PENDLETON
SOUTH CAROLINA
History, Hospitality & Happenings!

Town of Pendleton
Planning Commission
Called Meeting
August 20, 2026
Pendleton Town Hall, 6:30 pm

AGENDA:

1. **Call to Order:**

2. **Approval of prior meeting minutes:** (Postponed until the next regular meeting).

3. **Public Comments**.

4. **Work Session**
   a. **Work Session:** Work session on establishing the potential boundaries, regulations, and district name for a historic overlay district in the Town of Pendleton. (No motions will be made.)

5. **Adjournment:**

Revising and Building Historical Preservation in Pendleton

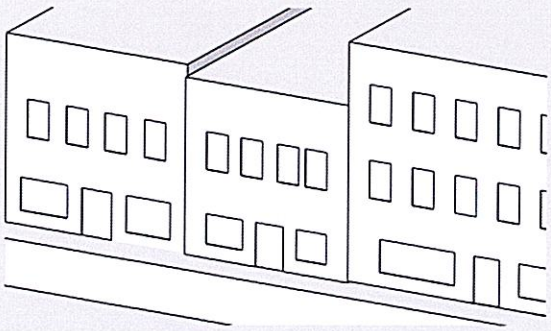
Some Definitions and Considerations

Land use controls describe what can or cannot be done in a district, what can be permitted. These are typical zoning or land use limitations intended to benefit the whole of the town or community. they limit what a private landowner can do.

Economic incentives provide financial or tax relief incentives to achieve an intended improvement or use. Thins like improving or remodeling vacant buildings, the Bailey bill, or facade grants are examples of economic incentives.

Economic incentives and land use controls do not have to be adopted at the same time.

The other consideration is the difference between zoning and design. Zoning is a legal mechanism that controls how land can be used, while design elements are specific features related to a building's or site's physical appearance and style. In one sense zoning is a measurable feature describing building height, lot line setbacks, and road and sidewalk width requirements. Design is negotiable, with a goal to create a look or impression that may reflect a time in history or an architectural design.

Zoning Standards	Design Guidelines
	
Zoning Standards address:*	**Design Guidelines address:***
• Density • Use • Building placement • Lot coverage by buildings • Height • Setbacks	• Compatibility • Site design • Building scale, orientation and massing • Historic rehabilitation • Entries and windows • Materials and finishes

Pendelton Historical Overlay District

The goal is to establish an historical district for the historic structures and sites in Pendleton to preserve the look and feel or our historic village.

We currently have 5 overlay districts covering the village green and four primary entrances (North and South Mechanic, East Queen to Greenville Street and Greenville Street, and West Queen). These overlays are guided by the Design Review Board, but do not cover many of the historic areas of our town such as the cemeteries, Vance and Jackson Streets, East Main, and the churches and homes along Broad.

The entire Town of Pendleton is on the register of historic places and heritage is our middle name. The goal is to create an historic overlay that covers the "central core" (exact areas to be determined, but generally the boundary of the original village) and protects that core with limitations on use and facade modifications, encouraging street appropriate public trees, walkways to enjoy a village walk, lighting that promotes safety, and appropriate parking so visitors can enjoy our town.

Once the boundaries of the historical overlay are defined, we will need a project to inventory the historical sites and structures and their current condition and use. We have a start on this with the history Jackie Reynolds has written and the images and heritage walks that have been defined by Pendleton Pride in Motion.

It would make sense to add an identification of potential commercial lots and buildings to our historical inventory. This inventory could be shared with the Pendelton Area Business Association and other business development organizations to encourage new commercial enterprises for our town

The historical overlay appears to be the best option, and we need to establish an ordinance that can be rolled into the final Universal Development Ordinance (UDO).

Examples of some towns that have overlay districts and design standards that Pendleton is striving for includes Fort Mill SC

https://fortmillsc.gov/DocumentCenter/View/201/08-01-2016-Fort-Mill-Historic-District-Design-Guidelines-PDF?bidId=

> The Design Review System
>
> The Fort Mill Historic District Design Guidelines inform decision-making for all new construction and exterior repair and/or rehabilitation to existing buildings within the area. These projects require a Certificate of Appropriateness to be issued by the Historic Review Board. (See also Section 7.3 HPOD, Historic Preservation Overlay District.)

City of Anderson

The City of Anderson Board of Architectural Review (BAR) is responsible for the:

- Preservation and protection of historically and architecturally significant structures
- Preservation of the cultural and historical heritage of the city within the designated historical zones.

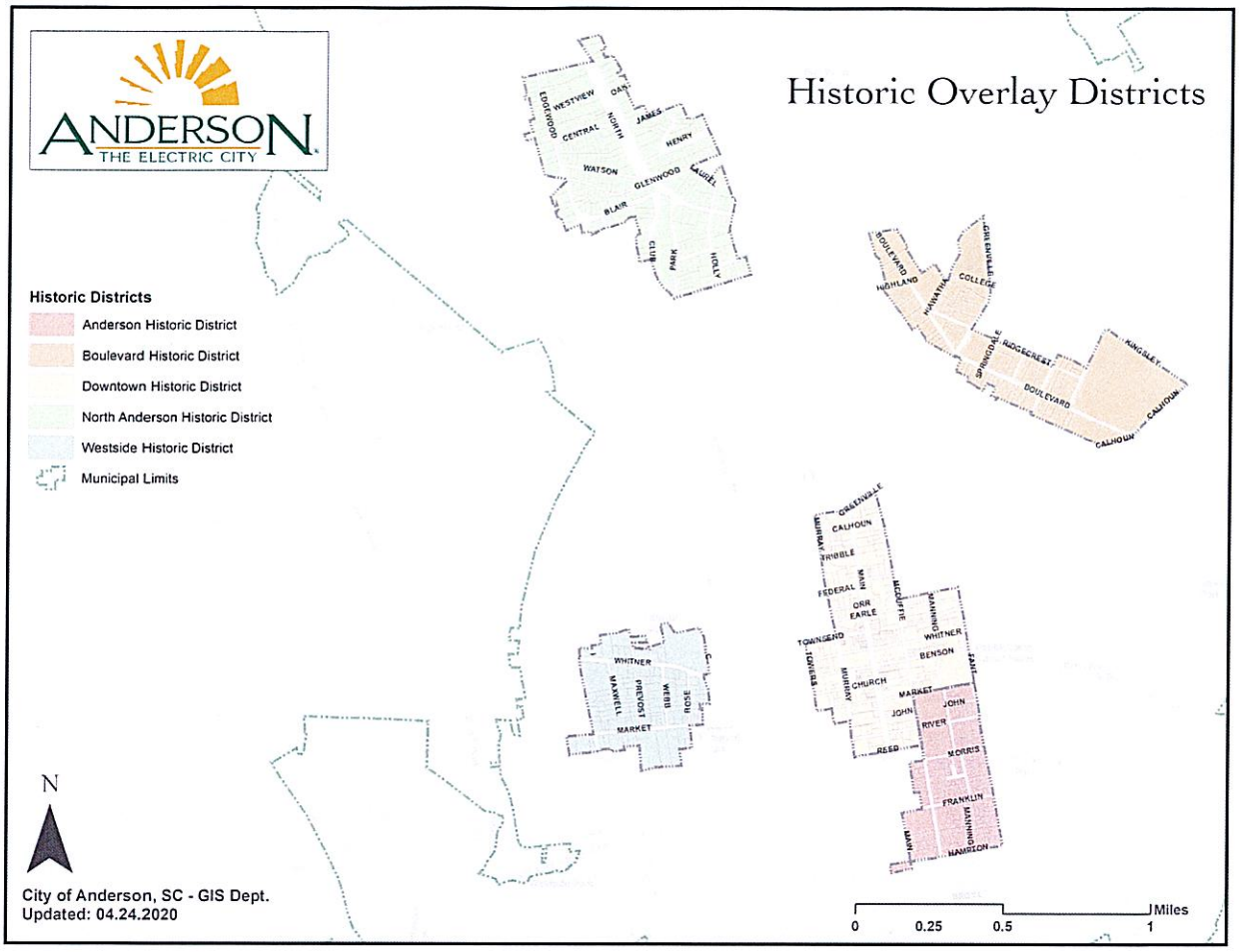
In order to maintain the historic significance of the neighborhoods, the Anderson Board of Architectural Review has the responsibility for review and authorization of exterior changes to any property within the historic districts. Prior approval from the Board is required for any change to the exterior of a property including

- New construction/additions
- Changing paint colors/adding siding
- Demolition of any structure
- Removing or covering any architectural feature on the exterior of a structure and other alterations
- Fencing and landscaping additions

Upon approval, a Certificate of Appropriateness is granted. To obtain a Certificate of Appropriateness

- Contact the City of Anderson Planning Department for a pre-application review. The Planning staff will work with the applicant to obtain the necessary information for the Board of Architectural Review. Applications and information must be in three weeks prior to the scheduled meeting.
- The Board of Architectural Review will make a decision regarding the request at their scheduled meeting.
- If approved, a Certificate of Appropriateness will be granted in order to proceed with the proposed project. All new construction shall meet the guidelines of the Building Department.

For more information about the Historic Districts, the guidelines of the Board of Architectural Review, or for assistance in completing the application process, please call the City of Anderson Planning Department at (864) 231-2222.


ANDERSON
THE ELECTRIC CITY
Historic Overlay Districts
Historic Districts
Anderson Historic District
Boulevard Historic District
Downtown Historic District
North Anderson Historic District
Westside Historic District
Municipal Limits
N
City of Anderson, SC - GIS Dept.
Updated: 04.24.2020
0
0.25
0.5
1
Miles

Town of Clover SC in York County

In 2023, the Town of Clover implemented the Historic Preservation Overlay District, or HPOD. Properties located in the overlay are subject to additional requirements. Specifically, before any exterior building or structural alterations occur, the work must be submitted and approved by the Architectural Review Board (ARB). Exterior work includes New Construction, Demolition, Exterior Building Alterations, Lighting, Signage/Graphics, and Entrances.

There are instances, however, when a Certificate of Appropriateness is not needed. The exemptions are:

• Change of Use of a property.

Example: Business A is bought out by Business B. A Certificate of Appropriateness would not be required unless or until Business B wants to change anything on the exterior, such as a new sign with the new business name.

• Interior changes.

Examples: Repainting interior walls, replacing floors, and interior demolition.

• Ordinary maintenance or repair of any exterior architectural feature that does not involve a change in the design, material, color, or outer appearance of a building or structure.

Example: Cleaning windows and awning.

• Threat to Public Safety.

Example: A damaged property needs immediate repairs.

In the following cases, a Certificate of Appropriateness is needed, but can be approved by the Zoning Administrator:

• Like for Like.

Example: Exterior repainted to exact same color, window replaced with exact same window, etc.

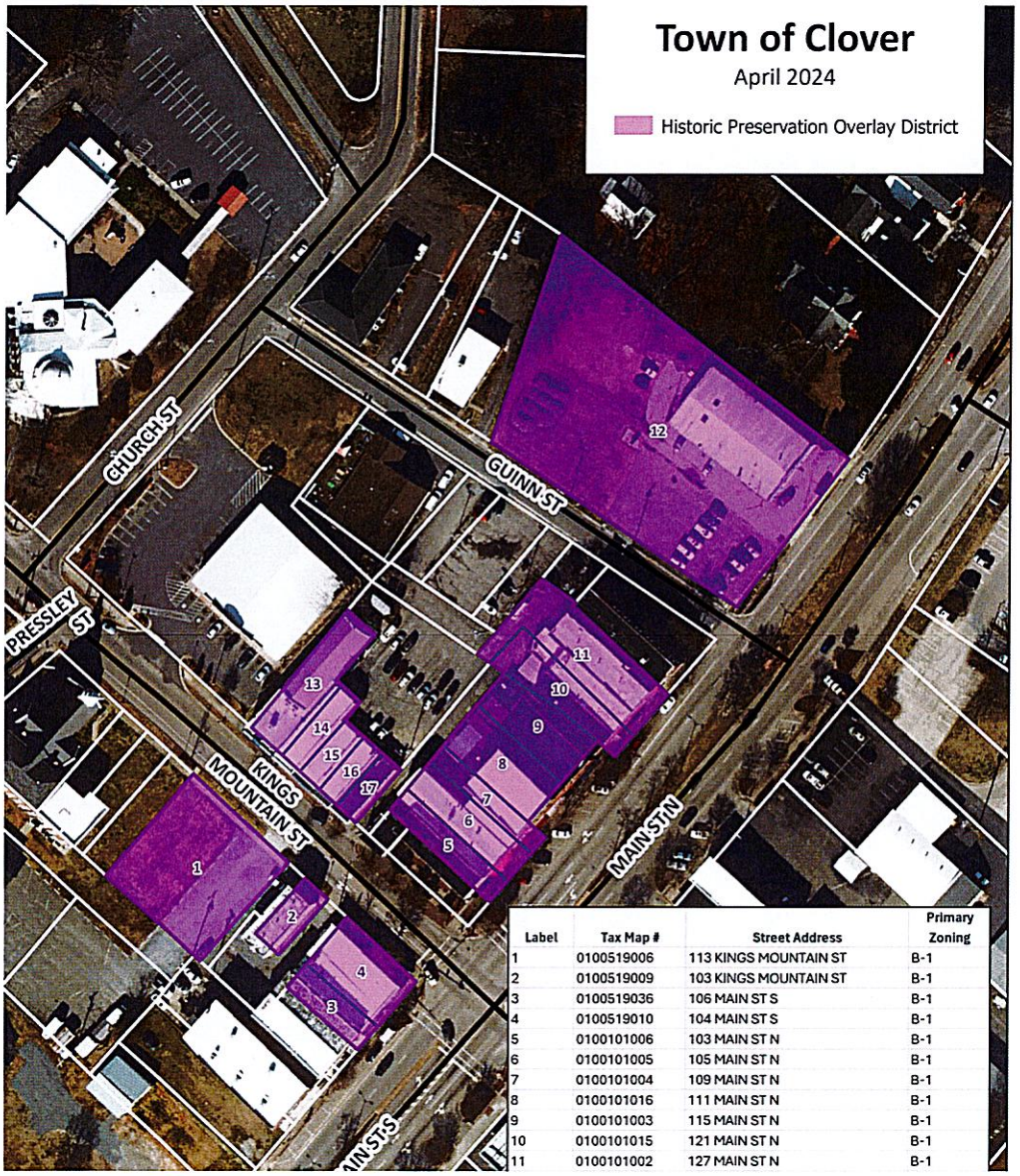
• Landscaping.

Example: Change, addition or removal of plantings. Note that while a COA is not required, zoning approval must be received to change or remove any required landscaping such as plants within a bufferyard.

The application for a Certificate of Appropriateness (COA) for any exterior work except for the exempt work listed above must be approved before a building or zoning compliance permit is issued. The ARB meets the first Wednesday of each month to review projects and consider COA applications.

Is my property in the Historic Preservation Overlay District?

View the HPOD Zoning Map to determine if your property is in the HPOD.



Label	Tax Map #	Street Address	Primary Zoning
1	0100519006	113 KINGS MOUNTAIN ST	B-1
2	0100519009	103 KINGS MOUNTAIN ST	B-1
3	0100519036	106 MAIN ST S	B-1
4	0100519010	104 MAIN ST S	B-1
5	0100101006	103 MAIN ST N	B-1
6	0100101005	105 MAIN ST N	B-1
7	0100101004	109 MAIN ST N	B-1
8	0100101016	111 MAIN ST N	B-1
9	0100101003	115 MAIN ST N	B-1
10	0100101015	121 MAIN ST N	B-1
11	0100101002	127 MAIN ST N	B-1

Economic Incentives

A summary of some of the research completed so far is in the following pages.

Bailey Act – Background and Steps to Enact

At this time, it does not appear that adopting the Bailey Act will provide enough incentive to be worth the effort to adhere to state regulations. The only tax relief we can provide are town taxes and that is likely not enough to encourage compliance.

The South Carolina Bailey Act (officially SC Code § 4-9-195 & § 5-21-140) is a state law letting local governments offer property tax breaks (freezing value at pre-renovation level for up to 20 years) for renovating historic buildings, and while it's a tool for revitalization, Anderson County itself hasn't adopted it for county-wide use, though individual cities might or other incentives are used, making it a topic of local discussion.

What the Bailey Act Does

- **Historic Preservation:** Encourages restoration of historic buildings by making projects more financially viable.
- **Tax Abatement:** Locks in a property's fair market value *before* renovations for up to 20 years, so taxes aren't increased on the value added by the improvements.
- **Local Option:** Requires a local government (city or county) to pass its own ordinance to implement it.

Bailey Act in Anderson County/City

- **Not County-Wide:** Reports indicate Anderson County has not implemented the Bailey Bill for county-level taxes, despite discussions about its benefits.
- **Local Discussions:** There's been public discussion and debate in Anderson County and the Upstate about why the county doesn't utilize this tool compared to other areas.
- **Other Incentives:** The county and city use other economic development tools, and the City of Anderson may offer incentives, but the Bailey Act specifically isn't widely applied at the county level.

To Use It (If Available in Your Specific Area):

1. **Check with Your Municipality:** Contact your specific city (like the City of Anderson) or Anderson County offices to see if they have an adopted Bailey Act ordinance or similar program.
2. **Historic Property:** The property must qualify as historic.
3. **Renovation:** Must undergo eligible rehabilitation.

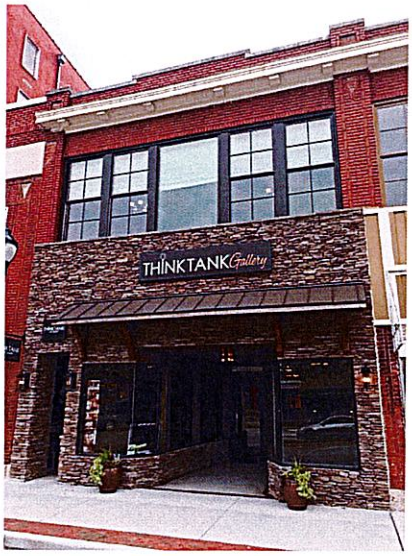
Municipal Association Newsletter

Economic Development Tools: Bailey Bill

The Bailey Bill is one of several property tax incentives available to cities and towns to encourage historic property rehabilitation. The law, found in SC Code of Laws Section 4-9-195 and Section 5-21-140, derives its name from former Rep. James Bailey.

The Bailey Bill allows local governments to lock in a special property tax assessment, based on the property's fair market value as it stood before rehabilitation, for a period of no more than 20 years. During this time, the property owner's local property tax payments do not factor in any increases in value because of eligible renovations.

The amount that the taxpayer saves can be significant, especially when combined with other available incentives. As such, the savings can make restoration projects economically feasible in situations where they otherwise would not be, providing an effective catalyst to spur revitalization in historic districts.





The Think Tank on Main at 206 Main Street in Uptown Greenwood, a project which used Bailey Bill incentives, now features office space for entrepreneurs. Photos: City of Greenwood.

The interior of the Think Tank on Main in Uptown Greenwood incorporates historic murals into the design. Photo: City of Greenwood.

Creating a Bailey Bill ordinance
To use the special assessment and maximize benefits, city and town governments need to set goals and push for cooperation with county governments. The first step in the process is to adopt a Bailey Bill ordinance that creates definitions on how the process will work locally. At minimum, the ordinance should define

- what historic structures qualify for the special assessment,
- how much money needs to be invested to qualify,
- what is a qualified rehabilitation expenditure,
- who certifies compliance of the rehabilitation project, and
- how long the special assessment will be offered.

Ideally, the city and county governments adopt identical ordinances. This allows property owners to maximize benefits by abating a portion of both city and county taxes. This requires considerable discussion, negotiation and coordination between officials from both local governments.

Since local governments set their own Bailey Bill rules, those looking to establish a new ordinance can look to the incentive structure found among those who have already created an ordinance. Beaufort, Camden, Columbia and Fort Mill are among those who have created Bailey Bill incentives, as well as Beaufort, Greenville and Richland counties.

Bailey Bill Certification
Once an ordinance is in place, property developers looking to benefit from the incentive will need to receive Bailey Bill certification for their targeted property from the taxing entity or entities.

Properties can receive preliminary certification for a two-year period if the owner applies for and receives a historic designation by the taxing entity and the proposed rehabilitation receives approval by the appropriate reviewing authority. A board of architectural review, the SC Department of Archives and History or another qualified historic preservation entity can grant this approval.

Final Bailey Bill certification requires that

- the property has its historic designation,
- the completed rehabilitation has approval from the appropriate authority, and
- the project has incurred minimum expenditures for rehabilitation as defined by the ordinance.

A property that receives final certification has a final valuation equal to the fair market value at the time of preliminary certification. Once a property is certified, it can potentially lose its certification as well. SC Code Section 4-9-195(E) covers the reasons, which include loss of historic designation and loss of approval on the rehabilitation work.

City of Columbia – Richland County

The County has passed the Bailey Act and so has the City of Columbia.

The City of Columbia South Carolina has adopted the Bailey Act and this is some information from their home page (https://planninganddevelopment.columbiasc.gov/historic-incentives/)

Bailey Bill Historic Properties Tax Abatement Program

An incentive for owners of historic buildings, this City of Columbia program may allow you to keep your building's assessed value at the same amount for 20 years. The property owner is required to make an investment of 20% in qualifying expenses to be eligible for the property tax abatement. Richland County also offers its own Bailey Bill which generally mirrors the City's program.

The Bailey Bill was passed by the state legislature in 1992 to give local governments the option of granting property tax abatement to encourage the rehabilitation of historic properties. Following amended state legislation in 2004, Columbia's City Council also adopted a local amended version of the bill in July of 2007.

All projects must be reviewed by the Design/Development Review Commission and your district's staff representative for eligibility prior to the start of work.

- Bailey Bill Information
- Bailey Bill Application
- Bailey Bill Ordinance

State Resources for Historic Preservation

The state archives web site has a lot resources on adopting ordinances and establishing historic preservation districts.

https://scdah.sc.gov/historic-preservation/programs/local-governments

One of the important designations is the Certified Local Government.

Certified Local Government

https://scdah.sc.gov/historic-preservation/programs/local-governments/clg

The State Historic Preservation Office (SHPO) administers the CLG program in partnership with the National Park Service (NPS) to facilitate funding, technical assistance, and training. Through local preservation programs, CLGs are better prepared to manage future growth and encourage economic development while protecting the historic and prehistoric resources that are significant to their community, to the state and to the nation.

Benefits

> Eligible to apply for federal grant funds set aside just for CLGs. It is ten percent of the state's total federal allocation for preservation. In South Carolina, this usually amounts to a minimum of $85,000 each year that only CLGs may apply to use. See our Grants web page.
>
> Training for the design review committee (board of architectural review) and networking with other CLGs. The statewide preservation conference includes sessions specifically for BAR members, and the SHPO has offered competitive scholarships to help pay for CLG staff and board chairs to attend conferences and workshops.
>
> Participation in statewide preservation planning programs.
>
> Comment on nominations of historic properties and districts in the community to the National Register of Historic Places before the nominations are considered by the State Review Board.

Requirements for Participation Local governments interested in joining the CLG program need to:

> Enforce appropriate state or local legislation for the designation and protection of historic properties. This means passage of a historic preservation ordinance that meets state guidelines for CLGs.

Establish an adequate and qualified historic preservation commission by state or local legislation.

Maintain a system for the survey and inventory of historic properties.

Encourage public participation in the local historic preservation program, including the process of recommending properties for nomination to the National Register.

Requirements are outlined in the SC Code of Regulations Chapter 12-101 "Guidelines for Implementation of Certified Local Government (CLG) Program in South Carolina."

State Statute

SECTION 5-21-140. Authority of municipalities to grant special property tax assessments to rehabilitated historic properties and low and moderate income rental properties.

The powers and authorities conferred upon county governing bodies by Section 4-9-195 are also conferred upon municipal governing bodies, mutatis mutandi.

HISTORY: 1990 Act No. 474, SECTION 2.

SECTION 4-9-195. Grant of special property tax assessments to "rehabilitated historic property" or "low and moderate income rental property".

(A) The governing body of any county by ordinance may grant the special property tax assessments authorized by this section to real property which qualifies as either "rehabilitated historic property" or as "low and moderate income rental property" in the manner provided in this section. A county governing body may designate, in its discretion, an agency or a department to perform its functions and duties pursuant to the provisions of this section in its discretion.

(1) All qualifying property may receive preliminary certification from the county governing body and upon this preliminary certification, the property must be assessed for two years on the fair market value of the property at the time the preliminary certification was made. 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.

(2) Upon completion of a project, the project must receive final certification from the county governing body in order to be eligible for the special assessment. Upon final certification, the property must 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 a completed project does not comply with all requirements for final certification, final certification must not be granted and any monies not collected by the county due to the special assessment must be returned to the county.

(3) 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.

(B) As used in this section:

(1) "Historic designation" means the owner of the property applies for and is granted historic designation by the county governing body for the purpose of the special property tax assessment based on one or more of the following reasons:

(a) the property is listed in the National Register of Historic Places;

(b) the property is designated as a historic property by the county governing body based upon criteria established by the county governing body and is at least fifty years old; or

(c) the property is at least fifty years old and is located in a historic district designated by the county governing body at any location within the geographical area of the county.

(2) "Approval of rehabilitation work" means the proposed and completed rehabilitation work is approved by the reviewing authority as appropriate for the historic building and the historic district in which it is located.

(3) "Minimum expenditures for rehabilitation" means the owner or his estate rehabilitates the building, with expenditures for rehabilitation exceeding the minimum percentage of the fair market value of the building established by the county in its ordinance. The county governing body may set different minimum percentages for owner-occupied property and income producing real property, between twenty percent and one hundred percent.

(4) "Special assessment period" means the county governing body shall set the length of the special assessment in its ordinance of not more than twenty years.

(5) "Preliminary certification" means a property has met the following conditions:

(a) the owner of the property applies for and is granted historic designation by the county governing body; and

(b) the proposed rehabilitation receives approval of rehabilitation work from the reviewing authority.

A county governing body may require that an owner applies for preliminary certification before any project work begins.

(6) "Final certification" means a property has met the following conditions:

(a) the owner of the property applies for and is granted historic designation by the county governing body;

(b) the completed rehabilitation receives approval of rehabilitation work from the reviewing authority; and

(c) the minimum expenditures for rehabilitation were incurred and paid.

(7) "Reviewing authority" for approval of rehabilitation work pursuant to this section is defined as:

(a) the board of architectural review in counties with a board of architectural review with jurisdiction over historic properties operating pursuant to Section 6-29-870;

(b) in counties without a board of architectural review with jurisdiction over historic properties, the county governing body may designate another qualified entity with historic preservation expertise to review the rehabilitation work; or

(c) if the county governing body does not designate another qualified entity, the Department of Archives and History shall review the rehabilitation work. No separate application to the department is required for properties receiving preliminary and final approval for the federal income tax credit allowed pursuant to Section 47 of the Internal Revenue Code or the state income tax credit allowed pursuant to Section 12-6-3535.

(8) "Rehabilitated historic property" means the property has met all the criteria for final certification.

(C) "Low and moderate income rental property" is eligible for certification if:

(1) the property provides accommodations under the Section 8 Program as defined in the United States Housing Act of 1937 and amended by the Housing and Community Act of 1974 for low and moderate income families and persons as defined by Section 31-13-170(p); or

(2) in the case of income-producing real property, the expenditures for rehabilitation exceed the appraised value of the property; and

(3) if the low and moderate income housing rehabilitation is located in an area designated by the local government as a Low and Moderate Housing Rehabilitation District; and

(4) the owner or estate of any property certified as "low and moderate income rental property" takes no actions which cause the property to be unsuitable for such a designation. The county governing body granting the initial certification has the authority to decertify property in these cases, and the property becomes immediately ineligible for the special tax assessments provided for this type of property; and

(5) if the property qualifies as "historic" as defined in subsection (B)(1), then the rehabilitation work must be approved by the appropriate reviewing authority as provided in subsections (B) and (D).

(D) The Department of Archives and History may provide training and technical assistance to counties and procedures for application, consideration, and appeal through appropriate regulations for "rehabilitated historic property" provisions of the law. The governing body may establish fees for applications for preliminary or final certification, or both, through the ordinance or regulations.

(E) When property has received final certification and is assessed as rehabilitated historic property, or low or moderate income rental 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 by the owner to the county to remove the preferential assessment;

(2) removal of the historic designation by the county governing body;

(3) decertification of the property by the local governing body as low or moderate income rental property for persons and families of moderate to low income as defined by Section 31-13-170(p);

(4) rescission of the approval of rehabilitation work by the reviewing authority because of alterations or renovations by the owner or his estate which cause the property to no longer possess the qualities and features which made it eligible for final certification.

Under no circumstances shall the sale or transfer of ownership of real property certified and assessed in accordance with this section and any ordinance in effect at the time disqualify the property from receiving the special property tax assessment under this section. This provision shall be applicable and given full force and effect to any special property tax assessment granted prior to the effective date of this paragraph notwithstanding any ordinance in effect from time to time to the contrary.

Notification of any change affecting eligibility must be given immediately to the appropriate county taxing and assessing authorities.

(F) If an application for preliminary or final certification is filed by May first or the preliminary or final certification is approved by August first, the special assessment authorized by this section is effective for that year. Otherwise it is effective beginning with the following year.

(G) Once the governing body has granted the special property tax assessments authorized by this section, the owner of the property shall make application to the auditor for the special assessment provided for by this section.

(H) A property certified to receive the special property tax assessment under the existing law continues to receive the special assessment in effect at the time certification was made.

HISTORY: 1990 Act No. 474, § 1, eff May 14, 1990; 1992 Act No. 375, §§ 1-4, eff May 19, 1992; 2004 Act No. 292, § 1, eff August 16, 2004; 2010 Act No. 182, § 5, eff May 28, 2010.

Effect of Amendment

The 1992 amendment revised (A)(1) and (2), (B)(4) and (5), and (C), and added subsection (H).

The 2004 amendment rewrote this section.

The 2010 amendment rewrote subsection (E).