

## **DETERMINING STATEWIDE SIGNIFICANCE:**

### **Authority, Guidelines, Policies, and Procedures for Determining "Statewide Significance" of Historic Properties Under G.S. 160a-400.14(c)**

Survey and National Register Branch  
State Historic Preservation Office  
North Carolina Office of Archives and History  
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State law provides that a local preservation commission, landmarks commission or historic district commission may deny indefinitely an application for a certificate of appropriateness for the demolition or destruction of a designated building, structure, or site if the State Historic Preservation Officer determines that the subject property is of statewide significance. The following guidelines, policies, and procedures shall govern how and when such determinations are made by the State Historic Preservation Officer.

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#### I. AUTHORITY AND REQUIREMENTS UNDER STATE LAW:

G.S. 160A-400.14(c) reads in totality as follows:

"An application for a certificate of appropriateness authorizing the demolition or destruction of a building, site, or structure determined by the State Historic Preservation Officer as having statewide significance as defined in the criteria of the National Register of Historic Places may be denied except where the commission finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial."

#### II. NATIONAL REGISTER GUIDELINES FOR STATEWIDE SIGNIFICANCE:

Guidelines for evaluating the level of significance of historic properties are enumerated in National Register Bulletin 15, *How to Apply the National Register Criteria for Evaluation*. These guidelines shall be applied by the State Historic Preservation Officer in evaluations of statewide significance of properties. "Guidelines for Evaluating State Significance" are as follows:

1. "State" refers to any one of the fifty states, American Samoa, the District of Columbia, the Commonwealth of the Northern Marianas Islands, Guam, Puerto Rico, the Trust Territory of the Pacific Islands, or the Virgin Islands.

2. A property with state significance helps us understand the history of the state as a whole by illuminating the statewide impact of events or persons associated with the property, or its architectural type or style, or information potential. State significance may also apply to a property that illustrates a theme that is important to the history of the state.

3. A historical or architectural theme may have a state level of significance although its geographical expression was limited to a portion of the state's present political boundaries. For example, the "cotton belt" extends through only a portion of the state of Georgia, yet its development in the antebellum period was an important statewide theme.

4. Because states are relatively recent political entities and usually do not correspond closely to Native American political territories or cultural areas, few prehistoric sites can be said to be of "state" significance, *per se*. Numerous sites, however, may be of significance to a large region that might geographically encompass parts of one, or usually several, states. Prehistoric resources that might be of state significance would include regional type sites that provide either a diagnostic assemblage of artifacts for a particular cultural group or time period, or chronological control (specific dates or relative order in time) for a series of cultural groups. These resources should be classified as being of state significance.

5. Determining that a property is of state significance requires a knowledge of other properties associated with the same historical theme throughout the state. This would include extant properties as well as those that previously existed.

6. A property with information potential or that is associated with events, persons, or architectural types or styles whose impact appears to have extended beyond the local level may be significant at the state level. A property may be significant to more than one community or locality, however, without having achieved state significance.

7. A property located partially in several states may be significant to the state or local history of each of the states. However, such a property is not necessarily of national significance, nor is it necessarily significant to all of the states in which it is located.

8. Properties that are of state significance are generally also of local significance.

**III. NORTH CAROLINA GUIDELINES AND POLICIES FOR EVALUATING AND DESIGNATING PROPERTIES AS HAVING STATEWIDE SIGNIFICANCE UNDER G.S. 160A-400.14(c):**

**1. Properties Listed in the National Register at a Statewide or National Level of Significance:**

Locally designated properties that are individually listed in the National Register of Historic Places at a statewide or national level of significance generally shall be considered as having statewide significance for the purposes of G.S. 160A-400.14(c).

Where any such property has been substantially altered since the date of listing in the National Register, or where additional knowledge about the property or its historic or prehistoric context has been established since the date of listing, the State Historic Preservation Officer may determine that the property is no longer eligible for the National Register, or that its registration should be at a local level of significance. In any such case, the SHPO shall submit documentation to the National Register for removal of the property from the National Register or for an official change in the registered level of significance.

**2. Properties Listed in the National Register at a Local Level of Significance:**

Locally designated properties that are individually listed in the National Register of Historic Places at a local level of significance generally shall be considered not of statewide significance for the purposes of G.S. 160A-400.14(c). However, the local commission may elect to seek reevaluation of the level of significance. In such cases, the local commission shall normally be responsible for providing the documentation establishing statewide significance as described in item 5 below, "Components of a Statement of Level of Significance."

In addition, the SHPO may initiate the reevaluation of a prior determination of local significance of a National Register property if he or she can document that circumstances, additional research, or expanded knowledge of a subject property or its historic or prehistoric context warrant a higher level of significance. In any case where the SHPO reevaluates a property of local significance to state or national significance, he or she shall submit documentation to the National Register for an official change in the registered level of significance.

**3. Properties Not Individually Listed in the National Register:**

Properties that are not individually listed in the National Register but that are designated as historic properties or landmarks by a unit of local government, or properties contained within locally designated historic districts (that may or may not also be National Register historic districts) shall be evaluated on a case-by-case basis by the State Historic Preservation Officer.

#### **4. Statewide Contexts for Evaluation and Historic Property Types:**

A determination of statewide significance of a subject property must be based on knowledge of the extent, character, and condition of related historic or prehistoric properties across the state. Such related properties are generally of the same historic or prehistoric period and (1) share associations or themes, (2) are of the same architectural type or style, and/or (3) contain the same kinds of archaeological data. Such associations, themes, styles, or types are known as statewide contexts. Examples include "The Civil War in North Carolina," "Tobacco Cultivation in Antebellum North Carolina," "The Greek Revival in North Carolina," and "Archaic Period Quarry Sites in North Carolina." A determination of the level of significance of a subject property is based on a comparative evaluation of the subject property with others of its same property type that share its statewide historic context or contexts.

The development of statewide contexts for the evaluation of various types of historic buildings and archaeological sites is a continuing process and part of the state's long-term development of a comprehensive historic preservation plan. If in the opinion of the State Historic Preservation Officer knowledge of a particular context is insufficient to provide a statewide perspective on that context and its associated property types, determinations of statewide significance shall not be made for properties within that context. For the purposes of G.S. 160A-400.14(c), such properties shall be determined to be of local significance.

#### **5. Components of a Statement of Level of Significance:**

A statement of a subject property's level of significance must include the following three components. These components shall be addressed in the SHPO's determination of level of significance. These components must also be addressed in any application to the SHPO seeking a determination of statewide significance. The three components are:

- a. Identification of the subject property's context or contexts. This is the historical or archaeological association or theme, or architectural style or type, that forms the basis for the subject property's evaluation. In some cases, more than one context for evaluation may be appropriate for a subject property.
- b. A general statement of the evolution, distribution, character, and condition of other properties across the state, if any, that share this context. For example, the homeplace of a leading nineteenth century agricultural reformer may be the only property within its context (the life of the reformer) and should be identified as such. A context of "Eighteenth Century Taverns in North Carolina" should identify other known surviving taverns of the period in the state.
- c. A comparison of the subject property to others that share the context, including statements of relative importance or value. Comparisons of the subject property to other properties of the same property type previously listed in the National Register at state or national levels of significance may be appropriate.

6. **Minimum Requirements for Statewide Significance:** A property shall be determined to be of statewide significance only if the State Historic Preservation Officer determines that:
- a. The property retains a high degree of architectural or archaeological physical integrity, **and**
  - b. Applicable contexts relating to the property's historical, architectural, or archaeological significance have been developed sufficiently to enable a comparative evaluation of the property from a statewide perspective, **and**
  - c. Preservation of the property contributes to the understanding and appreciation of its statewide context. This requirement is fulfilled when:
    - the property has highly important associations with an individual, an event, or a particular movement (social, economic, political, religious, etc.) that had a significant influence on North Carolina history or prehistory, **and/or**
    - the property, if a historic structure or object, is a prototype or outstanding example of a period, style, architectural tradition, or architectural movement, or a notable or best surviving work of a leading architect, master builder, or artisan, **and/or**
    - the property, if an archaeological site, has the demonstrated potential to contain intact archaeological strata, artifacts, features, or associations whose study could advance knowledge of broad historic or prehistoric cultural patterns (urbanization, chronologies); anthropological questions (population movements, Native American and European cultural contacts); architectural reconstructions; or scientific issues (plant domestication, climatic variations, or coastal geomorphology).

#### IV. NORTH CAROLINA PROCEDURES FOR DESIGNATING PROPERTIES AS HAVING STATEWIDE SIGNIFICANCE UNDER G.S. 160A-400.14(c)

1. **Application Forms:** The State Historic Preservation Office shall prepare and distribute advance copies of an "Application for Determination of Statewide Significance" to all preservation, landmark, and district commissions in the state, along with copies of these guidelines, policies, and procedures. The HPO shall make its files available and provide technical guidance to staff or consultants of local commissions in identifying and developing statewide contexts.
2. **Application Procedures:** A commission may submit an "Application for a Determination of Statewide Significance" to the State Historic Preservation Officer for any locally designated property, or any property within a locally designated historic district, that it believes may be of statewide significance. Property owners and interested third parties who seek a determination of level of significance for a property must submit applications through the local commissions.

No application will be considered until it is judged by the SHPO to be complete. If the application is not complete, staff will notify the applicant and request further information. The applicant may choose to complete the application or direct the HPO staff to evaluate the application as it is.

Upon receipt of a complete application, the SHPO shall notify the owner(s) of the property in writing that he or she has received an application for a determination of statewide significance for the property. The SHPO shall provide a copy of the application to the owner(s) and provide the owner(s) thirty days to comment on the application.

- a. For properties for which a local commission has received application for a certificate of appropriateness for demolition or destruction, the State Historic Preservation Officer shall make a determination of the level of significance in writing to the applicant commission within 15 days of the end of the 30 day notification period to the property owners. Local commissions anticipating action on any such certificate of appropriateness shall take this notification and review period into consideration.
- b. A local commission may request determinations of the level of significance for other locally designated properties for which applications for demolition or destruction are not pending and not immediately anticipated. Such designations will be made by the State Historic Preservation Officer on a time-available basis with no set deadlines. Commissions are urged to use discretion in seeking such determinations in consideration of SHPO staff workloads.
- c. A local commission preparing a local designation report for a historic property that has not been listed in the National Register of Historic Places may argue for a statewide level of significance, and normal SHPO review of the proposed designation shall indicate concurrence or non-concurrence with such a determination. The burden of providing the documentation as described in item III. 5. above shall be on the local commission. The SHPO shall make its files available and provide technical guidance to staff or consultants of local commissions in identifying and developing statewide contexts.
- d. If a commission subsequently receives an application for a certificate of appropriateness for demolition or destruction of a property whose level of significance has been previously determined as being statewide under subheads b. or c. above, and if the commission wishes to consider denial of the application for a certificate of appropriateness, it shall resubmit an "Application for a Determination of Statewide Significance" for the same property to determine whether subsequent alterations to the property or new knowledge uncovered by subsequent research warrant a change in its level of significance. A commission may resubmit an "Application for a Determination of Statewide Significance" for a property previously determined to be of local significance under subheads b. and c. above if it wishes the SHPO to reconsider the property's level of significance in the light of additional knowledge or research.

3. Review Procedures of the Staff of the State Historic Preservation Officer:

- a. Upon receipt of an "Application for a Determination of Statewide Significance," the SHPO shall forward the application to the Supervisor of the Survey and National Register Branch (for architectural properties) or to the State Archaeologist (for archaeological properties), who shall determine if the application is complete and contact the applicant for additional information if the application is incomplete. The Supervisor of the Survey and National Register Branch or the State Archaeologist shall determine if the property is listed in the National Register and at what level of significance.

If the application is complete, the SHPO shall notify the owner(s) of the property in writing that he or she has received an application for a determination of statewide significance for the property. The SHPO shall provide a copy of the application to the owner(s) and provide the owner(s) thirty days to comment on the application.

During the thirty day owner notification period, the Supervisor of the Survey and National Register Branch shall schedule a meeting of a staff Statewide Significance Committee to include the State Historic Preservation Officer, the Deputy State Historic Preservation Officer, the Preservation Commission Coordinator, the National Register Coordinator of the Survey and National Register Branch, and the Survey Coordinator of the Survey and National Register Branch. When an architectural property has a related archaeological component, the State Archaeologist or his or her designee may also be invited to participate. In some cases, staff of the division's Research Branch may be asked to participate.

For archaeological properties, committee staff shall include the Preservation Commission Coordinator, the State Archaeologist, the National Register Coordinator of the Archaeology Branch (Office of State Archaeology), and other archaeologists as designated by the State Archaeologist. In some cases, staff of the division's Research Branch may be asked by the State Archaeologist to participate.

- b. Upon review and recommendation by the SHPO and the Statewide Significance Committee, the Supervisor of the Survey and National Register Branch or the State Archaeologist shall prepare a recommendation for the SHPO and draft a letter to the applicant for the SHPO's signature stating whether the subject property is of statewide significance and the reasons for his or her determination. ***The letter will be addressed to the applicant and copied to the local preservation commission chairman (if not also the applicant) and the owner(s) of the property.*** The letter at a minimum shall:

- (1) Identify the general historical, architectural, and/or archaeological context(s) in which the property is being considered for statewide significance.
- (2) Identify in a general way the extent and the character of other properties within the context being considered.
- (3) Establish a threshold for eligibility for statewide significance.

(4) State how the property does or does not meet the threshold for statewide significance.