

Sponsor(s)	:	County Council
First Reading	:	May 4, 2026
Committee Referral	:	N/A
Committee Consideration Date	:	N/A
Committee Recommendation	:	N/A
Second Reading	:	June 1, 2026
Public Hearing	:	N/A
Third Reading	:	July 6, 2026
Effective Date	:	Immediately

ORDINANCE NO. 04

AN ORDINANCE IMPOSING A MORATORIUM ON THE CONSIDERATION AND ISSUANCE OF SPECIAL EXCEPTIONS, CONDITIONAL USE APPROVALS AND ALL OTHER LAND USE OR DEVELOPMENT APPROVALS FOR DATA CENTERS.

NOW THEREFORE, be it ordained by the County Council of Colleton County (the “**Council**”), the governing body of the Colleton County, South Carolina (the “**County**”), as follows:

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

(a) The Council is empowered pursuant to Section 4-9-25 of the Code of Laws of South Carolina 1976, as amended, to enact regulations, resolutions, and ordinances not inconsistent with the Constitution and general law of the State of South Carolina (the “**State**”), including the exercise of these powers in relation to health and order in the County or respecting any subject as appears to the Council necessary and proper for the security, general welfare, and convenience of the County or for preserving health, peace, order, and good government therein. The 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 regulate land use within the County. Pursuant to the Act, the Council has enacted the Land Development Regulations of Colleton County, South Carolina (the “**Land Development Regulations**”) and the Zoning Ordinance of Colleton County, South Carolina (the “**Zoning Ordinance**” and, together with the Land Development Regulations, the “**Land Use Code**”) which collectively regulate development and land use within the County. Capitalized terms used in this Ordinance and not otherwise defined shall have the meaning or usage given to such term in the Land Use Code.

(b) Pursuant Section 140.08-2 of the Land Use Code, Data Centers are allowed as a Special Exception in the RD-1, RD-2, and LID Zoning Districts and as a Conditional Use in the ID and HID Zoning Districts. The Council has determined that it is appropriate to review the areas within the County where Data Centers are allowed, either as a Special Exception or a Conditional Use, and the conditions under which Data Centers may be developed, and to further consider amendments to the provisions of the Land Use Code concerning Data Centers if necessary and prudent for the security, general welfare, and convenience of the County or for preserving health, peace, order, and good government therein.

(c) To give the Council, the Colleton County Planning Commission (the “*Planning Commission*”), and the County’s staff adequate time to conduct such a review and consider appropriate amendments to the Land Use Code, the Council has determined that it is appropriate to implement a temporary moratorium on approvals related to the location of Data Centers within the County, as set forth in greater detail in Section 2 of this Ordinance.

Section 2 Moratorium on Data Center Approvals. By and through the enactment of this Ordinance, the Council hereby imposes a moratorium (as described hereby, the “*Moratorium*”) on the consideration applications for Special Exceptions and Conditional Uses for Data Centers, the issuance of approvals for Special Exceptions or Conditional Uses for Data Centers, and the issuance or approval of other land use applications or approvals, as applicable, for the development of Data Centers within the County for a period of six months from the date of the enactment of this Ordinance.

Section 3 Recommendations Regarding Data Center Regulations. During the pendency of the Moratorium, County staff and the Planning Commission are hereby directed to study the areas of the County where Data Centers may be an appropriate land use and the conditions under which Data Centers may appropriately be developed within such areas. The Planning Commission and County staff are further directed to prepare and recommend appropriate amendments to the Colleton County Comprehensive Plan 2030 and the Land Use Code concerning Data Centers.

Section 4 Vested Rights. The Council is informed that there are no proposed developments or projects involving Data Centers that have progressed beyond the vesting point for the establishment of vested rights pursuant to Section 14.08-1.060 of the Land Use Code. The County staff, the Planning Commission, and the County’s Board of Zoning Appeals are hereby directed to hold in abeyance any applications for Special Exceptions and Conditional Uses involving Data Centers that have been received and not yet considered by the appropriate approving-body during the pendency of the Moratorium.

Section 5 Moratorium Extension. The Council hereby finds and determines that the Moratorium imposed hereby may be extended by resolution of the Council.

Section 6 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 7 Repealer. 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. 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 State law.

Section 8 Effect. This Ordinance shall be effective upon third and final reading by the Council.

DONE AND ENACTED IN COUNCIL DULY ASSEMBLED, this 6th day of July
2026.

COLLETON COUNTY, SOUTH CAROLINA





Scott Biering, Chairman, County Council



Martha Thompson, Clerk to Council

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