

ORDINANCE NO. 296.2016

AN ORDINANCE BY KERSHAW COUNTY TO AMEND THE KERSHAW COUNTY UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR) SECTION 5:2.2 EXEMPT SUBDIVISION, TO ADMEND THE REGULATION FOR KERSHAW COUNTY SUBDIVISION EXEMPTIONS.

WHEREAS, Kershaw County Planning and Zoning Commission recommend text amendments to the Unified Code of Zoning and Land Development Regulations concerning Subdivision exemptions; 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 Section 5:2.2-2, Kershaw County Exemptions, adding D., 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 substation, gas pressure control station, or similar facility.

5:2.2-2 Kershaw County Exemptions

The following exemptions are hereby established by Kershaw County and are included within this definition only for the purpose of requiring that the Planning and Zoning Department be informed and have a record of the subdivisions:

- A. The division of land to create a cemetery lot.
- B. The division of land by will or inheritance under the statute of descent and distribution as long as no new street is involved.
- C. 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 (1) member to another member of the same immediate family i.e. (husband, wife, mother, father, children, grandchildren, brothers, sisters). Land so divided may not be further transferred by sale or gift to any party other than a member of the same immediate family for a period of eighteen (18) months from the date the plat is approved for recording and shall be so notated on the plat. The Planning Official may waive the eighteen (18) month waiting period if the property owner can establish legitimate and compelling cause. The eighteen (18) month waiting period shall also be waived in the event of a judicial foreclosure.
- D. 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 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

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Clerk to County Council

First Reading: September 13, 2016

Second Reading: September 27, 2016

Public Hearing: October 25, 2016

Third Reading: October 25, 2016