



PENDLETON

S O U T H C A R O L I N A

History, Hospitality & Happenings!

Town of Pendleton
Design Review Board
Special Called Meeting
June 25, 2026
Pendleton Town Hall, 6 pm

AGENDA:

- 1. Call to Order:**
- 2. Approval of prior meeting minutes:** Postponed until the next regular meeting.
- 3. Public Comments.**
- 4. Reports:**
- 5. Work Session**
 - a. Work Session to discuss amending the By-Laws of the Design Review Board.
(No motions will be made.)
- 6. Discussion Item:**
 - a. Consideration of the discussion of responsibilities related to the potential adoption of the Bailey Bill. (No motions will be made.)
- 7. Updates:**
- 8. Adjournment:**

BY-LAWS OF THE PENDLETON DESIGN REVIEW BOARD

ARTICLE I – DESIGN REVIEW BOARD

SECTION 1. NAME OF BOARD. The official name of the Board shall be the Pendleton Design Review Board. Its acronym shall be DRB.

SECTION 2. MEMBERS. There shall be five (5) members appointed by the Town Council for a term of four (4) years and eligible for reappointment. The terms of three (3) members shall expire in each odd-numbered year, and the terms of two (2) members shall expire in each even-numbered year.

SECTION 3. VACANCY. Vacancies in the Design Review Board membership shall be filled by appointment by the Town Council for the unexpired term. It shall be the duty of the Chairperson of the Design Review Board to notify the Town Administrator within ten (10) days after any vacancy shall occur among members of the Design Review Board.

SECTION 4. REMOVAL. Members of the Design Review Board may be removed from office for cause by the affirmative votes of a majority vote of the Town Council. Members of the Design Review Board may be removed by the Town Council at any time for:

- (a) Failure to attend three (3) consecutive meetings without an excused absence, or
- (b) Failure to attend thirty (30%) percent or more of the meetings within a twelve (12) month period without an excused absence, or
- (c) Any other valid reason related to performance of duties.

SECTION 5. RULES. These rules of procedure are adopted pursuant to S.C. Code 6-29-870. The conduct of the Board will comply with all rules set forth in the S.C. Code of Laws, Title 6, Chapter 29, commonly referred to as the Local Government Comprehensive Planning Enabling Act of 1994.

ARTICLE II – OFFICERS

SECTION 1. OFFICERS. Annually, at the first regular meeting of the Design Review Board, the Design Review Board shall elect a Chairperson and Vice-Chairperson, and appoint a Secretary. The officers may succeed themselves.

SECTION 2. CHAIRPERSON. The Chairperson shall preside at all meetings of the Design Review Board and at other meetings and public hearings called by the Design Review Board when required, and shall transmit reports, plans, and recommendations of the Design Review Board to the appropriate governing authority, and, in general, shall act as spokesperson for the Design Review Board.

SECTION 3. VICE-CHAIRPERSON. The Vice-Chairperson shall serve as Chairperson in the absence or the disability of the Chairperson. In the event of the death or resignation of the Chairperson, the Vice-Chairperson shall perform the latter's duties until such time as the Design Review Board shall elect a new Chairperson.

SECTION 4. SECRETARY. The Secretary shall be a non-voting member of the Board appointed by the Board, and may be a designated staff person of the Town or a member of the Design Review Board. The Secretary shall assist the Chairperson in preparation of agenda for the Design Review Board meetings, shall prepare and send out notices for regular meetings, shall prepare and distribute minutes of the Design Review Board meetings, and shall establish and maintain the Design Review Board's files. The Municipal Clerk shall assist the Secretary by maintaining its books of account, and shall have the custody of all funds coming into the possession of the Design Review Board's direction or upon its authorization. The Municipal Clerk shall sign all orders and checks for the payment of money and shall pay out and disburse the Design Review Board's funds.

SECTION 5. ADDITIONAL DUTIES. The Chairperson, Vice-Chairperson, and Secretary shall perform such other duties and functions as may from time to time be required by the Design Review Board or by its By-laws.

ARTICLE III – MEETINGS

SECTION 1. REGULAR MEETINGS. The regular meetings of the Design Review Board shall be held quarterly. The Design Review Board Shall Meet at Pendleton Town Hall at 6 pm.

SECTION 2. SPECIAL MEETINGS. Special meetings may be called by the Chairperson, provided that reasonable notice is given to each member in advance and posted on the Town's website and Town Hall. Special meetings will require a minimum of 24 hours' notice and will be posted at Town Hall.

SECTION 3. QUORUM. A quorum shall consist of three (3) members. No business, other than rescheduling a meeting, shall take place in the absence of a quorum.

SECTION 4. ORDER OF BUSINESS. The order of business at all regular meetings shall be as follows:

- a) Attendance and establishment of a quorum;
- b) Approval of minutes of previous meetings;
- c) Public Comment;
- d) Unfinished Business;
- e) New business;
- f) Adjournment.

SECTION 5. MEETINGS AND RECORDS OPEN. All meetings of the Design Review Board at which official action is taken shall be open to the public and all records of the Design Review Board shall be a public record. Records shall be maintained in Town Hall and are available according to the South Carolina Freedom of Information Act. The agenda and meeting information will be forwarded the Board members no later than five days prior to the regular meeting. The agenda and meeting information will be available for public review five days prior to the regular meeting.

SECTION 6. PUBLIC HEARINGS. Notice of hearings shall be given by paid advertisement one time in a newspaper of local distribution, stating the time and place of such public hearing, which time shall not be earlier than thirty (30) days from the date of the hearing, and again not later than fifteen (15) days from the date of the hearing, stating the time and place of such public hearing.

SECTION 7. ATTENDANCE. A member may not have more than 3 (three) consecutive unexcused absences from meetings. A member may not have more than 4 (four) unexcused absences from meetings per year. A member must notify the Secretary of an upcoming absence. The course of action regarding chronic absences is at the discretion of the **Town Council, per S.C. state law.**

SECTION 8. VOTING. A member must be present to vote. Each member shall vote on every item unless they are not qualified to vote by law, due to a conflict of interest. The concurring vote of three (3) members of the Board shall be necessary to approve an application upon which it is required to pass under these regulations or to effect any variance in said regulations.

SECTION 9. CONDUCT. Other than during the public hearing portion of a meeting, no person shall speak unless invited to do so by the Board. The Board reserves the authority to set time limits during the public comment portion of the meeting. All persons speaking must state their name and address for the record prior to stating their comments. Anything submitted to the Board, remains with the Board as part of the public record.

SECTION 10. APPEALS PROCESS AND HEARING PROCEDURE. All appeals, interpretations, and variances shall follow the procedures outlined within the Zoning Ordinance.

SECTION 11. VIRTUAL/REMOTE ATTENDANCE AND RECORDING OF MEETINGS.

Members of the Board may attend virtually, provided they give staff written notice at least (5) days before the next regular or special meeting. If the notice is not provided within the (5) frame, virtual/remote attendance shall not be permitted. Virtual attendance may only be an option if an in-person quorum is established. Members may attend via various technologies, provided they can hear and speak clearly. Virtual Attendance shall take place if there is appropriate staffing for accommodation, as determined by the Chair of the Board.

The Regular Meetings should be live-streamed, recorded, and uploaded to the Town's appropriate online accounts in accordance with the procedures of Pendleton Town Council. Recordings of meetings shall take place if there is appropriate staffing to accommodate them, as determined by the Chair of the Board.

ARTICLE IV – AMENDMENTS TO BY-LAWS

SECTION 1. AMENDMENTS TO BY-LAWS. Changes may be made to the By-laws of the Design Review Board at any regularly scheduled meeting or special meeting, by the affirmative vote of a quorum of the members of the Design Review Board.

SECTION 2. ADOPTION. These rules were updated and adopted by a quorum of the Design Review Board at a regularly scheduled meeting on (Next Regular Meeting Date Here).

BY-LAWS OF THE PENDLETON DESIGN REVIEW BOARD

ADOPTED _____

CHAIRPERSON _____

VICE-CHAIRPERSON _____

1st Reading: _____

2nd Reading: _____

ORDINANCE NO.: _____

AN ORDINANCE OF THE TOWN OF PENDLETON, SOUTH CAROLINA, AUTHORIZING SPECIAL PROPERTY TAX ASSESSMENTS, AS AUTHORIZED BY SECTIONS 4-9-195 AND 5-21-140 OF THE SOUTH CAROLINA CODE OF LAWS, AS TO REAL PROPERTY WHICH QUALIFIES AS "REHABILITATED HISTORIC PROPERTY"; ESTABLISHING ELIGIBILITY REQUIREMENTS AND APPLICATION PROCEDURES; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, Sections 4-9-195 and 5-21-140 of the South Carolina Code of Laws, as amended, provides that counties and municipalities may by ordinance grant special property tax assessments to real property which qualifies as "rehabilitated historic property"; and

WHEREAS, Sections 4-9-195 and 5-21-140 of the South Carolina Code of Laws are commonly referred to as the "Bailey Bill" (also referred to as the "Act" herein) after former South Carolina House Representative, James Bailey; and

WHEREAS, the Town of Pendleton ("Town") is a municipality of unique historic significance whose historic buildings, structures, sites, streetscapes, and neighborhoods contribute substantially to the Town's identity, economic vitality, cultural heritage, and general quality of life; and

WHEREAS, the Town Council finds that the preservation, rehabilitation, and continued productive use of historic properties serve important public purposes, including the protection of architectural and cultural resources, the stabilization and enhancement of property values, the encouragement of sound community planning and private investment, the reduction of blight and deterioration, the promotion of heritage tourism and economic development, and the promotion of general health, safety, and welfare of the community; and

WHEREAS, the Town Council further finds that the rehabilitation of historic properties often involves costs and constraints not typically associated with new construction or the improvement of non-historic properties, and that the provision of a special property tax assessment may encourage owners to undertake appropriate rehabilitation that might not otherwise occur; and

WHEREAS, the Town Council finds that adoption of a Bailey Bill ordinance will promote the public health, safety, welfare, and prosperity of the Town by encouraging the preservation and rehabilitation of historic resources in a manner consistent with state law and with the Town's interest in protecting its historic character for present and future generations; and

WHEREAS, the Town Council desires to establish by ordinance a special property tax assessment program for qualified rehabilitated historic properties located within the Town

of Pendleton, subject to the eligibility requirements, procedures, and limitations set forth herein and under applicable South Carolina law.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Pendleton, South Carolina, in Council duly assembled, and by the authority of the same, as follows:

Section 1. General. Pursuant to the provisions of the Act, the Town grants a special property tax assessment to real property which qualifies as "rehabilitated historic property" for a total period not to exceed twenty (20) years. Town Council designates the Town of Pendleton Design Review Board ("DRB") as the "Reviewing Authority" to perform the tasks stated below.

Section 2. Purpose. It is the purpose of this Ordinance to promote and ensure the maintenance of historic buildings within the Town of Pendleton. Specifically, to:

- A. Encourage the maintenance of historic and significant properties;
- B. Promote cultural heritage;
- C. Provide opportunity for development and redevelopment of abandoned or underutilized properties;
- D. Encourage recognition of historic properties;
- E. Ensure buildings are maintained for the safety and welfare of the public.

Section 3. Authority and Intent.

- A. Sections 4-9-195 and 5-21-140 of the South Carolina Code of Laws, as amended, allows municipalities to authorize a Special Property Tax Assessment for Rehabilitated Historic Properties.
- B. The purpose of the Bailey Bill is to provide an economic incentive for property owners to invest in historic rehabilitation, which will preserve and improve the Town's **Historic Commercial Properties**, assist in the revitalization of the Town's commercial core, and encourage the adaptive reuse and rehabilitation of historic properties.
- C. This ordinance authorizes and allows the Town to lock in a special property tax assessment, based on the property's fair market value prior to the rehabilitation, for a period of up to twenty (20) years with a minimum investment of 20 percent (20%).

Section 3. Eligible properties. To receive the historic designation from Town Council properties shall meet one or more of the following requirements:

- A. Be listed on the National Register of Historic Places;

- B. Be at least fifty (50) years old and receive the designation based on the known history of the building or architectural distinction and significance, consistent with subsection 4(C), below;

Commented [DR1]: Additional published criteria.

- C. Be located in the Central-Business District.

Commented [DR2]: Is this designated as a historic district?

Section 4. Certification, Criteria for “Historic” Designation. In order to be eligible for the special property tax assessment, historic properties must receive preliminary certification prior to the commencement of any work and final certification upon completion of approved work.

- A. To receive preliminary certification a property must meet the following conditions:

- i. The owner of the property applies for and is granted historic designation pursuant to Subsection 3 above; and
- ii. The proposed rehabilitation receives approval of rehabilitation work from the DRB.

- B. To receive final certification, a property must have met the following conditions:

- i. The property has received preliminary certification;
- ii. The completed rehabilitation receives approval of rehabilitation work from the DRB, as being consistent with the plans approved as part of the preliminary certification; and
- iii. The minimum expenditures for rehabilitation were incurred and paid.

- C. In order for a building which is fifty (50) years old to qualify as “historic” when it is not listed on the National Register of Historic Places, the building must be shown to meet one of the following criteria:

- i. The structure’s architectural design and materials of construction are good examples of those types of design and construction recognized among architects and preservationists as having had historical significance in the Town’s development;
- ii. The structure is associated in a meaningful way with a person or group who made a significant contribution to the Town’s political, economic, religious, social, artistic, or literary development; or
- iii. The structure is associated with a person or group recognized on the state or national level as having made significant contributions to science, religion, politics, business, literature, the arts, or other professions.

- iv. Be located in the **Central Business District.**

Section 5. Standards.

A. To be eligible for the special tax assessment, historic rehabilitations must be appropriate for the historic building and the overlay district in which it is located.

B. *Standards for rehabilitation work:*

- i. 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;
- ii. 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;
- iii. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved;
- iv. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property should be preserved;
- v. Deteriorated historic features shall be repaired rather than replaced; where the severity of deterioration requires replacement of a distinctive feature, the new one 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;
- vi. 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;
- vii. 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;
- viii. 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.

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

- i. Repairs to the exterior of the designated building;
- ii. Alterations to the exterior of the designated building;
- iii. New construction on the property on which the building is located;
- iv. Alterations to interior primary public spaces; and
- v. Any remaining work where the expenditures for such work are being used to satisfy the minimum expenditures for rehabilitation.

D. *Minimum Expenditures for Rehabilitation.* Minimum expenditures for rehabilitation means the owner or the owner's estate rehabilitates the building, with expenditures for rehabilitation exceeding 20 percent (20%) of the building's fair market value. Fair market value means the appraised value as certified to the DRB 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 (12) months of the time it is submitted; or the most recent appraised value published by the Anderson County Tax Assessor.

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

- i. Improvements located on or within the historic building as designated.
- ii. Improvements outside of but directly attached to the historic building, which are necessary to make the building fully usable (such as vertical circulation), but shall not include rentable/habitable floorspace attributable to new construction.
- iii. Architectural and engineering services attributable to the design of the improvements.
- iv. Costs necessary to maintain the historic character or integrity of the building.

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

- i. Structure(s) rehabilitated.
- ii. Real property on which the building is located.

G. *Time Limits.* To be eligible for the special tax assessment, rehabilitation must be completed within two 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. The total special tax assessment period shall not exceed twenty (20) years.

Section 6. Process.

- A. *Plan required.* Owners of property seeking approval of rehabilitation work must submit a historic property rehabilitation application with supporting documentation and an application fee prior to beginning work.
- B. *Fee required.* There is a fee required for final certification for each application for review of rehabilitation work of single-family, duplex structures, and for all other structures. Fees are payable to the Town of Pendleton, and final certification will not be given without payment of this fee. Fees under this Ordinance shall be as set forth in the Town of Pendleton Fee Schedule, as adopted and periodically updated by the Town Council.
- C. *Preliminary certification.* Upon receipt of the completed application, the proposal shall be placed on the next available agenda of the DRB to determine if the project has received the historic designation from Town Council, and the proposed rehabilitation is consistent with the standards for rehabilitation set forth above. Within thirty (30) days after the DRB makes its determination, the owner shall be notified in writing of the decision. Upon receipt of this determination, the owner may:
 - i. If the application is approved, begin rehabilitation; or
 - ii. If the application is not approved, he may revise such application in accordance with comments provided by the DRB.
- D. *Substantive changes.* Once preliminary certification is granted to an application, substantive changes must be approved by the DRB. Unapproved substantive changes are conducted at the property owner's risk 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, owners of the property must submit a completed application for final certification for special tax assessment

to receive final certification in order to be eligible for the special tax assessment. The Zoning Administrator will inspect completed projects to determine if the work is consistent with the approval granted by the DRB, and the Zoning Administrator shall submit a report of his findings to the DRB. Final certification will be granted by the DRB when the project has received the historic designation; the completed work meets the standards and is consistent with the application and preliminary certification; and verification is made that the required expenditures have been met. 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. If the completed project does not comply with all requirements for final certification, final certification must not be granted and any monies not collected by the Town due to the special assessment must be returned to the Town. Town Council, or its designee, shall notify the Anderson County Assessor if final certification is not granted.

- F. *Additional work.* For the remainder of the special assessment period after final certification, the property owner shall notify the Zoning Administrator of any additional work other than ordinary maintenance. The DRB will review the work at a regularly scheduled hearing and determine whether the overall project meets 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 has been assessed as a 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:
 - i. Written notice from the owner to the Town requesting removal of the preferential assessment.
 - ii. Removal of the historic designation by Town Council; or
 - iii. Rescission of the approval of rehabilitation by the DRB 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 that made it eligible for final certification.
- H. *Sale or Transfer of Ownership of Real Property.* Under no circumstances shall the sale or transfer of ownership of real property certified and assessed in accordance with this ordinance disqualify the property from receiving the special property tax assessment under this section. Notification of any change

affecting eligibility must be given immediately to the appropriate county taxing and assessing authorities

- 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. *Notification.* Once the Town has granted the special property tax assessments authorized herein, the Town shall notify the Anderson County Assessor, Auditor, and Treasurer that such property has been duly certified and is eligible for the special tax assessment, and the owner of the property shall make application to the Anderson County Auditor for the special assessment provided for herein.

Adopted this ____ day of _____, 20____

ATTEST:

Municipal Clerk

MAYOR: _____

TOWN COUNCIL:

WARD 1: _____

WARD 2: _____

WARD 3: _____

WARD 4: _____