AN ORDINANCE TO AMEND THE CODE OF ORDINANCES

ORDINANCE NO. 2026-02

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

AN ORDINANCE OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA AMENDING THE EXISTING CODE OF ORDINANCES OF THE TOWN OF PAWLEYS ISLAND

INTENT

It is the intent of this ordinance to preserve the history and character of the Town of Pawleys Island by protecting the historic and architecturally valuable districts, buildings and structures in the Town of Pawleys Island. This ordinance outlines processes aligned with the SC State Historic Preservation Office criteria for the Town to become designated as a Certified Local Government. This ordinance outlines eligibility criteria that constitute a property for designation as a historic property and gives the Town the ability to govern the right of property owners to erect, demolish in whole or in part, or alter the exterior appearance of a historic building. This ordinance is the cornerstone of a formalized historic preservation program which enables the Town to establish a Historic Preservation Board, develop and amend historic property design guidelines, and assist property owners with financial incentives and other benefits such as flexibility in the application of other sections of the Unified Development Code. The Code of Ordinances would be amended to add *Part II: Unified Development Code, Article 13 Historic Preservation*

WHEREAS, in order to assist in achieving the historic preservation goals outlined above, the Code of Ordinances of the Town of Pawleys Island is to be modified,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED), THAT:

The existing Code of Ordinances be modified to incorporate *Part II: Unified Development Code, Article 13 Historic Preservation* with full text attached.

This Ordinance shall take effect and amend the existing Code of Ordinances of the Town of Pawleys Island, and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinances moved by Paul Groce and seconded by Sarah Zimmerman and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Paul Groce, Sarah Zimmerman, Mark Hawn, John LaMaster, Mayor Brian Henr

Those opposed:

Date of First Reading: July 13, 2026
Date of Public Hearing: July 13, 2026
Date of Second Reading:
Date of Planning Commission Review: June 4, 2026
Planning Commission Recommendation: Approve

APPROVED: _____ DATE: 9/21/26
Brian Henry, Mayor

ATTEST: _____ DATE: 9-21-2026
Corey Higdon, Town Clerk

1. **Purpose**
2. **Definitions**
3. **Historic Preservation Board (HPB) Formation, Composition, Role and Responsibilities**
4. **Local Historic District Designation and Change Process**
5. **Local Historic Property Designation and Change Process**
6. **Local Historic Property Designation and Restoration Criteria**
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1. PURPOSE

This Ordinance is adopted in accordance with South Carolina Code of Laws Section 6-29-710 and Section 6-29-870 et seq. (1976 as amended) to provide for the preservation and protection of historic and architecturally valuable districts, buildings and structures in the Town of Pawleys Island (the "**Town**"). Its purpose is to encourage the identification, protection, preservation and enhancement of the unique and special character of the defined districts, buildings and structures by means of restrictions and conditions governing the right to erect, demolish in whole or in part, or alter the exterior appearance of historic buildings and structures within such areas.

In support of the mission to preserve the history and character of the Town, the Town seeks to gain and maintain a Certified Local Government (CLG) designation. This Ordinance is further designed to ensure the Town is in compliance with *SC Criteria for Participation in South Carolina's Certified Local Government (CLG) Program*.

This Ordinance and its resulting processes and protections will position the Town to best preserve its heritage by preserving and improving historic buildings and structures representing the distinctive Pawleys Island aesthetic often known as "arrogantly shabby", the relaxed and unpretentious coastal style that has long defined Pawleys Island.

The Island boundaries of ocean and tidal creek present unique challenges with current building, flood design and insurance standards making historical preservation increasingly challenging. This Ordinance provides the Town expanded abilities to offer Local Historic Property owners both incentives and pathways for improvement and preservation of buildings and structures that define the historic character of Pawleys Island.

2. DEFINITIONS

A. **Building Permit.** Required for construction, improvements, demolition, etc. on all properties per Town Unified Code Section 3-6. Local Historic Properties require a Certificate of Appropriateness in order that a Building Permit may be applied for and issued for any exterior work as described in Section 7 of this Ordinance.

B. **Certificate of Appropriateness (COA).** The COA is the official document (in the form designated by the HPB) issued by the HPB approving exterior alteration, modification, addition, moving, reconstruction, restoration or demolition to any Local Historic Property. Upon issuance of a COA, a Building Permit may be applied for and issued.

C. **COA Permit Application.** The application requesting a COA, in the form designated by the HPB.

D. **Historic Nomination Application.** The application packet prepared and provided to the HPB for nominating a district, building or structure, for listing (or de-listing due to an unavoidable change to the site per Section 5(G)) on the Local List, in the form designated by the HPB. The Historic Nomination Application for a district shall be signed by the person(s) making the nomination, and the Historic Nomination Application for a building or structure shall be signed by the person(s) making the nomination and by all of the owners of the building or structure.

E. **Historic Preservation Board (HPB).** The Historic Preservation Board approves or denies Historic Nomination Applications, approves or denies COAs, creates and maintains the Local List, recommends designations of Local Historic Properties to the Town Council, and otherwise carries out the matters delegated to it by this Ordinance.

F. **List of Local Historic Properties for The Town of Pawleys Island (Local List).** The public record list of all Local Historic Properties recommended by the HPB, approved by the Town Council and added to the Local List.

G. **Local Historic District.** The Local Historic District, created in 2026 per this Ordinance, is an area recommended by the HPB and designated by the Town's Town Council. The Local Historic District contains significant historic buildings and structures and has within its boundaries other buildings and structures that are not of such historic and/or architectural significance to be designated as Local Historic Properties, but which, nevertheless, contribute to the overall visual characteristics of the Local Historic District. Architectural standards defined in this Ordinance apply to Local Historic Properties.

H. **Local Historic Property**. Any building or structure that has been locally and individually designated by the Town Council of the Town. Such buildings and structures are on the Local List that is maintained by the Historic Preservation Board

I. **State Historic Preservation Office (SHPO).** The SHPO was established in 1969 to implement the goals of the National Historic Preservation Act of 1966, which extended

federal support to state and local preservation efforts. The SHPO is a program of the South Carolina Department of Archives and History.

J. **Town Unified Code.** Refers to the Town's Unified Development Code, or "zoning code", that applies to all Town structures, buildings and properties, regardless of historic designation status. This Ordinance defines requirements for Local Historic Properties that may differ from Town Unified Code requirements for non-Local Historic Properties.

K. **Town Zoning Map**. All locally designated Local Historic Properties and the Local Historic District shall be clearly shown on the zoning map.

3. HISTORIC PRESERVATION BOARD (HPB) FORMATION, COMPOSITION, ROLE AND RESPONSIBILTIES

A. The Historic Preservation Board, no less than 30 days from the passage of this Ordinance, will be formed and its members appointed by Town Council.

B. The HPB will have overall oversight of historic preservation in the Town.

C. The HPB will recommend and oversee preservation plans and will coordinate with the Town Planning Commission to ensure preservation plans are aligned with the Town's Comprehensive Plan.

D. The HPB will consist of not less than five members and not more than seven members appointed by Town Council. Initial appointments shall be one, two or three years, as determined by Town Council, staggered so that specified members shall have terms expiring each year. Subsequent appointments shall then be for terms of two years. Members shall serve until their successors are appointed and qualified.

E. No member of the HPB shall be the holder of an elected public office in the Town or member of another official Board, Commission or Committee of the Town. The exception is service on a special (temporary) Committee.

F. HPB members must be owners of real property in the Town, or members of the owning family, or family of owners of a limited liability company holding property in the Town, or trustees of a trust holding property on Pawleys Island, or eligible voters in local Town elections.

G. HPB members work without compensation except for reimbursement for authorized expenses attendant to the performance of their duties, and are considered citizen volunteers.

H. Any member of the HPB may be removed by the Town Council for repeated failure to attend meetings of the HPB or for any other cause deemed sufficient by the Town Council. If any place on the HPB becomes vacant due to resignation, removal or for any other reason, the Town Council shall appoint a replacement within 60 days for the remainder of the unexpired term.

I. The HPB chairperson and vice-chairperson shall be elected by the HPB's members.

J. HPB members shall have a demonstrated interest, competence or knowledge of historic preservation with some members possessing credentials in architecture, history, architectural history and/or construction. The Town may invite outside volunteers to augment the HPB if there is a need for additional expertise from experts outside the Town who are interested in serving. These outside volunteers shall act as advisors and shall not be voting members of the HPB.

K. HPB members with a conflict of interest of any sort will recuse themselves from involvement on matters of specific conflict.

L. The HPB acts as an advisory and regulatory body of the Town. Any member of the HPB acting within powers granted by this Ordinance shall be relieved from personal liability for any damage and held harmless by the Town. Any suit brought against any member of the HPB shall be defended by a legal representative furnished by the Town until the termination of the proceedings.

M. The HPB will meet publicly no less than three times a year. Meetings will be publicly posted and announced in advance.

N. Minutes of every HPB meeting will be kept and published for public viewing.

O. The HPB will, upon its creation, create and adopt by-laws and procedures that support this Ordinance.

P. The HPB will create and maintain the Local List, the Town Zoning Map of the Local Historic District and Local Historic Properties and will ensure the Town Administrator posts a public (online) update of the Local List.

Q. The HPB will also maintain the historic resources survey and the full inventory list of all properties within the Local Historic District, with accompanying information regarding age, nomination history and designation status.

R. The HPB will recommend buildings and structures for designation as Local Historic Properties to Town Council (per Section 4) as well as any changes to the initially designated Local Historic District.

S. The HPB may conduct first review and evaluation of proposed nominations for the National Register of Historic Places for buildings and structures within the Town, prior to consideration by the State Board of Review. The HPB may send their recommendations to the SHPO for consideration at the meeting of the State Board of Review. The HPB shall not nominate buildings or structures directly to the National Register of Historic Places; only the State Board of Review shall have this final review authority.

T. The HPB will file an annual report to the Town Council.

4. LOCAL HISTORIC DISTRICT DESIGNATION AND CHANGE PROCESS

A. The initial Local Historic District designated by the Town Council and set out in the Town Zoning Map is the contiguous natural historic Island, bordered by the Atlantic Ocean on the east, Pawleys creek on the west, Midway Inlet on the north and Pawleys Inlet on the south. This border is set based on the history of the Island over the course of South Carolina's history. Historic properties are located along the entire Island length from north to south.

B. Any subsequent changes to the Local Historic District will be initiated and recommended to Town Council via submission of a Historic Nomination Application by the HPB, a member of Town Council or a member of the HPB.

C. The public will be given the opportunity, through notices and hearings, to provide public comments regarding any changes to the Local Historic District.

D. Signs noting entry into the Local Historic District will be designed by, coordinated, erected and maintained by the HPB and the Town.

5. LOCAL HISTORIC PROPERTY DESIGNATION AND CHANGE PROCESS

A. Nomination of a Local Historic Property is via creation and submission of a Historic Nomination Application to the HPB. Designation of a Local Historic Property is via HPB recommendation to Town Council. Upon Town Council approval, the Local Historic Property will be added to the Local List. The individual building or structure approach is often referred to as "landmarking".

B. The Historic Nomination Application will include a standard SHPO Survey Application Form 2018 (as amended and revised from time to time), completed and supplemented with photographs, narratives and other data and information as directed by the Historic Nomination Application instructions.

C. Nominations for any Local Historic Property may be submitted to the Historic Preservation Board by a member of Town Council, a member of the HPB or by the owner(s) of the building or structure.

D. Nominations will be considered in a previously announced public meeting by the HPB that will include owner (or representative) and public input.

E. No Town permits (including Building Permits, Certificates of Appropriateness or demolition permits) shall be issued for any reason while a property nomination is pending, unless for emergency work or maintenance.

F. Designation will be transferred from owner to owner without need for new owners to re-apply. The HPB shall file a document in the public property records of Georgetown County evidencing designation of the building or structure as a Local Historic Property.

G. Designation of a Local Historic Property is binding in perpetuity unless there is an unavoidable change to the building or the structure such as natural disaster or fire. Example: hurricane damage that destroys the building or structure beyond repair. A Historic Nomination Application to remove the historic designation must be filed, public input allowed, approval recommended by the HPB and approval by Town Council.

H. If a Historic Nomination Application is not recommended for approval by the HPB, the HPB will provide responses to the applicant accompanied by information detailing reasons for non-approval and recommendations (if such apply) regarding actions that may qualify the property at a future time. Assuming such recommended actions are completed, the nomination can be re-submitted.

I. Appeals of submissions not recommended for approval by HPB may be filed in writing to the HPB within 30 days and will be reconsidered. If not approved, a final appeal may be filed with the Town Zoning Board of Appeals within 30 days of second HPB denial. Nomination at a later time will again be allowed if reasons for non-approval are rectified.

J. If approved, the full Historic Nomination Application form with attachments will be filed with the SHPO in order to update the South Carolina Statewide Survey of Historic Properties.

K. All properties on the Local List are under the jurisdiction of this Ordinance as well as any property that is submitted for addition via a Historic Nomination Application, until final recommendation by the HPB and determination by Town Council.

L. Public participation in the local historic preservation program is both welcomed and encouraged. Members of the public are encouraged to attend HPB meetings and to support Historic Nomination Applications.

M. Owners of property proposed to be designated as Local Historic Properties or to be no longer designated as Local Historic Properties shall be notified in writing 30 days prior to formal consideration by the HPB.

N. The process for recommendation by the HPB and approval by Town Council shall be conducted in a timely manner.

6. LOCAL HISTORIC PROPERTY DESIGNATION AND RESTORATION CRITERIA

Buildings and structures will satisfy the following criteria for designation as Local Historic Properties and addition to the Local List:

A. Age and location:
   1. Be within the limits of the Local Historic District; and
   2. An original construction date of 1954 or earlier (i.e., the property survived Hurricane Hazel).

B. Architectural characteristics and style will be representative of the Island's history, i.e. the "Pawleys Island Look" as further described in the Town's *Architectural Design Guidelines*.

C. Additional consideration for buildings or structures nominated as Local Historic Properties will be given to buildings or structures that:
   1. Were part of the development or heritage of the Town and/or are the site of an event significant in the history of Pawleys Island;
   2. Has craftsmanship that renders it significant;
   3. Contributed to the development, heritage or culture of the Town, State, or the United States;
   4. Is associated with the lives of persons significant in local, state, or national history; and/or
   5. Is identified with an architect or builder whose work has influenced the development of the Town or the State of South Carolina.

D. In order for a Certificate of Appropriateness to be approved, repairs and improvements to a Local Historic Property must meet the following criteria to the extent determined by the HPB to be practicable in the circumstances:
   1. Minimal changes to distinctive materials, features, spaces and spatial relationships:
   2. The historic character of the building or structure shall be retained and preserved;
   3. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterizes a building or structure will be preserved; and
   4. Deteriorated historic features will be repaired rather than replaced.

E. New additions to Local Historic Properties shall also be subject to the following:
   1. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the historic building or structure.
   2. The new addition will be compatible with the historic materials, features, size, scale, and proportion and massing to protect the integrity of the historic building or structure and its environment.

3. The new addition will be constructed at the rear or side of the historic building or structure to result in minimal impact to the front façade of the building or structure.
4. The new addition must be a smaller mass than the original historic building or structure, so that the original historic building or structure remains dominant. Additions are intended to be minor in scope.
5. The new addition and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic building or structure and its environment would be unimpaired.
6. A new addition to an original historic building that has suffered repetitive losses as a result of recurring flooding will be elevated to the greatest practical height possible to protect from flooding while also maintaining consistency with the historic appearance. Elevating to Town DFE height is ideal, but such may be exempted if a more practical height preserves historic appearance. The height of the addition should also not exceed Town DFE requirement; it should be no higher than allowed for new construction.

7. HISTORIC BUILDING IMPROVEMENTS- REPAIR, PRESERVATION, REHABILITATION, RESTORATION, RECONSTUCTION, DEMOLITION

A. Due to their architectural importance, Local Historic Properties designated to the Local List are subject to more stringent limitations on exterior modification and alteration than properties not designated and therefore a COA may be required before any Building Permit can be issued for exterior work on a Local Historic Property. Approval of a COA Permit Application, when required, is contingent upon compliance with Section 6 Local Historic Property Designation and Restoration Criteria.

B. A COA, once approved, signed and issued, allows the owner or agent to then apply for a Building Permit.

C. The HRB shall have approval authority for all COA Permit Applications.

D. The HPB authorizes the Town Building Department to approve, sign and issue a COA for defined levels of work set forth in Section 7(E)(2) below.

E. COA requirements differ based on location, visibility and degree of work:

1. **Minor Repairs and Interior Repairs or Renovations.** Repairs, maintenance and minor work to Local Historic Properties, which do not alter the exterior appearance, are exempted from the COA requirement. The Town's HPB review oversight and process, and this Ordinance, do not apply to interior changes to a Local Historic Property that have no impact on the exterior appearance of the Local Historic Property.
2. **Exterior Non-Altering Work.** Work that is beyond a repair but does not alter the design, materials, or the outer appearance of a Local Historic Property requires a COA, and the COA may be signed and issued by the Building Department. This includes fences, house historical signs, roof replacement/ roof materials, canopies, awning replacement, like-kind door or window replacement, façade repair that restores (vs. alters) appearance, demolition of noncontributing structures (sheds, etc), driveway or walkway repair or replacement.

3. **Exterior Façade Altering Work.** Construction, renovations, additions or major repairs that alter design, materials or outer appearance of a Local Historic Property require HPB review and approval. If approved the COA may be signed by the HPB chairperson or vice chairperson.

F. COA Permit Application Submission, Approval, and Issuance

1. The COA Permit Application is available from the Town Building Department. COA Permit Applications shall be signed by the owner(s) or authorized agent and shall be delivered no less than 15 days prior to a public hearing of the HPB (if level of work requires full HPB review).
2. The COA Permit Application will include drawings, plans and exterior elevations to scale with sufficient details to show the exterior architectural appearance of the building or structure both prior to and after completion. Photographs and other visual aids that assist the HPB to understand the extent of work scope are encouraged. Site plans or layouts are necessary to show the view of the property and impacts of fences and vegetation.
3. The COA Permit Application process requires no additional fee other than the Building Permit fee. Once a COA is issued, issuance of a Building Permit, inspections, fees, etc. are all in accordance with the standard Building Permit process as outlined in the Town Unified Code.
4. If a COA Permit Application is not approved by the Building Department or the HPB, the Building Department or the HPB (as applicable) will provide responses to the applicant accompanied by information detailing reasons for non-approval and recommendations (if such apply) regarding actions that may qualify the property at a future time.
5. The applicant may submit an amended application to the entity that reviewed the initial application (Building Department or HPB) incorporating those recommendations set forth in Section 7(F)(4). Such an amended application shall be subject to the same procedures as an initial application.
6. In the case of the disapproval of a COA by the Building Department (for Non-Altering Work) the COA Permit Application may be forwarded to the full HPB for review and consideration upon request of the applicant.
7. In the case the disapproval of a COA by the HPB and subsequent denial of a resubmission, the application may not be considered again for one year unless the applicant can adhere to suggestions to secure approval or can demonstrate a substantial change in circumstances relevant to the application.
8. Upon issuance of a COA, the applicant has 90 days to apply for a Building Permit. Beyond 90 days, the applicant will be required to re-submit a COA Permit Application.
9. Work performed pursuant to the issuance of a COA shall conform to the requirements of such Certificate, if any. The Town may inspect from time to time any work performed pursuant to a COA to ensure such compliance.

G. Where repairs must be performed in an emergency situation, the COA Permit Application shall be submitted to the Town Building Department as soon as reasonably practicable

considering the emergency circumstances. In case of an individual or Island-wide emergency, the HPB or the Town Council may waive certain requirements of this Section 7 in order to streamline the process.

H. Violations of this Ordinance shall be subject to the following penalties:

1. At the discretion of the Town Building Department, fines identical to those for Building Code violations as defined in Sections 3-6.10 and 3-6.11 of the Town Unified Code;
2. Subject to HPB recommendation and Town Council approval, removal of a Local Historic Property from the Local List;
3. Subject to HPB recommendation and Town Council approval, loss of some or all of the Local Historic Property exceptions/exclusions/benefits set forth in Section 9; and/or
4. At the discretion of the Town Building Department, the Town Building Department may require reinstatement, reconstruction or replacement of a Local Historic Property or any part thereof that was demolished or changed in any way without the requisite approvals required by this Ordinance.

I. The Secretary of the Interior's Standards for Treatment of Historic Properties (36 CFR Part 68) as well as this Ordinance's Section 6 Local Historic Property Designation and Restoration Criteria are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility, as well as the property's significance, existing physical condition, and available documentation.

J. DEMOLITIONS

1. Demolition of any structure on the List of Local Historic Properties for the Town of Pawleys Island requires a COA Permit Application for demolition and resulting full HPB review and approval, including public input.
2. Demolition may be delayed by the HPB for up to 180 days. During such delay, the HPB may work with the property owner(s) and investigate possible options to preserve rather than demolish the Local Historic Property.
3. The HPB shall inform the community concerning the threat to the Local Historic Property, its value as part of the fabric of the community and, through publicity and contacts with civic groups and others, seek support for preserving the Local Historic Property.

K. DEMOLITION BY NEGLECT.

1. In the event that the Town finds that a Local Historic Property on the Local List appears to be threatened with destruction or loss due to failure on the part of the property owner to properly maintain or repair the Local Historic Property, the HPB shall issue a letter instructing that repairs be made and will include the defects in the Local Historic Property which must be remedied.
2. The owner(s) of record of the subject property shall be notified by the HPB that necessary stabilization repairs must be commenced and completed within reasonable timeframes specified by the HPB.

3. In accordance with this Ordinance, the owner(s) must submit a COA Permit Application and the Town will, if the COA Permit Application is approved, issue a COA and then, if a Building Permit application is approved, issue a Building Permit for repairs.

4. If the owner(s) objects to the HPB's request as outlined in the letter, the owner(s) shall have the right to a hearing before the Town's HPB. The owner(s) must make a request to the HPB for a hearing on the question of whether demolition by neglect in fact exists within 30 days of receipt of the letter and the hearing will occur no later than the next scheduled HPB meeting. The property owner(s) and any other interested parties may present their concerns at the hearing.

5. The property owner(s) may apply for an exemption based on the substantial hardship of maintaining the Local Historic Property according to this Ordinance. Substantial hardship is to be considered by the HPB where one or more of the following unusual and compelling circumstances exist: (a) provided that the property owner(s) have used their reasonable efforts to maintain the building or structure, the building or structure cannot reasonably be further maintained in the manner contemplated by this Ordinance; or (b) there are no other reasonable means of saving the building or structure from deterioration or collapse.

6. The HPB shall inform the community concerning the threat to the Local Historic Property, its value as part of the fabric of the community and, through publicity and contacts with civic groups and others, seek support for preserving the Local Historic Property.

8. APPEALS.

A. Any person may appeal a decision of the Town Building Department to the HPB.

B. Any person may appeal a decision of the HPB or the Board of Zoning Appeals to the Courts of South Carolina pursuant to South Carolina Code of Laws Section 6-29-900 et sequitur. A duly verified petition, setting forth why the decision of the deciding Town entity is contrary to law in whole or in part and specifying the ground of illegality shall be presented to the Court within 30 days after the filing of the decision of that Town entity.

9. LOCAL HISTORIC BUILDING CODE EXCEPTIONS AND EXCLUSIONS (BENEFITS).

A. Any building or structure that has been designated as a Local Historic Property through the defined process set forth in this Ordinance shall be considered conforming to Town Unified Code ordinances that apply to height, setback, yard, area and other dimensional requirements; provided that a Local Historic Property will still be limited to not more than 4,000 square feet of enclosed heated living space pursuant to Section 3-5.8(B) of the Town Unified Code. The intent is to preserve Local Historic Properties instead of changing, moving or demolishing Local Historic Properties.

B. The HPB may grant an exemption from the FEMA and Town Unified Code "substantial improvement" rules that generally require that if the cost of repair, reconstruction, rehabilitation, addition or other improvement of a building or structure in a flood zone equals or exceeds 50% of the market value of that building or structure (before such

improvement, and not including land), then the entire building or structure must be brought up to current, compliant standards applicable to new construction, including height requirements and flood resistant standards; provided that:

1. Such exemption cannot apply to a building or structure that has suffered repetitive losses as a result of recurring flooding;
2. Such exemption would only apply to the historic building or structure, not to any ancillary, stand-alone buildings or structures such as garages or sheds;
3. Such exemption would not fully apply to infrastructure such as electrical, ventilation, plumbing, heating and air conditioning equipment (including ductwork) and other service facilities, which should be elevated and in compliance with Town Unified Code to the extent reasonably practical and consistent with the historic appearance of the historic building or structure;
4. The owner shall utilize flood resistant materials and building techniques wherever possible and consistent with the historic appearance of the historic building or structure; and
5. Such an exemption shall be considered by the HPB as part of the approval process for a COA, and if approved the HPB shall recommend the exemption for approval by the Town Council.

C. Federal and state tax credits are available based on the type of historic designation, the property usage (income property vs owner occupied) and other requirements stipulated by federal and state tax codes. A summary of possible tax credits is available from the Town Building Department.

D. Georgetown County supports the improvement of qualified historic properties through property tax relief. A summary of possible property tax relief is available from the Town Building Department.

E. The National Flood Insurance Program (NFIP) offers flood insurance options specifically designed for historic properties. These subsidies are beneficial for historic properties that may be at a higher risk for flood damage due to location and age. A summary of possible insurance advantages is available from the Town Building Department.

F. Subject to approval by Town Council, there is potential exemption from Town future taxes or fees, should such ever be levied.

G. Subject to approval by Town Council, there is potential relief from Town Special Assessments in the future.

H. The HPB will designate a standard historical placard for Local Historic Properties that owners may display. Local Historic Properties will be public record and available for use in house descriptions, marketing and advertising.

10. CONFLICTS

In the event of any conflicts between this Ordinance and the other provisions of the Town Unified Code, the provisions of this Ordinance shall govern and control.