

ARTICLE 1 ORDINANCE #153.2010

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

AN ORDINANCE OF KERSHAW COUNTY, SOUTH CAROLINA, ENACTING A UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS REGULATING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, LAND, THE HEIGHT OF BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS, THE DENSITY AND DISTRIBUTION OF POPULATION; CREATING DISTRICTS FOR SAID PURPOSES AND ESTABLISHING THE BOUNDARIES THEREOF; ESTABLISHING LAND DEVELOPMENT AND DESIGN STANDARDS; REQUIRED IMPROVEMENTS; DEFINING CERTAIN TERMS USED HEREIN; PROVIDING FOR THE METHOD OF ADMINISTRATION AND AMENDMENT; AND PROVIDING FOR THE IMPOSITION OF PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.

1:1 PREAMBLE

1:1.1 Title

This Ordinance shall be known as the as the Kershaw County, South Carolina Unified Code of Zoning and Land Development Regulations. The short title shall be: Zoning and Land Development Regulations (ZLDR).

1:1.2 Authority

This Ordinance is adopted pursuant to the authority granted under the General Statutes of South Carolina, 1976 Code of Laws, Title 6, Chapter 29, *South Carolina Local Government Comprehensive Planning Enabling Act of 1994* (as amended).

1:1.3 Purpose

The purpose of this Ordinance is in keeping with the declaration of intent by the State of South Carolina (6-29-710 and 6-29-1120), to require harmonious, orderly, and progressive development of land in pursuit of public health, safety, economy, good order, appearance, convenience, morals, and the general welfare. In furtherance of this general intent, the regulation of zoning and land development is authorized for the following purposes among others:

- A. To provide for adequate light, air, open space, and the prudent use of natural resources;
- B. to prevent the overcrowding of land, to avoid undue concentration of population, and to lessen congestion in the streets;
- C. to facilitate the creation of a convenient, attractive, and harmonious community;
- D. to protect and preserve scenic, historic, or ecologically sensitive areas;
- E. to facilitate the adequate provision or availability of community facilities and public services;

- F. to secure safety from fire, flood, and other damages;
- G. to encourage sound, sustainable, and stable development;
- H. to assure the provision of required streets, utilities, and other facilities and services to new land development;
- I. to assure the provision of safe, efficient, and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments;
- J. to assure the provision of public open space and building sites in new land developments through the dedication or reservation of land for recreation, education, transportation, and other public purposes; and
- K. to assure, in general, the development of new areas in harmony with the Comprehensive Plan of Kershaw County.

1:1.4 Official Zoning Map

The Official Zoning Map established in Article 1, Section 1-3 of the Zoning Ordinance, Kershaw County, South Carolina as amended shall continue and remain in effect under this Ordinance.

1:1.5 Board of Zoning Appeals

The establishment of the Board of Zoning Appeals under Article 9, Section 9-9 of the Zoning Ordinance, Kershaw County, South Carolina as amended shall continue and remain in effect under this Ordinance.

1:1.6 Supersedence and Repeal of Prior Ordinances

Except as to Official Zoning Map (1:1.4) and Board of Zoning Appeals (1:1.5), as of the effective date of this Ordinance, these Zoning and Land Development Regulations supersede and repeal the Land Development Ordinance, Kershaw County, South Carolina as amended April 27, 2007; the Zoning Ordinance, Kershaw County, South Carolina as amended March 25, 2008; and the Kershaw County Engineering Standards adopted February 11, 2003.

1:1.7 Interpretation and Conflict

The provisions of this Ordinance shall be held to be minimum requirements. Where the conditions imposed by any provision of this Ordinance are either more restrictive or less restrictive than any other applicable statute, the more restrictive statute, imposing higher standards or requirements shall govern.

1:1.8 Separability and Validity

The provisions of this Ordinance are separable. Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

1:1.9 Effective Date

This Ordinance shall take effect three (3) months after the date of third reading, ratification, and adoption by Kershaw County Council.

1:2 FINDINGS

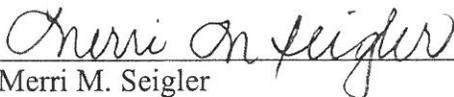
WHEREAS: It is the duty of the Kershaw County Planning and Zoning Commission to recommend regulations pertaining to Zoning and Land Development to the Kershaw County Council; and

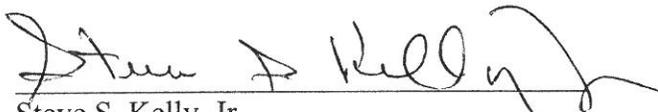
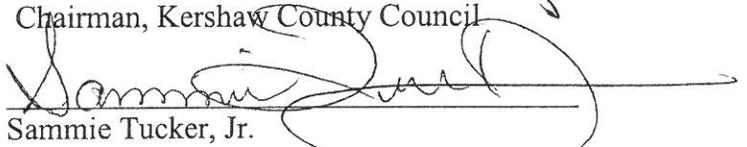
WHEREAS: On November 10, 2009, the Kershaw County Planning and Zoning Commission recommended these Zoning and Land Development Regulations to the Kershaw County Council.

NOW, THEREFORE BE IT ORDAINED BY THE KERSHAW COUNTY COUNCIL that the Kershaw County, South Carolina Unified Code of Zoning and Land Development Regulations are hereby adopted.

DONE, RATIFIED, AND ADOPTED IN REGULAR MEETING OF KERSHAW COUNTY COUNCIL THIS 23rd DAY OF FEBRUARY, 2010
KERSHAW COUNTY, SOUTH CAROLINA

ATTEST:


Merri M. Seigler
Clerk to Council


Steve S. Kelly, Jr.
Chairman, Kershaw County Council

Sammie Tucker, Jr.
Vice Chairman, Kershaw County Council

First Reading November 10, 2009
Public Hearing January 12, 2010
Second Reading February 9, 2010
Third Reading February 23, 2010