

Committee Referral	:	Planning Commission
Committee Consideration Date	:	August 7, 2026
Committee Recommendation	:	Approval
First Reading	:	August 10, 2026
Second Reading	:	September 4, 2026
Public Hearing	:	September 14, 2026
Third Reading	:	September 14, 2026
Effective Date	:	Immediately

I, Martha Thompson, Clerk to Council,
certify that this Ordinance was advertised for
Public Hearing on August 13, 2026.

ORDINANCE NO. 26-O-09

AN ORDINANCE AMENDING THE COLLETON COUNTY ZONING MAP TO DESIGNATE AREAS INCLUDED WITHIN THE DIGITAL INFRASTRUCTURE OVERLAY DISTRICT AND OTHER MATTERS RELATING THERETO.

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 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, codified at Title 14, Chapter 14.04 of the Colleton County Code of Ordinances (the “**Land Development Regulations**”), and the Zoning Ordinance of Colleton County, South Carolina, codified at Title 14, Chapter 14.08 of the Colleton County Code of Ordinances (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 to the Act, and in accordance with the Land Use Code, the Council has previously adopted the Colleton County Zoning Map (the “**Zoning Map**”) which establishes the various Zoning Districts and Overlay Districts authorized under the Land Use Code.

(c) Pursuant to Ordinance No. 26-O-07, dated September 14, 2026 (the “**Comprehensive Plan Ordinance**”), the Council has adopted certain amendments to the Colleton County Comprehensive Plan 2030 (as amended, the “**Comprehensive Plan**”) concerning areas of the County where, with proper regulation and under appropriate conditions, (i) facilities used primarily for the storage, management, processing, routing, and/or transmission of digital data, including Data Centers, and (ii) facilities used for the storing and discharge of electricity (generally, “**Digital Infrastructure Facilities**”), are compatible with the County’s existing land use patterns and its desired future outcomes for growth and development.

(d) Pursuant to Ordinance No. 26-O-08, dated September 14, 2026 (the “**Code Amendment Ordinance**”), the Council amended the Land Use Code to (i) authorize the

Digital Infrastructure Overlay District (the “**Overlay District**”) in appropriate areas of the County, and (ii) amend certain provisions of the Land Use Code pertaining to the standards and conditions under which Digital Infrastructure Facilities may be developed.

(e) Pursuant to the Act, and in accordance with the Land Use Code, as amended by the Code Amendment Ordinance, the Council intends to amend the Zoning Map to include certain areas of the County within the Digital Infrastructure Overlay District, which areas are shown on the map attached to this Ordinance as **Exhibit A** (the “**Zoning Map Amendments**”). When considering areas of the County that may appropriately be included within the Digital Infrastructure Overlay District, the Council has given due consideration to (1) the provisions of the Comprehensive Plan which discuss areas of the County where the location of Digital Infrastructure Facilities may be compatible with the County’s existing land use patterns and its desired future outcomes for growth and development, and (2) the purpose and applicability of the Digital Infrastructure Overlay District, as stated in amendments to the Land Use Code articulated in the Code Amendment Ordinance. Upon consideration, the Council further finds and determines that the areas included within the Digital Infrastructure Overlay District under the Zoning Map Amendments:

- (i) Predominantly consist of large undeveloped tracts of land or contiguous smaller tracts of undeveloped land that may be combined into larger tracts that may be suitable for development for Digital Infrastructure Facilities;
- (ii) Have a low density of residential development; and
- (iii) Exclude areas within the RC-1 and RC-2 Zoning Districts;

(f) In a meeting held on August 7, 2026, the Planning Commission reviewed the Zoning Map Amendments and has recommended that the [approval] thereof by the Council.

(g) At a meeting held on September 14, 2026, the Council conducted a public hearing regarding the enactment of the Zoning Map Amendments, notice of which was published in accordance with the provisions of Section 6-29-760 of the Act.

Section 2 Enactment of Zoning Map Amendments. The Zoning Map Amendments, as attached to this Ordinance at **Exhibit A**, are hereby approved and enacted. The Zoning Map, as previously enacted by various prior actions of the Council, is hereby amended, and the Clerk to County Council and County staff are hereby authorized and directed to take such action as may be necessary to update the official Zoning Map of the County accordingly.

Section 3 Repealer. All other 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 South Carolina law.

Section 4 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 5 Effect. This Ordinance shall be effective upon third and final reading by the Council.

DONE AND ENACTED IN COUNCIL DULY ASSEMBLED, this 14th day of September 2026.

COLLETON COUNTY, SOUTH CAROLINA





Scott Biering, Chairman, County Council



Martha Thompson, Clerk to Council

Planning Commission	August 7, 2026
First Reading:	August 10, 2026
Second Reading:	September 4, 2026
Public Hearing:	September 14, 2026
Third Reading:	September 14, 2026

Exhibit A
Zoning Map Amendments

