

ORDINANCE NO. 295.2016

AN ORDINANCE BY KERSHAW COUNTY TO AMEND THE KERSHAW COUNTY UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR) ARTICLE 2, DEFINITIONS TO ADD THE DEFINITIONS FOR UTILITY AND TO AMEND THE DEFINITION OF EXEMPT SUBDIVISION.

WHEREAS, Kershaw County Planning and Zoning Commission recommend text amendments to the Unified Code of Zoning and Land Development Regulations concerning the definition of a utility and exempt subdivision; and

WHEREAS, the Kershaw County Planning and Zoning Commission on August 8, 2016 unanimously recommended text amendments to the Unified Code of Zoning and Land Development Regulations as requested by Kershaw County Council;

WHEREAS, Kershaw County Council wishes to amend the Unified Code of Zoning and Land Development Regulations in accordance with the recommendations of the Kershaw County Planning and Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED by Kershaw County Council that

SECTION I Amend Article 2 to add the definitions for utility.

SECTION II Amend Article 2 to add Item G to include utilities in the definition of exempt subdivisions.

Article 2, Definitions

Utility - Any or all utility services to a subdivision, including water, electricity, telephone, cable television, gas, and sanitary sewerage, whether such utilities are supplied by a private individual or company or a governmental entity.

Subdivision, Exempt - An exempt subdivision is one that meets the following conditions:

- A. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of this Ordinance and other applicable regulations.
- B. The division of land into parcels of five acres or more where no new street is involved.
- C. The combination or recombination of entire lots of record where no new street or change in existing streets is involved.
- D. The division of land to create a cemetery lot.
- E. The division of land by will or inheritance under the statute of descent and distribution as long as no new street is involved.
- F. The division of land by gift conveyed by deed as long as no new street is involved. Such exemption shall be limited to the conveyance of land from one member to another member of the same immediate family i.e. (husband, wife, mother, father, children, grandchildren, brothers, sisters).
- G. A parcel of land that is proposed to be used as the site for a utility substation, power line easement or right-of-way, pumping station, pressure regulating station, electricity regulating

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JOYCE McDONALD
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KERSHAW COUNTY, S.C.

substation, gas pressure control station, or similar facility.

DONE, RATIFIED AND ADOPTED IN REGULAR MEETING THIS 25th DAY OF OCTOBER, 2016.

KERSHAW COUNTY COUNCIL

By: _____



ATTEST:

Merri M. Seigler

Merri M. Seigler

Clerk to County Council

First Reading: September 13, 2016

Second Reading: September 27, 2016

Public Hearing: October 25, 2016

Third Reading: October 25, 2016