

**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 8<sup>th</sup> day of June 2026.*

**COUNTY OF CLARENDON, SOUTH CAROLINA**



ATTEST

*Dorothy M. Levy*  
**Dorothy M. Levy**  
Clerk to Council

*John "Jay" Johnson, III*  
**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*