

ORDINANCE NO.: 2007-063

*Amending Ordinance 96-002 Adopting the Policy with respect to Special
Property Tax Assessments for Rehabilitated Historic Properties*

BE IT ORDAINED by the Mayor and Council this 5th day of September 2007, that Ordinance 96-002 enacted on February 21, 1996 adopting a policy with respect to special property tax assessments for rehabilitated historic properties as authorized by Sections 4-9-195 and 5-21-140 of the South Carolina Code of Laws, 1976, as amended, is amended to read as follows:

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SECTION I. SPECIAL TAX ASSESSMENT CREATED.

A special tax assessment is created for eligible rehabilitated historic properties for **TWENTY YEARS** equal to the appraised value of the property at the time of Preliminary Certification.

SECTION II. PURPOSE

It is the purpose of this ordinance to:

- a. encourage the restoration of historic properties;
- b. promote community development and redevelopment;
- c. encourage sound community planning, and;
- d. promote the general health, safety, and welfare of the community.

SECTION III. ELIGIBLE PROPERTIES.

A. Certification. In order to be eligible for the special tax assessment, historic properties must receive Preliminary and Final Certification.

To receive Preliminary Certification a property must meet the following conditions:

- 1. The property has received historic designation.
- 2. The proposed rehabilitation work receives approval from the Design/Development Review Commission (DDRC).
- 3. Be a project that commenced by or after August 17, 2004 to the date of the adoption of this ordinance and work was permitted to have begun prior to receiving Preliminary Certification or
- 4. Be a project that commences on or after the date of the adoption of this ordinance. Preliminary Certification must be received prior to beginning work.

To receive Final Certification, a property must have met the following conditions:

- 1. The property has received Preliminary Certification.
- 2. The minimum expenditures for rehabilitation were incurred and paid.
- 3. The completed rehabilitation receives approval from the Secretary to the DDRC as being consistent with the plans approved by DDRC as part of Preliminary Certification.

B. Historic Designation As used in this section, "Historic Designation" means the property maintains one or more of the following:

- 1. The property is listed on the National Register of Historic Places either individually or as a contributing property in a district.
- 2. The property is at least 50 years old and is an individual landmark or a contributing property in a local district as designated by City Council and listed in Sections 17-681 and 17-691 of the City of Columbia Code of Ordinances.

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SECTION IV. ELIGIBLE REHABILITATION.

A. Standards for Rehabilitation Work. To be eligible for the special tax assessment, historic rehabilitations must be appropriate for the historic building and the historic district in which it is located. This is achieved through adherence to the following standards:

1. The historic character of a property shall be retained and preserved; the removal of historic materials or alterations of features and spaces that characterize each property shall be avoided.
2. Each property shall be recognized as a physical record of its time, place and use; changes that create a false sense of historical development shall not be undertaken.
3. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
4. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property should be preserved.
5. Deteriorated historic features shall be repaired rather than replaced; where the severity of deterioration requires replacement of a distinctive feature, the new should match the old in design, color, texture, and other visual qualities and, where possible, materials; replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
6. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used; the surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
7. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property; the new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the historic property and its environment.
8. New additions and adjacent or related new construction shall 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.

B. Work to be Reviewed. The following work will be reviewed according to the standards set forth above:

1. Repairs to the exterior of the designated building.
2. Alterations to the exterior of the designated building.
3. New construction on the property on which the building is located.
4. Alterations to interior primary public spaces.
5. Any remaining work where the expenditures for such work are being used to satisfy the minimum expenditures for rehabilitation.

C. Minimum Expenditures for Rehabilitation means the owner or the owner's estate rehabilitates the building, with expenditures for rehabilitation exceeding twenty percent (20%) of the fair market value of the building. Fair market value means the appraised value as certified to the DDRC by a real estate appraiser licensed by the State of South Carolina, the sales price as delineated in a bona fide contract of sale within twelve months of the time it is submitted, or the most recent appraised value published by the Richland County Tax Assessor.

D. Expenditures for Rehabilitation means the actual cost of rehabilitation relating to one or more of the following:

1. Improvements located on or within the historic building as designated.
2. Improvements outside of but directly attached to the historic building which are necessary to make the building fully useable (such as vertical circulation) but shall not include rentable/habitable floorspace attributable to new construction.
3. Architectural and engineering services attributable to the design of the improvements.
4. Costs necessary to maintain the historic character or integrity of the building.

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E. Scope. The special tax assessment may apply to the following:

1. Structure(s) rehabilitated.
2. Real property on which the building is located.

F. Time Limits. To be eligible for the special tax assessment, rehabilitations must be completed within two (2) years of the Preliminary Certification date. If the project is not complete after two years, but the minimum expenditures for rehabilitation have been incurred, the property continues to receive the special assessment until the project is completed or until the end of the special assessment period, whichever shall first occur.

SECTION V. PROCESS.

A. Fee Required. There is a fee of \$150.00 required for Final Certification for each application for review of rehabilitation work of single family and/or duplex structures and \$300.00 for all other structures. Fees are payable to the City of Columbia and Final Certification will not be given without payment of this fee.

B. Plan Required. Owners of property seeking approval of rehabilitation work must submit a Rehabilitation Historic Property Application with supporting documentation and application fee prior to beginning work.

C. Preliminary Certification. Upon receipt of the completed application, the proposal shall be placed on the next available agenda of the DDRC to determine if the project is consistent with the Standards for Rehabilitation in section III C above. After the DDRC makes its determination, the owner shall be notified in writing. Upon receipt of this determination the owner may:

1. if the application is approved, begin rehabilitation;
2. if the application is not approved, he may revise such application in accordance with comments provided by the D/DRC;

D. Substantive Changes. Once Preliminary Certification is granted to an application, substantive changes must be approved by the D/DRC. Unapproved substantive changes are conducted at the risk of the property owner and may disqualify the project from eligibility. Additional expenditures will not qualify the project for an extension on the special assessment.

E. Final Certification. Upon completion of the project, the project must receive Final Certification in order to be eligible for the special assessment. The Secretary to the DDRC will inspect completed projects to determine if the work is consistent with the approval granted by the DDRC pursuant to Section IV above. Final Certification will be granted when the completed work meets the Standards and verification is made that expenditures have been made in accordance with Section IV C and D above. Upon receiving Final Certification, the property will be assessed for the remainder of the special assessment period on the fair market value of the property at the time the Preliminary Certification was made or the Final Certification was made, whichever occurred earlier.

F. Additional Work. For the remainder of the special assessment period after Final Certification, the property owner shall notify the D/DRC of any additional work, other than ordinary maintenance. The D/DRC will review the work at a regularly scheduled hearing and determine whether the overall project is consistent with the standards for rehabilitation. If the additional work is found to be inconsistent the property owner may withdraw his request and cancel or revise the proposed additional work.

G. Decertification. When the property has received Final Certification and assessed as rehabilitated historic property, it remains so certified and must be granted the special assessment until the property becomes disqualified by any one of the following:

1. Written notice from the owner to the D/DRC and the Auditor requesting removal of the preferential assessment;
2. Sale or transfer of ownership during the special assessment period, ~~except~~ other than in the course of probate proceedings;

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- 3. Removal of the historic designation by the Columbia City Council, or;
- 4. Rescission of the approval of rehabilitation by the DDRC because of alterations or renovation by the owner or the owner's estate which causes the property to no longer possess the qualities and features which made it eligible for Final Certification.

Notification of any change affecting eligibility must be given immediately to the Richland County Assessor, Auditor, and Treasurer.

H. Notification. The City shall, upon Final Certification of a property, notify the Richland County Assessor, Auditor and Treasurer that such property has been duly certified and is eligible for the special tax assessment.

I. Date Effective. If an application for Preliminary or Final Certification is filed by May 1 or the Preliminary or Final Certification is approved by August 1, the special assessment authorized herein is effective for that year. Otherwise, it is effective beginning with the following year.

The special assessment only begins in the current or future tax years as provided for in this section. In no instance may the special assessment be applied retroactively.

J. Application. Once the DDRC has granted the special property tax assessments authorized herein, the owner of the property shall make application to the Richland County Auditor for the special assessment provided for herein.

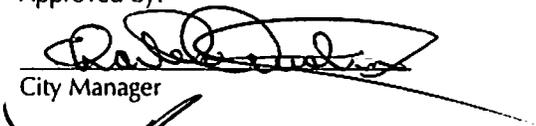
This ordinance is effective immediately.

Requested by:

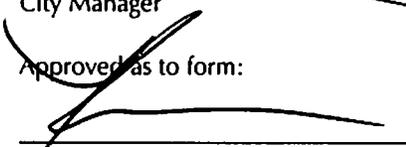
Development Services


MAYOR

Approved by:


City Manager

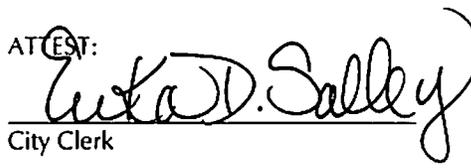
Approved as to form:


Interim City Attorney

Introduced: 8/15/2007

Final Reading: 9/5/2007

ATTEST:


City Clerk