

ORDINANCE NO. 2025-01

AN ORDINANCE ADOPTING A THREE-MONTH MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR TINY-HOME SUBDIVISIONS TO PROVIDE FOR AN IMMEDIATE EFFECTIVE DATE.

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 (the “*County*”); and

WHEREAS, in response to sudden growth in the construction of tiny home developments in the County along with certain deficiencies in the Unified Development Code Ordinance (UDC) to differentiate between tiny home developments and recreational vehicle parks; Council has determined that it is advisable to consider revisions of the UDC to regulate tiny home developments, upon the recommendation of the Planning Commission; and

WHEREAS, unexpected and unregulated Tiny Home Subdivision growth and development in the County could overwhelm the agricultural/residential stability of Clarendon County as proposed in the Comprehensive Plan; and

WHEREAS, it is in the best interest of the citizens of the County to have the opportunity to give input into the regulation of tiny home developments within the County; and

WHEREAS, since the UDC does not currently differentiate between tiny home developments and recreational vehicle parks, it is necessary to impose a moratorium on new recreational vehicle parks until appropriate regulations may be prepared, reviewed, and enacted; and

WHEREAS, the Council desires time to adequately discuss, debate and possibly implement regulations.

NOW THEREFORE BE IT ENACTED BY THE CLARENDON COUNTY COUNCIL THAT:

Section 1. Findings of Fact. The recitals set forth above are hereby adopted as the Council’s initial findings of fact in support of the moratorium established by this Ordinance. Council also finds that this ordinance will:

- (a) Provide the County and the Planning Commission with an opportunity and time to draft and adopt amendments to the UDC to adequately regulate tiny home developments; and
- (b) Temporarily prevent submission of new tiny home development applications that may ultimately be in conflict with such amendments to the UDC and the Comprehensive Plan.

CERTIFIED TRUE COPY
OF ORIGINAL FILED IN THIS OFFICE
DATE 05/16/2025
Shanita Brannan
CLERK OF COURT
CLARENDON COUNTY, SC
Shanita Brannan, CLK - Clarendon SC
2025 MAY 16 PM 2:40

Section 2. Moratorium Imposed.

(a) As of the date of the passage of this Ordinance, a moratorium is hereby imposed on the acceptance by the County of any applications for recreational vehicle parks.

(b) The duration of this moratorium shall be for three (3) months. Council may, by resolution, extend this moratorium for a single additional period of 90 days. At the end of this period, said moratorium shall automatically expire unless sooner repealed.

(c) This moratorium shall have no effect upon applications, approvals, or permits previously submitted or issued prior to the introduction of this Ordinance. The Council intends that the pending ordinance doctrine apply to the moratorium imposed by this ordinance, which shall be effective as of the first reading hereof and the publication of a notice of public hearing. The provisions of this Ordinance shall not affect the issuance of permits or site plan reviews that have received approval by the Planning Commission or Building Department.

Section 3. Vested Rights. The moratorium imposed in Section 2 of this Ordinance shall not apply to any rights that have vested prior to the effective date of this Ordinance.

Section 4. Invocation of the Pending Ordinance Doctrine. Council hereby invokes the pending ordinance doctrine recognized under South Carolina Law, effective immediately upon first reading approval.

Section 5. Severability. The provisions of this moratorium ordinance are intended to be severable, and if a court of competent jurisdiction should hold any part of this ordinance invalid, unconstitutional, or otherwise unlawful, such ruling shall not affect the remainder of the ordinance, which remain in full force and effect.

DONE AND ENACTED IN COUNCIL DULY ASSEMBLED, this 12th day of May 2025.

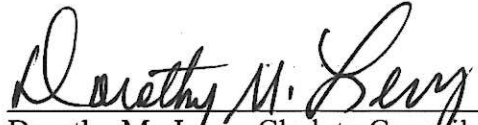
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CLARENDON COUNTY, SOUTH CAROLINA


John E. Johnson III, Chairman

ATTEST:


Dorothy M. Levy, Clerk to Council

First Reading:	March 10, 2025
Second Reading:	April 14, 2025
Public Hearing:	April 14, 2025
Third Reading:	May 12, 2025