

DEVELOPMENT SERVICES CENTER

Growth Management Department

City of Rapid City

300 Sixth Street, Rapid City, SD 57701-2724

Phone: (605) 394-4120

Fax: (605) 394-6636

Web: www.rcgov.com

HISTORIC PRESERVATION 11.1 REVIEW

There is no application fee for an 11.1 Review

Submittal Deadline is 4:00 p.m. Thursday one week prior to the 1st and 3rd Friday of the month

PLEASE READ THIS DOCUMENT FULLY PRIOR TO ATTENDING THE REVIEW HEARING

Types of Projects Affected by SDCL 1-19A-11.1:

The environs are defined as a 50 foot wide area surrounding the property. The measurement of the 50 foot environs excludes public right-of-way.

- Any project which requires a building permit and involves the exterior of a structure within a historic district or the environs as defined above.
- Any project which requires a building permit and involves the interior of any non-residential structure within a historic district or the environs as defined above.
- Any project which requires a permit for demolition or moving and which is within a historic district or listed on the National Register, or within the environs as defined above.
- Any project which requires a building permit and which is on a property listed on the National Register, or within the environs as defined above. (Copies of maps of the historic districts and a list of individual historic properties are available from the Development Services Center – Growth Management Department).
- Projects on which a "Restrictive Covenant and Declaration of Preservation Restrictions" is held by Preserve South Dakota.

Information and Actions Required of the Petitioner:

Projects must meet the criteria in the Department of Interior "Standards for Rehabilitation" or "Standards for New Construction and Additions", a copy of which is attached. The 11.1 review application must include the following:

1. A completed 11.1 Historic Review Permit application form;
2. Several photographs of the existing structure/property including photographs of all areas affected by the proposed construction (black and white preferred);
3. A site plan drawn to scale showing the existing structure(s) and proposed improvements;
4. Floor plan information and proposed changes if interior work is being proposed drawn to scale;
5. Elevation sketches drawn to scale showing the proposed building changes including description of materials to be used (materials plan); and
6. A written description of the proposed project or any other pertinent information.

Procedure:

1. The Development Services Center – Growth Management Department will make copies of the application materials and send them to the Historic Preservation Commission members approximately one week in advance of the meeting;
2. Commission members and City Staff will review the application materials prior to the meeting and may also visit the property.
3. The Historic Preservation Commission meeting is held. The Commission meets on the first and third Friday of every month at 7:30 a.m. The applicant or applicant's representative must attend this meeting. Failure to attend the meeting could result in the Commission continuing the request to a later date.
4. At the Historic Preservation Commission meeting, the Commission shall make one of the following decisions regarding the application:

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- (a) That the project meets the Department of Interior “Standards for Rehabilitation” or “Standards for New Construction and Additions” and will have no adverse impacts, and therefore may proceed. The Commission may add stipulations to allow the project to proceed as non-adverse,
- (b) That the project as proposed will have an adverse impact and the applicant agrees to resubmit the application following the guidelines in the “Standards for Rehabilitation” or the “Standards for New Construction and Additions” (see attached).
- (c) That the action of the Commission will be continued to a later date. This usually occurs when insufficient information has been submitted for the Commission to make a decision.
- (d) That the project will have an adverse impact. If the Commission makes the determination that an adverse impact will occur, and the applicant does not wish to amend the proposal to follow the “Standards for Rehabilitation” or “Standards for New Construction and Additions” then the formal opinion of the State Historic Preservation Office must be received.
- (e) All requests for demolition of a contributing structure may potentially have an adverse impact and as such must be forwarded to the State for their review.
1. If the Historic Preservation Commission of Rapid City determines that there will be an adverse impact and the State Historic Preservation Office concurs, then the State will require preparation of a case report. The purpose of the case report is to provide the State Historic Preservation Office with sufficient information to make an independent review of the project’s effects on historic properties and/or districts. The State Historic Preservation Office will inform the applicant as to what information is needed in the case report; however, it is the responsibility of the applicant to prepare the report. For more specific information on assembling a case report, see Section 1-19A-11.1 available at the Rapid City Development Services Center – Growth Management Department, or contact Steve Rogers at the State Historic Preservation Office at 605-773-2906.
 2. After the case report is prepared, the Historic Preservation Commission of Rapid City will hold a public hearing to comment on the case report. After the hearing, the Historic Preservation Commission must decide whether to agree with the findings of the case report, disagree with the findings of the case report, or decline to comment on the findings of the case report.
 3. The Development Services Center – Growth Management Department will send the case report to the State Historic Preservation Office. The State will review the case report and determine if it is complete, and may make recommendations regarding additional information needed for the case report.
 4. The Rapid City Council is then required to review all relevant factors and decide whether or not there are any feasible and prudent alternatives to the proposed project. The City Council must find that there are no feasible or prudent alternatives prior to the review process proceeding any further. If the City has determined that all relevant

Appeal Process in Case of Adverse Impact Determination:

A project is considered to have an adverse affect when the impact on a historic property may diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association.

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factors have been considered and that there are not feasible and prudent alternatives, then the Case Report and City Council finding is sent by the Development Services Center – Growth Management Department via certified mail to the State Historic Preservation Office.

5. There is a mandatory ten day waiting period after the certified mailing has been received by the State before any permits may be issued. At the expiration of the ten day period, the City Development Services Center – Growth Management Department will request a letter from the State Historic Preservation Office regarding the final status of the pending project. Any individual or group that disagrees with the findings of the case report may file an injunction to stop the project until the matter is resolved through the court system. If there are no injunctions, then the project may move ahead.

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**HISTORIC
PRESERVATION
11.1 REVIEW****PROJECT NAME:****PROJECT ADDRESS:****DESCRIPTION OF REQUEST:****YEAR CONSTRUCTED:****HISTORIC DISTRICT:** West Boulevard Historic District Downtown Historic District Individually Listed Property Environs of West Boulevard Historic District Environs of Downtown Historic District Environs of an Individually Listed Property**STATUS:** Contributing Non-Contributing**TYPE:** Commercial Residential**OWNER OF RECORD**

Name:

Phone #:

Fax #:

Mailing Address:

City, State, Zip

Owner's Signature:

Date:

APPLICANT (If different from owner of record)

Name:

Phone #:

Fax #:

Mailing Address:

City, State, Zip

Applicant's Signature:

Date:

12 Secretary of the Interior's *Standards for the Treatment of Historic Properties with Guidelines for Rehabilitation of Buildings*

Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural or architectural values.

Standards for Rehabilitation

- 1 A property will be used as it was historically, or be given a new use that requires minimal change to its distinctive materials.
- 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. When 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 shall 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 shall be differentiated from 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 a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

24:52:07:04. Standards for new construction and additions in historic districts. New construction or additions within a historic district must comply with **The Secretary of the Interior's Standards for Rehabilitation** as incorporated by reference in § 24:52:07:02. In addition the following standards apply:

- (1) **Compatibility of design.** Massing, size, and scale of new construction must be compatible with surrounding historic buildings. Overall architectural features of new construction must be of contemporary design which does not directly mimic historic buildings. Architectural elements such as windows, doors, and cornices must be similar in rhythm, pattern, and scale to comparable elements in adjacent historic buildings. The overall visual appearance of new construction may not dominate or be distracting to the surrounding historic landscape;
- (2) **Height.** The height of new buildings or additions to existing buildings may not exceed a standard variance of ten percent of the average height of historic buildings on both sides of the street where proposed new construction is to be located;
- (3) **Width.** The width of new buildings or additions to existing buildings must be similar to adjacent historic buildings;
- (4) **Proportion.** The relationship between the height and width of new buildings or additions to existing buildings must be similar in proportion to existing historic buildings. The proportion of openings in the facades of new construction or additions must be compatible with similar openings in adjacent historic buildings;
- (5) **Rhythm and scale.** The rhythm, placement, and scale of openings, prominent vertical and horizontal members, and separation of buildings which are present in adjacent historic buildings must be incorporated into the design of new buildings or additions to existing buildings;
- (6) **Materials.** Materials which make up new buildings or additions to existing buildings must complement materials present in nearby historic properties. New materials must be of similar color, texture, reflective qualities, and scale as historical materials present in the historic district;
- (7) **Color.** The colors of materials, trim, ornament, and details used in new construction must be similar to those colors on existing historic buildings or must match colors used in previous historical periods for identical features within the historic district;
- (8) **Details and ornament.** The details and ornament on new buildings or additions to existing buildings must be of contemporary design that is complementary to those features of similar physical or decorative function on adjacent historic buildings;
- (9) **Roof shape and skyline.** The roof shape and skyline of new construction must be similar to that of existing historic buildings;
- (10) **Setting.** The relationship of new buildings or additions to existing buildings must maintain the traditional placement of historic buildings in relation to streets, sidewalks, natural topography, and lot lines; and
- (11) **Landscaping and ground cover.** Retaining walls, fences, plants, and other landscaping elements

that are part of new construction may not introduce elements which are out of character with the setting of the historic district.

Source: 16 SDR 239, effective July 9, 1990; 21 SDR 50, effective September 21, 1994; 24 SDR 73, effective December 4, 1997.

General Authority: SDCL 1-19A-5, 1-19A-11, 1-19A-29.

Law Implemented: SDCL 1-19A-5, 1-19A-11.1.

24:52:07:05. Consistency with historical tradition in historic districts. The use of elements as described in § 24:52:07:04 shall be consistent with the historical development of the historic district and shall be consistent with historical interpretations of the district as defined in a locality's historic preservation plan.

Source: 16 SDR 239, effective July 9, 1990; 21 SDR 50, effective September 21, 1994.

General Authority: SDCL 1-19A-5, 1-19A-11, 1-19A-29.

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