

STATE OF SOUTH CAROLINA)
)
COUNTY OF KERSHAW)

ORDINANCE NO. 398.2023

AN ORDINANCE

TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS, TO AMEND SECTION 3.3.8(J) FROM AN ALLOWED DENSITY OF SIX (6) MANUFACTURED HOMES PER ACRE TO AN ALLOWED DENSITY OF THREE (3) MANUFACTURED HOMES PER ACRE, AND TO AMEND SECTION 3:1.3, TABLE 3-3 TO CORRECT THE STATUS OF MANUFACTURED HOUSING PARKS IN R-6 AND GD DISTRICTS FROM PERMITTED USE TO CONDITIONAL USE.

Be it ordained by the Council of Kershaw County, South Carolina:

Section 1. Findings and Determinations.

The Council finds and determines that:

- (a) By affirmative vote of Kershaw County Council at its meeting of June 13, 2023, Kershaw County staff was directed to review allowed densities of residential development in the ZLDR and propose text amendments to the ZLDR increasing the minimum lot size for single-residential development to 15,000 sq. ft.
- (b) In furtherance of decreasing the density of residential development in Kershaw County and reducing potential impacts of high-density residential development, Section 3.3.8(J) is amended to reduce the number of manufactured home units per acre from six (6) dwelling units per acre to three (3) dwelling units per acre.
- (c) In review of the ZLDR in connection with density amendments, it was discovered that a scrivener's error exists in Table 3-3 designating manufactured housing parks as "Permitted" in R-6 and GD districts.
- (d) Other provisions of Kershaw County's Zoning and Land Development Regulations (ZLDR) establish manufactured housing parks as conditional use in R-6 and GD districts, not a permitted use.
- (e) The Use Table should be corrected to designate manufactured housing parks as conditional use in R-6 and GD districts.

Section 2. Amendment of the Kershaw County, South Carolina Unified Code of Zoning and Land Development Regulations (ZLDR)

Section 3:1.3, Table 3-3, Schedule of Permitted and Conditional Uses and Off-Street Parking Requirements by Zoning District, is amended as set forth in "Exhibit 1" attached hereto and incorporated herein by reference.

FILED FOR RECORD
AUG 31 PM 3:09
JANET C. HASTY
CLERK OF COURT
KERSHAW COUNTY, S.C.

Section 3. Severability.

If any section, subsection, or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 4. Conflicting Provisions.

To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Kershaw County Code or other County ordinances, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

Section 5. Effective Date.

This ordinance is effective upon Third Reading.

AND IT IS SO ORDAINED

Dated this 22nd day of August, 2023.

KERSHAW COUNTY, SOUTH CAROLINA



Katie Guinn, Chairwoman, County Council

ATTEST:



Hannah Parler, Clerk to Council

First Reading: July 25, 2023
Second Reading: August 8, 2023
Public Hearing: August 8, 2023
Third Reading: August 22, 2023

**Kershaw County,
South Carolina Unified Code
of
ZONING AND
LAND DEVELOPMENT
REGULATIONS**

**KERSHAW COUNTY PLANNING AND ZONING
COMMISSION**

**REQUEST FOR TEXT AMENDMENT BY
KERSHAW COUNTY (CASE 23-10)**

PROPOSAL: To amend the Kershaw County, South Carolina Unified Code of Zoning and Land Development Regulations, to amend Section 3.3.8(J) from an allowed density of six (6) manufactured homes per acre to an allowed density of three (3) manufactured homes per acre, and to amend Section 3:1.3, Table 3-3, to correct the status of Manufactured Housing Parks in R-6 and GD districts from Permitted Use to Conditional Use.

July 10, 2023 (See page 3 for Planning and Zoning Commission Action Summary)

STAFF REPORT

KERSHAW COUNTY PLANNING AND ZONING COMMISSION (July 10, 2023 Meeting)

Request #: 23-10

Applicant: Kershaw County

Proposal: To amend the Kershaw County, South Carolina Unified Code of Zoning and Land Development Regulations, to amend Section 3.3.8(J) from an allowed density of six (6) manufactured homes per acre to an allowed density of three (3) manufactured homes per acre, and to amend Section 3:1.3, Table 3-3, to correct the status of Manufactured Housing Parks in R-6 and GD districts from Permitted Use to Conditional Use.

Background Summary:

- By affirmative vote of Kershaw County Council at its meeting of June 13, 2023, Kershaw County staff was directed to review allowed densities of residential development in the ZLDR and propose text amendments to the ZLDR increasing the minimum lot size for single-family residential development to 15,000 sq. ft.
- In furtherance of decreasing the density of residential development in Kershaw County and reducing potential impacts of high-density residential development, Section 3.3.8(J) is amended to reduce the number of manufactured home units per acre from six (6) dwelling units per acre to three (3) dwelling units per acre.
- In review of the ZLDR in connection with density amendments, it was discovered that a scrivener's error exists in Table 3-3 designating manufactured housing parks as "Permitted" in R-6 and GD districts.
- Other provisions of Kershaw County's Zoning and Land Development Regulations (ZLDR) establish manufactured housing parks as conditional use in R-6 and GD districts, not a permitted use.
- The Use Table should be corrected to designate manufactured housing parks as conditional use in R-6 and GD districts.

Planning Commission Options:

Reviewing a request for a text amendment the Planning and Zoning Commission may:

1. Forward a favorable recommendation to the Kershaw County Council
2. Forward an unfavorable recommendation to the Kershaw County Council
3. Continue to the review to the next Planning Commission Meeting

The Kershaw County Council makes all final decisions regarding text amendment applications. Kershaw County Council must also hold a public hearing for this text amendment prior to third reading of the amendment ordinance.

Attachments:

- Petition for Text Amendment
- Exhibit 1: Text amendment language, Table of Permitted and Conditional Uses
- Exhibit 2: Text amendment language, Section 3.3.8(J)
- Draft County Council Ordinance for reference

Planning and Zoning Commission Action Summary

On July 10, 2023 at the regular Planning and Zoning Commission meeting, members present were Claude Eichelberger, Kevin Scharf, George Harkins, Robert Andrews, and Robert Horton. Absent were members Fiona Martin and Libby Davis.

After the staff presentation, George Harkins made a motion that the Planning and Zoning Commission recommend approval of the text amendment, with a second by Mr. Scharf.

After discussion, the vote on the motion to recommend approval of the text amendment was (4-1) and therefore the matter has been referred to the Kershaw County Council with recommendation for approval.

MANUFACTURED HOME PARK APPLICATION

Kershaw County Planning and Zoning Department
 515 Walnut Street, Room 160, Camden, SC 29020 803-425-7233



**PETITION TO PLANNING AND ZONING COMMISSION FOR
 A TEXT AMENDMENT TO THE UNIFIED CODE OF ZONING AND LAND
 DEVELOPMENT REGULATIONS**

DATE: 6/28/2023	REQUEST NO. ZB-08
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APPLICANT

NAME: Danny Templar, County Administrator		E-MAIL: danny.templar@kershaw.sc.gov	
MAILING ADDRESS: 515 Walnut Street		CITY: Camden	STATE: SC
TELEPHONE: (803) 425-1500		CELL:	FAX: (803) 425-1546

PURPOSE OF PROPOSED AMENDMENT: This application is made on behalf of, and at the direction of, Kershaw County Council. To amend maximum manufactured home units per acres from six (6) units to three (3) units and to correct a scrivener's error in Section 3-1.3 Table 3-3 listing manufacture home park as a permitted, "P", instead of as a conditional use "C" Section 3-3.8 established manufactured home parks as a conditional use in all districts. The scrivener's error was discovered while furthering Kershaw County Council's directive to amend the minimum lot size for residential development to 15,000 sq. ft. that passed by motion made at the June 13, 2023 Kershaw County Council meeting.

PROPOSED TEXT AMENDMENT: The applicant requests that Section 3-1.3, Table 3-3 and Section 3-3.8 of the Zoning and Land Development Regulations be amended to read as follows: (If more space is needed, use a separate sheet).

See attached draft text amendment

SIGNATURE: <i>Danny Templar</i>	DATE: 6/28/2023
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Text Amendment Application 12.15.10



~~Indicates Matter Stricken~~

Indicates New Matter

3:3.8 Manufactured Housing Parks

The establishment and operation of a manufactured housing park shall comply with the following design and development standards:

- A. The park site shall be not less than three (3) acres, and have not less than 200 feet of frontage on a public dedicated and maintained street or road.
- B. The park shall be served by public water and sewer systems, a system of storm drainage, and refuse disposal facilities, plans of which shall be approved by SCDHEC officials.
- C. All dwelling spaces shall abut upon an asphalt or concrete driveway of not less than eighteen (18) feet in width which shall have unobstructed access to a street.
- D. A description of the procedures of any proposed homeowners' association or other group maintenance agreement must be submitted to and be approved by the Planning and Zoning Commission.
- E. All on-site roadway intersections shall be provided with a street light, and interior lights shall be provided at not less than 400-foot intervals. Lots in parks shall be sized and arranged so that there will be at least forty (40) feet of spacing between manufactured housing, and at least thirty-five (35) feet from the right-of-way of any street or drive providing common circulation.
- F. All manufactured housing shall be installed in accord with the installation requirements of the South Carolina Code of Laws and regulations or standards adopted pursuant thereto, and shall meet all manufactured housing installation provisions of this Ordinance.
- G. Not less than ten (10) percent of the park site shall be set aside and developed for common open space and recreational usage.
- H. Permanent space numbers shall be provided on each street or driveway. Signs identifying space locations shall be provided at each street or driveway intersection. 911 address numbers shall be used when appropriate.
- I. No manufactured housing space shall have direct access to a public street, but shall instead access an internal street system. All internal streets and drives are to be privately maintained.
- J. The maximum number of mobile or manufactured housing spaces shall not exceed ~~six (6)~~ three (3) per acre.
- K. Two parking spaces shall be provided for each designated manufactured housing space. Parking may be provided at the designated space or in community parking areas.
- L. In the development of a park, existing trees and other natural site features shall be preserved to the extent feasible and in accordance with the Tree Protection provisions of this Ordinance.
- M. Buffer Yards shall be provided on the perimeter of the park in accord with the buffer requirements of this Ordinance.
- N. A license shall be requisite to the opening or operation of a manufactured housing park and shall be subject to annual renewal.
- O. Said license is issued by the Planning Official and may be revoked by the Planning Official for a violation of this Ordinance or other applicable ordinances and regulations governing the operation of such uses.
- P. Site plans for manufactured housing parks shall be reviewed and approved by the Planning and Zoning Commission prior to issuance of the license by the Planning Official.