**ORDINANCE NO. 2026-044**

**AN ORDINANCE IMPOSING A MORATORIUM ON THE ACCEPTANCE, PROCESSING, OR APPROVAL OF SPECIAL EXCEPTION PERMITS; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS,** under South Carolina Code Section 4-9-25 Anderson County has the authority to enact ordinances; and

**WHEREAS,** Anderson County may create zoning regulations under South Carolina Code Section 6-29-760; and

**WHEREAS,** the Anderson County Board of Zoning Appeals may hear special exceptions under South Carolina Code Section 6-29-800; and

**WHEREAS,** chapter 48 section 9:5 of the Anderson County Code of Ordinances allows the Board of Zoning Appeals to hear and decide upon uses permitted by special exception; and

**WHEREAS,** Anderson County Council is currently working with Code Wright as a consultant to help develop, modify, and review land use development ordinances and zoning ordinances to ensure such ordinances are effective, efficient, and serving the best interest of the residents of Andeson County. The County Councils finds it is prudent to request to and allow a response from Code Wright regarding issuance of special exception permits; and

**WHEREAS,** Anderson County desires to modify or amend its special exception regulations and how the Board of Zoning Appeals hears and decides special exception permits; and

**WHEREAS,** the Council has determined that it may be necessary to review the areas within the Anderson County Code of Ordinances that relate to special exception permits to encourage sustainable development necessary and prudent for the security, general welfare, and convenience of the County or for preserving health, peace, order, and good government therein.

**NOW, THEREFORE,** be it ordained by the Anderson County Council in meeting duly assembled that:

1. Moratorium on Special Exception Permits. By and through the enactment of this Ordinance, the Council hereby imposes a temporary moratorium on the acceptance and processing of applications for special exception permits within the County for a period of six (6) months from the date of the enactment of this Ordinance. The Moratorium does not apply to special exception applications for churches, schools, fire stations, public safety facilities, including police, EMS, and hospital facilities. The County staff, development planning department, and the County's Board of Zoning Appeals are hereby directed to hold in abeyance any applications involving special exception permit requests that are received after the first reading of this Ordinance.

2. Pending Ordinance Doctrine. This Ordinance is subject to the Pending Ordinance Doctrine.

3. All other terms, provisions, sections, and contents of the Code of Ordinances, Anderson County, South Carolina not specifically affected hereby remain in full force and effect.

4. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the remainder of this Ordinance, all of which is hereby deemed separable.

5. This Ordinance shall take effect from and after the public hearing and the third reading in accordance with the Code of Ordinances, Anderson County, South Carolina.

**ORDAINED** in meeting duly assembled this 18th day of August, 2026.

**ATTEST:**

Rusty Burns
Anderson County Administrator

Renee Watts
Clerk to Council

**FOR ANDERSON COUNTY:**

Tommy Dunn, District #5, Chairman

**APPROVED AS TO FORM:**

Leon C. Harmon
Anderson County Attorney

First Reading: July 21, 2026
Second Reading: August 4, 2026
Third Reading: August 18, 2026

Public Hearing: August 18, 2026