

**AN ORDINANCE ADOPTING A THREE-MONTH MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR SOLAR/SOLAR FARM USE, TO PROVIDE FOR AN IMMEDIATE EFFECTIVE DATE, AND TO PROVIDE FOR AN EXTENSION OF NINETY DAYS HERETO BY FURTHER RESOLUTION OF COUNCIL.**

WHEREAS, Clarendon County Council (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, in response to sudden growth in the construction of solar farms in Clarendon County along with certain deficiencies in the Unified Development Code Ordinance (UDC) which may have arisen over the passage of time or otherwise need revision, Council is considering revisions of the UDC; and,

WHEREAS, unexpected and uncontrolled solar farm growth and development in the county could overwhelm the Agriculture stability of Clarendon County in the short and long term; and,

WHEREAS, it is in the best interest of the citizens of the whole county to have a say in present and future approval of any solar farm development for the County; and,

WHEREAS, the Clarendon County 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 County 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.
- (B) Temporarily prevents submission of new solar farm development applications that may ultimately be in conflict with the adopted UDC and the County Comprehensive Plan.

**Section 2.** Moratorium Imposed

**CERTIFIED TRUE COPY**  
**OF ORIGINAL FILED IN THIS OFFICE**  
 DATE 4/5/24  
Bonnie B. Roberts  
**CLERK OF COURT**  
**CLARENDON COUNTY, SC**

2024 APR 5 PM 4:23  
 Bonnie Roberts, Clerk - Clarendon S.C.

(A) As of the date of the passage of this Ordinance, there is hereby imposed a moratorium on the acceptance by the County of any applications for solar farm development.

(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 or the pending of this Ordinance on the Council agenda. 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.

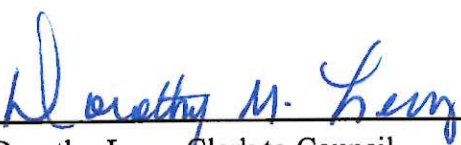
**Passed and Approved this 11 day of March, 2024**

First Reading: **January 8, 2024**  
Second Reading: **February 12, 2024**

Public Hearing: **February 12, 2024**  
Third and Final Reading **March 11, 2024**

**COUNTY COUNCIL OF CLARENDON COUNTY SOUTH CAROLINA**

  
\_\_\_\_\_  
Dwight Stewart, Chairman

Attest:   
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Dorothy Levy, Clerk to Council

