

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF KERSHAW )

ORDINANCE NO. 400.2023

AN ORDINANCE

TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS, TO AMEND SECTION 3:1.3, TABLE 3-3 TO CORRECT THE SITE-BUILT HOUSING CATEGORIES INVOLVING TRIPLEX AND QUADRUPLEX HOUSING.

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 residential development to 15,000 sq. ft.
- (b) In review of the ZLDR in connection with density amendments, it was discovered that a scrivener's error exists in Table 3-3 to include "triplex" and "quadruplex" housing in the site-built housing category intended to only include "duplex" housing.
- (c) Staff advises that it conducted research into the discrepancy and reviewed prior iterations of the ZLDR. Staff research revealed that triplex and quadruplex use types were previously a "conditional" use in certain zoning districts, but the ZLDR was amended to allow those use types as "permitted" within certain zoning districts. When the amendment from "conditional" to "permitted" was applied to Table 3-3 the triplex and quadruplex uses were intended to be regulated in a separate and distinct manner from duplex housing but instead were double listed in the chart by scrivener's error.
- (d) This scrivener's error creates a conflict in Table 3-3 for the permitted use of triplex and quadruplex housing in certain districts as triplex and quadruplex housing is regulated and permitted using a different standard than duplex housing.
- (e) The Use Table should be corrected to remove triplex and quadruplex from the duplex Site-Built Housing category.

**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.

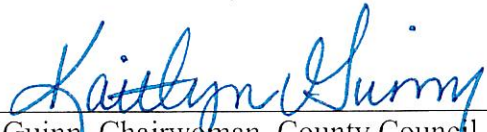
**Section 5. Effective Date.**

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 23-12)**

PROPOSAL: To amend the Kershaw County, South Carolina Unified Code of Zoning and Land Development Regulations, to amend Section 3:1.3, Table 3-3 to correct the site-built housing categories involving Triplex and Quadruplex housing.

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 #:** 23-12

**Applicant:** Kershaw County

**Proposal:** To amend the Kershaw County, South Carolina Unified Code of Zoning and Land Development Regulations, to amend Section 3:1.3, Table 3-3 to correct the site-built housing categories involving Triplex and Quadruplex housing.

#### 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 residential development to 15,000 sq. ft.
- In review of the ZLDR in connection with density amendments, it was discovered that a scrivener's error exists in Table 3-3 to include "triplex" and "quadruplex" housing in the site-built housing category intended to only include "duplex" housing.
- Staff advises that it conducted research into the discrepancy and reviewed prior iterations of the ZLDR. Staff research revealed that triplex and quadruplex use types were previously a "conditional" use in certain zoning districts, but the ZLDR was amended to allow those use types as "permitted" within certain zoning districts. When the amendment from "conditional" to "permitted" was applied to Table 3-3 the triplex and quadruplex uses were intended to be regulated in a separate and distinct manner from duplex housing but instead were double listed in the chart by scrivener's error.
- This scrivener's error creates a conflict in Table 3-3 for the permitted use of triplex and quadruplex housing in certain districts as triplex and quadruplex housing is regulated and permitted using a different standard than duplex housing.
- The Use Table should be corrected to remove triplex and quadruplex from the duplex Site-Built Housing category.

- **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 3-3
- 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, Kevin Scharf made a motion that the Planning and Zoning Commission recommend approval of the text amendment, with a second by Mr. Harkins.

After discussion, the vote on the motion to recommend approval of the text amendment was (5-0) and therefore the matter has been referred to the Kershaw County Council with recommendation for approval.

TRIPLEX AND QUADRUPLEX 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: 6.29.2023	REQUEST NO.: Case 23-12
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APPLICANT

NAME: Denny Templar, County Administrator		E-MAIL: danny.templar@kershaw.sc.gov		
MAILING ADDRESS: 515 Walnut Street		CITY: Camden	STATE: SC	ZIP: 29020
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 Section 3:1.3, Table 3-3 to correct the site-built housing categories involving triplex and quadruplex housing. The scrivener's error was discovered by Kershaw County Planning and Zoning staff 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 of the Kershaw County 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:  DATE: 6/29/2023

Text Amendment Application 12.15.10



Indicates Matter Stricken  
Indicates New Matter

**Table 3-3 SCHEDULE OF PERMITTED AND CONDITIONAL USES  
AND OFF-STREET PARKING REQUIREMENTS BY ZONING DISTRICTS**

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Zone Districts	NAICS	R-15	R-10	R-6	O-1	B-2	B-3	I-1	GD	RD-1, RD-2 MRD-1	Required Off-Street Parking (a)
Administration of Economic Programs (Refer to Conditional Uses for Rural and B-3 Businesses)	926	N	N	N	P	P	C	P	P	N	1 per 350 GFA
<b>Residential Uses</b>											
<b>Site-built Housing</b>	NA										
Single-Family Detached	NA	P	P	P	P	P	P	N	P	P	2 per dwelling
Duplex-Triplex-Quadruplex	NA	N	P	P	P	P	P	N	P	N	2 spaces per unit
Multi-Family, Apartments	NA	N	N	P	N	P	P	N	P	N	1.5 spaces per unit
Townhouses (Refer to Conditional Uses for Townhouses)	NA	N	N	C	C	C	C	N	C	N	2 spaces per unit
Patio Homes Refer to Conditional Uses for Patio and Zero Lot Line Homes)	NA	C	C	C	C	C	C	N	C	N	2 spaces per unit
Triplex and Quadruplex	NA	N	N	P	N	P	P	N	P	N	2 spaces per unit
<b>Manufactured Dwellings</b>	NA										
Manufactured Housing	NA	N	N	P	N	N	N	N	P	(b)	2 spaces per unit
Mobile Homes	NA	N	N	N	N	N	N	N	N	(c)	2 spaces per unit
Manufactured Housing Parks	NA	N	N	P	N	N	N	N	P	N	2 spaces per unit
Park Model Homes	NA	N	N	(e)	N	N	N	N	(e)	(d)	2 spaces per unit
Modular Homes	NA	P	P	P	P	P	P	N	P	P	2 spaces per unit
<b>Accessory Uses to Residential Uses</b>											
Bathhouses and Cabanas	NA	P	P	P	P	P	P	N	P	P	None
Non-Commercial Piers and Docks	NA	P	P	P	P	P	P	N	P	P	None
Private Residential Community Centers, Clubhouses, and Recreational Facilities	NA	P	P	P	P	P	P	N	P	P	1 per 750 gross site area