

AN ORDINANCE OF THE CITY OF CAMDEN, SOUTH CAROLINA IMPOSING A MORATORIUM ON PERMITS, APPROVALS, OR OTHER AUTHORIZATIONS FOR MAJOR SUBDIVISIONS AND MULTI-FAMILY DEVELOPMENTS WITHIN THE CITY; AND OTHER MATTERS RELATING THERETO

NOW THEREFORE, be it ordained by the City Council of the City of Camden (the "*City Council*"), the governing body of the City of Camden, South Carolina (the "*City*"), as follows:

Section 1 Findings. The City Council hereby makes the following findings of fact in connection with the enactment of this ordinance (this "*Ordinance*"):

(a) The City Council is empowered pursuant to Section 5-7-30 of the Code of Laws of South Carolina 1976, as amended, to enact such regulations as are necessary for the security, general welfare, and convenience of the City or for preserving health, peace, order, and good government within the City. The City Council is additionally empowered pursuant to Title 6, Chapter 29, Article 5 of the Code of Laws of South Carolina 1976, as amended (the "*Act*"), to enact regulations regarding land development and land use within the City.

(b) Pursuant to the Act, the City Council has adopted the City of Camden Comprehensive Plan 2028, as amended (the "*Comprehensive Plan*") and enacted the Land Development Regulations of the City of Camden, South Carolina, codified at Chapter 156 of the City's Code of Ordinances (the "*Development Code*"), and the Zoning Ordinance of the City of Camden, South Carolina, codified at Chapter 157 of the City's Code of Ordinances (the "*Zoning Ordinance*" and together with the Development Code, the "*Land Use Code*"), which regulate development and land use within the City.

(c) The City Council has determined to consider certain amendments to the Comprehensive Plan and the Land Use Code regarding the approval of new major subdivisions and multi-family developments within the City. The City Council has determined that amendments may be necessary to protect public health, safety, and welfare of the City and its citizens due to (i) the possible environmental impact of these types of development, particularly the protection of wetlands, forests, wildlife and aquatic life, and the retention of open space; (ii) the increased demand that developments of these types place on existing City road and utility infrastructure and the increased cost to improve, extend, or increase the capacity of such infrastructure to support such development; and (iii) the need to ensure that provisions of the Land Use Code regarding development of these types are aligned with the goals, objectives and strategies of the Comprehensive Plan regarding historic and cultural qualities of the City and its community.

(d) The City Council is concerned that major subdivisions and multi-family developments that may be approved or permitted during the period in which these amendments are prepared and under consideration may be incompatible with such provisions and the City Council's vision for the development of the City.

(e) To ensure that the regulations applicable to subdivisions and multi-family developments are sufficient to protect the public health, safety, and welfare of the City and its citizens, the City Council has determined that it is necessary to impose a moratorium on such

development (as such moratoriums are further described in Section 2 of this Ordinance) to provide the City’s staff, the City’s Planning Commission, and the City Council adequate time to prepare and give proper consideration to such amendments. In implementing the moratorium, City Council espouses its commitment to ensure that development within the City occurs in a manner that is sustainable, safe, and aligned with the City’s long-term goals.

Section 2 Moratorium. Subject to Section 3 of this Ordinance with respect to vested rights, by and through the enactment of this Ordinance, the City Council hereby imposes a moratorium on the issuance of certificates of compliance, building permits, sketch plan approvals, preliminary plat approvals, preliminary or final drawing or site-plan approvals, land development applications, conditional use permits, or other land use, development, subdivision, or construction permits, approvals, or authorizations under the Land Use Code or other City ordinances with respect to the following types of development and land uses for a period ending March 31, 2025:

- (i) *Subdivision Moratorium:* All “**Major Subdivisions**,” which term, for the purposes of this Ordinance, shall have the meaning given to the term “SUBDIVISION, MAJOR” in Section 156.001 of the Development Code.
- (ii) *Multi-Family Development Moratorium:* Any development of a parcel or group of parcels for “**Multi-Family Purposes**,” which term, for the purposes of this Ordinance, shall mean any development of a single parcel or group of parcels with three or more “Attached Dwellings” (as such term is defined as “DWELLING, ATTACHED” in Section 157.220 of the Zoning Ordinance), which includes, without limiting the generality of the foregoing definition, the following defined terms under Section 157.220 of the Zoning Ordinance: “DWELLING, APARTMENT”; “DWELLING, MULTI-FAMILY”; “DWELLING, TOWNHOUSE”; “CONDOMINIUM”; and any “MIXED-USE BUILDING” to the extent that any portion of such building is used for Multi-Family Purposes.

Section 3 Vested Rights. The City Council finds and determines that the types of development and land uses made subject to the moratorium enacted by this Ordinance are subject to vested rights in accordance with and subject to the provisions of Section 160.01 of the Zoning Ordinance if a particular request for a development or land use permit, approval, or authorization, as applicable, has reached the following threshold, respectively:

- (i) *Vested Rights for Major Subdivisions:* A Major Subdivision has established vested rights, and may continue through the approval, permitting, and development process as otherwise provided in the Land Use Code, if the Major Subdivision has received preliminary subdivision plat approval pursuant to Section 156.025(C) of the Development Code.
- (ii) *Vested Rights for Multi-Family Development:* A development for Multi-Family Purposes has vested rights, and may continue through the approval, permitting, and development process if such development has received approval pursuant to Section 156.026(C) of the Development Code.

Section 4 Extension. The City Council may extend the expiration date for either or both of the Subdivision Moratorium or the Multi-Family Development Moratorium by resolution.

Section 5 Pending Ordinance Doctrine. The City Council hereby declares that this Ordinance, and the moratoriums imposed hereby, shall be subject to the “pending ordinance doctrine,” which shall be effective upon the first reading hereof and the publication of a notice of public hearing in connection herewith.

Section 6 Recommendations Regarding New Development Regulations. During the pendency of the moratoriums enacted hereby, City staff and the Planning Commission shall proceed expeditiously to study, prepare, and make recommendations concerning amendments to the Comprehensive Plan and Land Use Code consistent with the findings in Section 1 of this Ordinance.

Section 7 Severability. If any one or more of the provisions of this Ordinance should be contrary to law, then such provision shall be deemed severable from the remaining provisions and shall in no way affect the validity of the other provisions of this Ordinance.

Section 8 Repealer. Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired or liability incurred, or any cause of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance, except as expressly set forth herein and as may be permitted under South Carolina law.

Section 9 Inconsistency. All ordinances, resolutions or parts of any ordinances or resolutions inconsistent or in conflict with the provisions of this Ordinance are hereby repealed to the extent of the conflict or inconsistency.

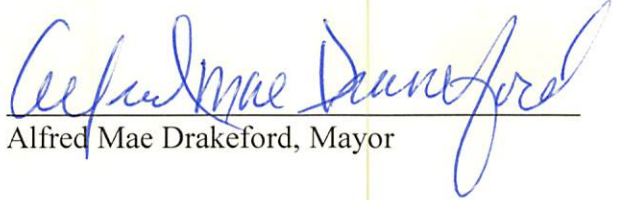
Section 10 Effect. Subject to Section 5, this Ordinance shall be enacted upon second reading by the City Council.

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DONE AND ENACTED IN CITY COUNCIL DULY ASSEMBLED, this 10th day of September 2024.

**CITY OF CAMDEN, SOUTH
CAROLINA**

[SEAL]


Alfred Mae Drakeford, Mayor

ATTEST:


Brenda Davis, City Clerk

First Reading: August 27, 2024
Public Hearing: September 10, 2024
Second Reading: September 10, 2024