground, or grave is located must allow public access to the cemetery, burial ground, or grave in accordance with Sec. 27-43-310 of the *South Carolina Code of Laws* and Section 6.2.30.C3 of this code.

5.10.100 Archaeological and Historic Impact Assessment

- A. General Requirements

Division 5.10: Historic Preservation

1. All proposed developments shall be required to have a written statement from the Director indicating whether or not the location of the proposed development contains any archaeological resources identified by the County through existing surveys, historic maps and papers and other information available, the state department of archives and history, and the South Carolina Institute of Archaeology and Anthropology as being listed in or having been determined eligible, or potentially eligible, for listing in the National Register of Historic Places, as well as those areas identified in the document entitled "Cartographic Survey of Historic Sites in Beaufort County, South Carolina," dated June 30, 1992, as having the potential to yield significant archaeological information.
2. If the Director determines that the proposed development contains or is likely to contain archaeological resources, a professional archaeological survey shall be completed by qualified personnel to determine the existence of the resource and to evaluate the significance of the resource. The survey shall then be submitted to the Director for review.
3. If the area of the proposed project has been previously surveyed for archaeological resources and the survey report is available and meets the standards, the applicant will not be required to perform another survey, but merely submit that report to the Director.
4. If the Director determines that the location contains a potential archaeological or historic resource, qualified personnel shall complete and submit to the Director the documentation as outlined in this Division. Identified resources shall be preserved and/or the effects of the proposed project mitigated in accordance with the applicable federal and state laws and guidelines. Further, for any contemplated construction that would significantly affect the setting or vista of any archaeological or historic resource in a manner that would compromise the resource's eligibility to the National Register of Historic Places, the Director may require that the development plans be altered to mitigate or avoid such effects.
5. All requests to the applicant by the Director for surveys, documentation, and mitigation shall include a letter outlining the justification for such requests. A letter of justification from the Director shall also be required when a survey is required by the County and not by the State Department of Archives and History and when no survey is required.

B. Intensive Level Archaeological Survey

1. Under this Division, the Director will officially notify, in writing, the applicant of the need for an intensive archaeological level survey. The survey must meet the criteria set forth by the SHPO's Guidelines and Standards for Archaeological Investigation.
2. The applicant will notify the Director as to who will be authorized to undertake the survey. The survey will be executed by qualified personnel, as required by the SHPO's standards.
3. The findings of the intensive level survey will be submitted to the Director.
4. Upon receipt of the intensive level survey final report and any necessary visual records, the Director will either issue a Permit of Approval for the proposed development project or deny approval of the project until the development plans can be altered to mitigate or avoid any negative impact.

C. Historic Resource Documentation

1. If, at any time either prior to, during the execution of, or after the completion of the intensive level survey required under this Division, historic resources are identified on the property to be developed, the Director will notify the applicant in writing of the need to document the identified historic resources.
2. The documentation will be executed by qualified personnel, as required by the SHPO's Guidelines and Standards for Archaeological Investigation. The applicant will notify the Director as to who will be authorized to complete the documentation.
3. Documentation will be completed for each resource. Documentation required will be one or more of the following:
 - a. A completed statewide survey site form.
 - b. Measured drawings, flat plane photographs (four inches by five inches or eight inches by ten inches) or 35 mm documentation as prescribed by the American Institute of Architects (AIA) in their publication Recording Historic Structures.
4. The completed documentation will be submitted to the Director for review, after which the Director will either issue a Permit of Approval for the proposed development project or deny approval of the project until the development plans can be altered to mitigate or avoid any adverse affect.

D. Mitigation

1. **Determination of adverse effects.** Upon receipt of an intensive level archaeological survey final report, documenting archaeological resources and/or the statewide survey form documenting historic resources pursuant to this Division, the Director will determine whether the proposed project will have an adverse effect on archaeological or historic resources listed in, or eligible for listing in, the National Register of Historic Places. The actions of the Director on the determination are as follow:
 - a. **No adverse effect.** If the Director determines that the project will not have an adverse effect on archaeological or historic resources listed in, or eligible for listing in, the National Register of Historic Places, the Director will issue a permit of approval for the proposed project.
 - b. **Adverse effect.** If the Director determines that the project will have an adverse effect on archaeological or historic resources, listed in, or eligible for listing in, the National Register of Historic Places, the Director will deny a Permit of Approval for the proposed project until the development plans can be altered to mitigate or avoid adverse effects.
2. **Mitigation of Adverse Effects.** The applicant shall detail mitigation measures that will be required prior to the issuance of a permit of approval. The Director shall stress to the applicant that preservation in place of a significant resource is the preferred mitigation method. Mitigation may include the following:
 - a. **Preservation in Place.** Preservation in place of an archaeological or historic resource is the avoidance of the resource which protects it from damage, destruction, vandalism or deterioration and may include such measures as dedicated open space, protective barriers, deed restrictions, preservation covenants and easements, the rehabilitation/maintenance of historic buildings and structures, and others. Preservation in place shall not be used as a mitigation measure on individual single-family lots within a proposed residential subdivision. For new subdivisions, archaeological or historic resources must be

preserved within dedicated open space or mitigated using the methods described below.

- b. **Documentation.** If it is determined that an adverse effect to a historic resource cannot be avoided, the resource shall be documented in accordance with the Secretary of the Interior's Standards for Historical Documentation, the Secretary of the Interior's Standards for Architectural Documentation, and/or Recording Historic Structures by the American Institute of Architects.
 - c. **Data Recovery.** Data recovery of an archaeological site shall be conducted if the site cannot be preserved. Provisions for the ownership and preservation of the Beaufort County Development Code excavated artifacts, field notes, records, maps, photographs, and materials shall be detailed in the archaeological data recovery mitigation plan. A final report on the archaeological data recovery shall be produced.
 - d. **Reporting.** All identified archaeological sites shall be reported to the South Carolina Institute of Archaeology and Anthropology, and all historic sites shall be reported to the state historic preservation office for assignment of a site number.
- E. **Open Space.** If the property proposed for development contains any archaeological or historic sites, the Director, may allow for the potentially impacted sites and their appropriate buffers to be counted as part of the required open space for the development, or the open space requirements may be reduced by an amount that would equal the value of the land containing the archaeological or historic sites provided that the property owner agrees to preserve the resource.

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