

**Council**

Kevin Phillips  
Mayor

Mary Beth Heyward  
Mayor Pro Tempore

Jerry Ashmore  
Jorge Guerrero  
Darryl Owens



Van Willis  
Town Manager

Jeffrey Meyers  
Chief of Police

Jeffrey S. Coppinger  
Operations

Noah Krepps  
Planning

**ORDINANCE NO. 2025-4**

**AN ORDINANCE OF THE TOWN OF PORT ROYAL, SOUTH CAROLINA (1) EXTENDING A MORATORIUM ON MULTI-FAMILY DEVELOPMENTS; (2) REPEALING SUCH MORATORIUM WITH RESPECT TO SPECIFIC AREAS OF THE TOWN; AND (3) OTHER MATTERS RELATED THERETO.**

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

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

(a) The Town 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 Town or for preserving health, peace, order, and good government within the Town. The Town 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 use within the Town. Pursuant to the Act, the Town Council has enacted The Port Royal Development Code (the "**Development Code**") which regulates development and land use within the Town.

(b) Pursuant to Ordinance No. 2024-9, dated May 8, 2024 (the "**Moratorium Ordinance**"), the Town Council enacted a moratorium on the issuance of certificates of compliance, building permits, design review approvals, site development plan approvals, subdivision approvals, or other similar land use or construction approvals under the Development Code or other Town ordinances for Multi-Family Developments (as defined in the Moratorium Ordinance) for a period of one year (the "**Moratorium**"). Under the Moratorium Ordinance, the Town Council found that Multi-Family Developments have the potential to overburden the infrastructure and public services in specific areas of the Town at a higher pace and to a greater degree than other types of residential development due to their density.

(c) The Multi-Family Moratorium Ordinance expressly applied the Moratorium, and the findings related to the need for the Moratorium, to areas of the City that are subject to the SC SPA PUD (as defined in the Moratorium Ordinance), which are additionally subject to the Development Agreement (as defined in the Moratorium Ordinance).

(d) As directed under the Moratorium Ordinance, the Town staff and the Town Council have further considered whether it may be necessary to enact new regulations for Multi-Family Developments that apply to property within the area of the SC SPA PUD that may be essential to protect the public health, safety, and welfare of the Town and its citizens. Upon consideration, the Town Council

has determined that additional regulations within such area are not necessary for such purposes. Therefore, the Town Council has determined that it is appropriate to terminate the Moratorium with respect to property within the area of the SC SPA PUD and to repeal the Moratorium Ordinance only to this extent.

(e) The Moratorium shall continue to apply to those other areas of the Town to which it applied under the Moratorium Ordinance, which shall remain unaffected by the terms hereof. The Town Council expressly finds and determines that the Moratorium remains universally applicable to areas within the Town that are similarly situated under the Development Code.

(f) As further directed under the Moratorium Ordinance, the Town of Port Royal Planning Commission (the "**Planning Commission**"), Town staff, and the Town Council have diligently studied the effect of Multi-Family Developments on the remainder of the Town and the Town staff has prepared an initial draft of amendments to the Development Code that may mitigate such effects. Town Council anticipates receiving a recommendation concerning such amendments to the Development Code in the coming months, but finds that it is necessary to extend the Moratorium for an additional period of six months in order to allow adequate time to consider such amendments.

**Section 2 Partial Repeal of Moratorium on Multi-Family Developments.** By and through the enactment of this Ordinance, the Town Council hereby repeals the Moratorium Ordinance as it applied to the area of the Town that is subject to the SC SPA PUD and the Development Agreement (as defined in the Moratorium Ordinance).

**Section 3 Extension of Moratorium.** The Town Council hereby extends the Moratorium, as such Moratorium applies to the remainder of the Town subject to the partial repeal thereof pursuant to Section 2 of this Ordinance, for an additional period of six months from the date of the enactment of this Ordinance to allow the Planning Commission and Town Council adequate time to consider appropriate amendments to the Development Code.

**Section 4 Severability.** If any one or more of the provisions of this Ordinance, or its affect on the Moratorium 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 and the Moratorium Ordinance.

**Section 5 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 6 Inconsistency.** In addition to its express partial repeal of the Moratorium Ordinance, as described herein, 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.

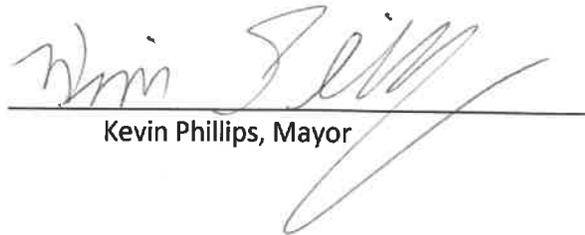
**Section 7 Effect; Effective Date.** For the avoidance of doubt, the Town Council expressly intends that the Moratorium, as extended hereby, continue to apply to the entirety of the Town except that portion of the Town that is subject to the SC SPA PUD, and the Town Council hereby reaffirms that findings set forth in the Moratorium Ordinance with respect to the necessity of the Moratorium and the

need for amendments to the Development Code as it applies to such areas. This Ordinance shall be effective upon its enactment upon second reading by the Town Council.

**DONE AND ENACTED IN TOWN COUNCIL DULY ASSEMBLED**, this 7th day of May 2025.

**TOWN OF PORT ROYAL, SOUTH  
CAROLINA**

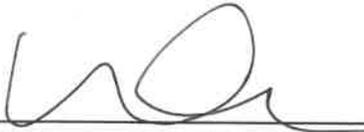
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Kevin Phillips, Mayor

ATTEST:



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Lisa Graham, Town Clerk

First Reading:           April 9, 2025  
Second Reading:       May 14, 2025