

ORDINANCE # 2026-05

AN ORDINANCE AMENDING THE CLARENDON COUNTY UNIFIED DEVELOPMENT CODE REGARDING ADMINISTRATIVE APPROVAL OF MANUFACTURED HOMES WITHIN THE PERFORMANCE ZONE AND OTHER MATTERS RELATED THERETO

WHEREAS, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Clarendon County broad authority to provide of variety of services and functions within its jurisdiction, including but not limited to, utility planning, programming, and construction; transportation planning, programming and construction; land use planning and regulation; economic development planning and programming; and similar activities and services; and

WHEREAS, Title 6, Chapter 29, et. seq., Code of Laws of South Carolina (SCCL), the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, hereinafter referred to as Section 6-29, provides the statutory enabling authority for Clarendon County to engage in planning and regulation of development within its jurisdiction; and

WHEREAS, the County Council adopted a Comprehensive Plan (Ordinance 2018-11) on December 10, 2018, pursuant to the requirements of Section 6-29-510, et. seq. SCCL; and

WHEREAS, the Planning Commission (PC) is the designated local planning commission pursuant to the requirements of Section 6-29-310, et. seq.; and

WHEREAS, Clarendon County Council (the "Council") is empowered to enact ordinances for the implementation and enforcement of powers granted to Council pursuant to Sections 4-9-30, S.C. Code of Laws, Ann. (1976), as amended, and to exercise such other powers as necessary to promote the health, safety, and welfare of Clarendon County;

WHEREAS, pursuant to Title 6, Chapter 29 of the South Carolina Code of Laws, the Council is authorized to regulate land use and development within its jurisdiction through zoning and development regulations;

WHEREAS, the Council has adopted the Clarendon County Unified Development Code (the "UDC") to guide and manage growth and development in a manner that promotes orderly development and protects the public interest;

WHEREAS, the UDC establishes the Performance Zone (PZ) as a zoning district intended to evaluate development based on performance standards, compatibility criteria, and site-specific conditions rather than strict use classifications;

WHEREAS, manufactured homes are a permitted form of residential housing within certain zoning districts of the County and are subject to applicable design, installation, safety, and compatibility standards under the UDC;

WHEREAS, the County has experienced ongoing inquiries and applications for manufactured homes within the Performance Zone, resulting in the need to clarify the applicable approval process and ensure consistent and efficient administration of the UDC;

WHEREAS, the Clarendon County Planning Commission has reviewed proposed amendments to the UDC related to manufactured homes and has recommended that County Council clarify the approval process when all applicable standards are satisfied;

WHEREAS, the Council finds that when a proposed manufactured home complies with all applicable provisions of the UDC, including performance standards, site development requirements, and applicable state and federal regulations, the approval of such use should be administrative and ministerial in nature;

WHEREAS, the Council further finds that clarifying the administrative approval process will promote efficiency, reduce unnecessary delays, provide predictability to applicants, and ensure consistent application of the UDC;

WHEREAS, the Council has determined that it is in the best interest of the citizens of Clarendon County to amend the UDC to clearly establish that manufactured homes within the Performance Zone may be approved administratively when all applicable standards are met; "See Exhibit A attached hereto and incorporated herein by reference."

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF CLARENDON COUNTY, SOUTH CAROLINA, IN DULY ASSEMBLED MEETING:

SECTION 1. AMENDMENT TO UNIFIED DEVELOPMENT CODE

The Clarendon County Unified Development Code is hereby amended by adding the following provision:

ARTICLE III – PERFORMANCE ZONE

Section 36. Manufactured Homes – Administrative Approval

Purpose and Intent

The purpose of this section is to clarify that manufactured homes located within the Performance Zone are subject to administrative approval by County staff when all applicable provisions of the Unified Development Code are satisfied.

II. Administrative Approval Required

Manufactured homes proposed within the Performance Zone shall be approved administratively by the Planning Director or designee upon verification that all applicable standards of the Unified Development Code have been met.

III. Applicable Standards

Administrative approval shall be granted only when the manufactured home complies with all applicable requirements, including but not limited to:

- (a) Article III – Permitted, Conditional, and Accessory Uses;*
- (b) Article V – Site Development Criteria, including access, stormwater, and environmental standards;*
- (c) Article III, Section 36 – Performance Zone compatibility and performance standards; and*
- (d) All applicable state and federal regulations, including manufactured housing installation, utility approvals, and safety standards.*

(e) Minimum setbacks shall comply with all applicable front, side, and rear yard requirements for residential uses within the Performance Zone, as set forth in Article V – Site Development Criteria and other applicable provisions of the Unified Development Code.

IV. Ministerial Determination

Upon confirmation that all applicable requirements have been satisfied, approval of a manufactured home within the Performance Zone shall be ministerial and non-discretionary. No additional compatibility review, Planning Commission approval, special exception, or discretionary action shall be required unless expressly mandated by the Unified Development Code or state law.

V. Limitations

Nothing in this section shall be construed to:

- (a) Waive or reduce any development, design, safety, or performance standard contained in the Unified Development Code;*
- (b) Eliminate Planning Commission or Board of Zoning Appeals authority where discretionary review is expressly required by the UDC; or*
- (c) Supersede any applicable state or federal regulation.*

CODIFICATION

The Planning Director and County staff are authorized and directed to codify these amendments and make any necessary changes to section numbering, formatting, and internal cross-references required to properly incorporate this Ordinance into the Unified Development Code.

SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

EFFECTIVE DATE

This Ordinance shall become effective upon approval following a public hearing and third reading by County Council.

ADOPTED AND ENACTED

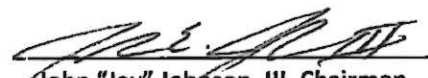
ADOPTED AND ENACTED in a duly assembled meeting of Clarendon County Council, this 8th day of June 2026.

COUNTY OF CLARENDON, SOUTH CAROLINA



ATTEST:


Dorothy M. Levy
Clerk to Council


John "Jay" Johnson, III, Chairman
Chairman, County Council

*First Reading: April 13, 2026
Second Reading: April 28, 2026
Public Hearing: May 11, 2026
Third Reading: May 11, 2026*

**TABLE III - 3
PERMITTED, CONDITIONAL AND ACCESSORY USES (cont'd)**

ZONING DISTRICTS														
USE, STRUCTURE OR ACTIVITY	AG I	AG II	RE	RC	SFR	RMF	NC	PZ	GC	IND I	IND II	CON	INS	
Flea Markets (9)	P	P						PPC	P					
Funeral Homes Mortuaries	P	P						PPC	P	P	P			
Garages – Private	A	A	A	A	A	A	A	PPC				A		
Gazebos and sheds	A	A	A	A	A	A	A	PPC	A	A	A	A		
General Retail Establishments (2)	P	P					P	PPC	P	P	P			
General Service Establishments							P	PPC	P	P	P			
Golf Courses	P	P	P	P	P	P		PPC				P		
Government Facilities							P	PPC	P	P	P		P	
Group Homes	P	P	P	P	P	P	P	PPC	P	P	P	P	P	
Gun/Skeet Clubs- Outside (10)	P	P						PPC				P		
Guest Cottage								PPC						
Handicapped Homes (8)(11)	P	P	P	P	P	P	P	PPC	P	P	P	P	P	
Hazardous Waste Disposal (12)											P			
Hunt Clubs	P	P						PPC				P		
Home Occupations (13)	A	A	A	A	A	A		PPC				A		
Hotels	P	P	P				P	PPC	P					
Incinerators (14)													P	
Indoor Recreation	P	P					P	PPC	P	P	P			
Industrial Parks								PPC		P	P			
Infectious Waste Disposal (15)													P	
Intensive Animal Production Facilities Regulated by SC DHEC (16)		P												
Junkyards/Salvage Yards (17)											P			
Kennels (18)	P	P						PPC	P	P	P			
Light Industrial								PPC	P	P	P			
Livestock (19)	P	P						PPC				P		
Lounge/Night Club								PPC	P		P			
Manufactured Homes-single units	P	P	P		P			P (32)				P		
Mfgd. Home Park/Court (20)						P		PPC						
Mfgd. Home Sales Lot (21)								PPC	P	P	P			
Mfgd. Home Subdivisions			P		P			PPC						
Medical/Dental/Veterinary Clinics	P	P					P	PPC	P	P	P			
Migrant Worker Housing (28)	P	P												
Mini-warehouses							P	PPC	P	P	P			
Modular Homes	P	P	P	P	P	P		PPC/P (33)						
Motels (2)	P	P					P	PPC	P	P	P			
Nuclear Waste Facilities (22)													P	
Outdoor Gun Ranges	P	P						PPC				P		
Outdoor Recreation-Private	P	P	P					PPC				P		
Outdoor Recreation-Public	P	P	P					PPC					P	
Outdoor Sales	P	P	P					PPC	P			P		
Outdoor Storage	P	P	P					PPC	A	A	A	P		

- (30) Vehicle repair in RE is limited to property owners vehicles
Limited to 5000 square of enclosed space and on the same parcel as the residence
- (31) See Section 33.25 – Vehicle Towing/Impoundment & Recovery Yards
- (32) See Section 36-Performance Zone-Manufactured Homes
Existing mobile homes may be replaced within 90 days of removal or may be placed on existing mobile home subdivision lots of record.
- (33) Permitted on existing lots of record.
- (34) All Solar Energy System/Solar Farm related uses shall include Removal and Indemnity Agreements.
- (35) See Section 33.26 Backyard Chickens
- (36) See Section 33.27 Accessory Dwelling Units

SECTION 33 – SPECIAL USES REQUIREMENTS

The following land uses are subject to the special restrictions described in addition to the applicable Resource Protection Standards described in Article IV, the Site Development Criteria described in Article V and the appropriate application processes described in Article IX. The special standards provided below apply regardless of how the use is designated in Table III-3. No activity listed in Section 33 of the Code may begin operation until the Department certifies the applicant has complied with the criteria listed in this Code, in its entirety, and a certificate of occupancy has been issued and all state and federal permits are in place. All South Carolina and U. S. Government approvals and permits must be received prior to the issuance of a certificate of Occupancy.

Section 33.01 Reserved

Section 33.02 Alcoholic beverage vendors

The purpose of this section is to separate vendors of alcoholic beverages from certain land uses to minimize any deleterious effect on those land uses. These regulations implement the requirements of Section 61-2 et.seq., 61-4 et.seq. and 61-6, et.seq. SC Code of Laws. The separation criteria are listed below:

- (a) An alcoholic beverage vendor shall not be established closer than 500 feet to an existing public recreation facility, an existing structure of a public school, any public building visited by the general public or an existing place of worship;
- (b) A public recreation facility, the structure of a public school or a place of worship shall not be established closer than 500 feet to an existing alcoholic beverage vendor; and
- (c) The separation requirements shall be measured from the front door to the alcoholic beverage vendor to nearest portion of use or structure described in (a) and (b) above.

Section 33.03 Animal waste lagoons

The purpose of this Section is to comply with the provisions of Title 46, Chapter 45 of the South Carolina Code of Laws the "Right to Farm Act", 47-4-160 of the South Carolina Code of Laws, and relevant regulations, such as, R. 61-43, Standards for Permitting of Agricultural Animal Facilities:

- (a) The application shall show the exact location of the proposed lagoons on an aerial photograph at a scale of no greater than 1 inch to 400 feet prepared by a SC licensed surveyor;
- (b) All state and federal permits have been received and are in place; and,

Section 33.04 Satellite dishes

The County finds that it is necessary to regulate the placement of certain antennas and satellite dishes in order to protect the property values of adjacent properties by minimizing the structure clutter that may occur on a parcel. The criteria implementing this policy are found below:

- (a) Pursuant to the requirement of the federal Telecommunications Act of 1993, a satellite dish with a diameter of 91.5centimeters [approximately 36 inches], or less, shall not be regulated by the County nor require a building permit.

Section 33.05 – Borrow pits, mining and extraction

The purpose of this Section is to allow mining and extraction activity to occur where needed and to ensure the site is restored to its pre-development condition or another acceptable use. With the exception of storm water management ponds, each proposed facility shall comply with the criteria listed below:

- (a) The active mining operation shall not be located closer than 1,320 feet to the property line unless an

All fences shall be either opaque, or chain link with plants that will obscure the chain link fence in 4 years.

Retained natural woodland shall be preferred landscaping. The buffer yards specified are to be provided on each lot or parcel independent of adjoining uses or adjoining buffer yards, except that the Planning commission may take such existing buffering into consideration when determining the buffer yard requirements.

Should a developed use increase in intensity from a given land use class to a higher one (e.g., Class II to Class III), the Planning Commission shall determine whether additional buffer yard is needed and if so to what extent and type.

Buffer Yard Maintenance

It shall be the responsibility of the property owner to maintain required landscaping and buffer yards. Dead plant materials must be replaced within 1 year of their original planting. Landscaped areas and buffer yards shall be kept free of noxious weeds and trash. Where natural plant growth changes the actual buffer effect over time, the Zoning Officer may require supplementary plantings to achieve the intent and purposes of this Chapter.

36.06 Adequate Public Facilities

The county hereby finds that the proximity of jobs and retail uses to housing in the PZ can achieve significant trip reductions produced by the internal capture of home-work and home-retail trips. The county further finds and determines that there is a compelling public interest to encourage new development to occur in accordance with the criteria set forth in this section.

36.07 Lot Types

Additional or modified lot types may be approved by the Planning Commission in conjunction with the concept plan for any phase or a preliminary plat.

Subdivision of Platted Lots

Unimproved individual single-family lots may be subdivided to create smaller lots provided that each resulting lot meets the dimensional requirements of this Chapter, and each lot is occupied by a primary residential structure. Adequate street frontage, access to the lot and parking must be provided.

Improved lots may not be subdivided to create smaller lots unless each resulting lot meets the dimensional requirements of Article V, each lot is subsequently occupied by a primary residential structure and each primary residential structure meets the setback requirements of this Chapter. Accessory dwelling units may not be subdivided from a single-family lot that also contains a primary residential structure unless both resulting lots and residential structures meet the dimensional requirements of this Chapter.

36.08 Architectural Elements and Appearance Standards

Architectural elements including stoops, ramps, stairs, porches, awnings, colonnades, arcades, marquees, balconies and bay windows, projecting forward of the front plane of the foundation may encroach upon the build-to zone (front setback) to within six (6) inches of the property line. Stoeps, stairs, ramps, canopies and awnings may extend into the public rights of way and shall extend no further than three (3) feet into the right of way, provided vehicular and pedestrian circulation is not unreasonably restricted and the encroachment is approved in writing by the Director and County Engineer.

Manufactured Homes

Manufactured homes proposed within the Performance Zone shall be approved administratively by the Planning Director or designee upon verification that all applicable standards of this Code have been met.

All manufactured homes shall install underpinning around the entire exterior of the unit. Acceptable underpinning material includes brick or masonry block on waterfront lots. Acceptable underpinning material includes brick, masonry block, or vinyl on second row lots. Refer to Article V Section 54.03 for acceptable underpinning materials elsewhere in the performance zone.

All manufactured homes on waterfront lots shall be "double-wide" units and no older than five (5) years of age. On second row lake lots, no manufactured home shall be older than ten (10) years of age. No manufactured home anywhere in the Performance Zone shall be older than thirty (30) years of age.

Refer also to Article V Section 54, as applicable.

Should a developed use increase in intensity from a given land use class to a higher one (e.g., Class II to Class III), the Planning Commission shall determine whether additional buffer yard is needed and if so to what extent and type.

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Manufactured Homes

Manufactured homes within the Performance Zone shall be approved administratively by the Planning Director or designee upon verification that all applicable standards of this Code have been met.

All manufactured homes shall install permanent underpinning around the entire exterior of the unit. Acceptable underpinning material includes brick or masonry block on waterfront (first-row lake) lots. Acceptable underpinning material includes brick, masonry block, or vinyl on second row lake lots. Refer to Article V Section 54.03 for acceptable underpinning materials elsewhere in the performance zone.

All manufactured homes located on lakefront (first-row lake) lots shall be double-wide units and shall not exceed five (5) years of age at the time of placement. Manufactured homes located on second-row lake lots shall not exceed ten (10) years of age at the time of placement. Manufactured homes located within the Performance Zone that are situated within the third (3rd) row from the lake shall not exceed thirty (30) years of age at the time of placement. Manufactured homes exceeding thirty (30) years of age may be permitted within other areas of the Performance Zone only when such Manufactured Home is

located within the areas of Clarendon County, provided all other applicable standards of this Ordinance are met. Manufactured homes exceeding thirty (30) years of age that are not located in Clarendon County shall not be permitted.

Refer also to Article V, Section 54, as applicable.

36.09 Street Design

Streets shall comply with the street standards in Article V, Section 52 Roadway Standards.

All streets required to include curb and gutter shall have a six (6) inch vertical curb. Curb cuts shall provide handicap access at all intersections and points of pedestrian crossing.

All sidewalks shall run parallel with the street and have a width of not less than five (5) feet, as required by the Americans with Disabilities Act.

36.10 Landscaping

Uses within the PZ shall be exempt from the standards relating to landscaping and buffers in Article V, however, these will be determined by the PC as a part of the plan approval process.

36.11 Parking

Except as otherwise provided by this section, parking requirements for all uses shall be in accordance with Article V, Section 51- Parking/Loading Requirements.

36.12 Criteria for Evaluating Developments

1. Once the developable site area has been determined from the calculations in Section 36.03, the project is evaluated according to the criteria below. The intent is to produce a creative project that is compatible with the surroundings.
2. The Planning Commission shall use rating criteria, provided in item 36.12.5 below, to evaluate the performance of proposed projects. Performance criteria shall be taken into account in approving major subdivision, commercial projects, mobile home park developments and planned residential developments.
3. Performance criteria dealing with infrastructure, parking, and other requirements shall be considered absolute guidelines that must be met for the project to be approved.
4. The developer may use the performance criteria as a guide in preparing the site plan and should work cooperatively with the Planning Commission during the review process to address negative ratings.
5. Performance Criteria and Rating Factors

A. Compatibility

The proposed development maintains the general appearance of the area through the sensitive siting and design of new buildings and structures.

Performance Guideline	Score
Highly compatible and sensitive to existing landscape and architecture in surrounding area in terms of architectural details, style, scale, and design; complements the character of the area	10
Compatible with existing landscape and architecture in surrounding area	5
Disruptive to existing landscape and architecture in surrounding area	0