

FILED FOR RECORD

2025 MAY 14 PM 2:55

STATE OF SOUTH CAROLINA

COUNTY OF KERSHAW

GINGER H. FARMER  
CLERK OF COURT  
KERSHAW COUNTY, SC

ORDINANCE NO. 105.2025

**AN ORDINANCE**

**TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS, AN ORDINANCE, SECTION 5:1.4-5 TO REQUIRE INSTALLATION OF FIRE HYDRANTS FOR MINOR SUBDIVISION DEVELOPMENT WHERE EXISTING PUBLIC WATER INFRASTRUCTURE IS CAPABLE OF SUSTAINING FIRE FLOW.**

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

**Section 1. Findings and Determinations.**

The Council finds and determines that:

- (a) The Kershaw County Unified Code of Zoning and Land Development Regulations (ZLDR) Article 5 establishes Land Development Regulations for the subdivision of land and the creation of lots.
- (b) Article 5, Section 5:1.4-5 of the ZLDR currently provides that fire hydrants must be installed within Major Subdivisions where the existing infrastructure of the public water system supplying water to the entrance of a subdivision is capable of sustaining fire flow.
- (c) A significant percentage of the subdivision development activity in Kershaw County is undertaken using the Minor Subdivision (defined at ZLDR Section 5:2.3-1) development process which does not require installation of fire hydrants.
- (d) Fire hydrants are a critical component of the fire protection system of Kershaw County and the presence of a fire hydrant in the vicinity of a fire emergency is often the most important factor in whether a fire is controlled or whether a fire results in irreparable property loss and human casualties and loss of life.
- (e) Requiring the installation of a fire hydrant(s) for Minor Subdivision development, where there is an available public water system with sufficient fire flow, will result in increased life safety protections for owners of minor subdivision properties and for nearby property owners.
- (f) In addition to the life safety benefits of requiring fire hydrants with minor subdivision development there may be a resulting improvement to Kershaw County Fire Services' rating with the Insurance Services Office (ISO), which could result in lower hazard insurance premiums for many Kershaw County citizens.
- (g) The Insurance Services Office (ISO) evaluates fire departments using the Fire Suppression Rating Schedule (FSRS) and department data and then assigns a Public Protection Classifications (PPC) score from 1 to 10 to the department, which assesses

a department's ability to protect communities, with Class 1 representing the highest rating and Class 10 indicating that minimum criteria are not met.

- (h) The FSRS scoring system awards from 0 to 105.5 points and considers three main areas of a community's fire suppression system: emergency communications, fire department (including operational considerations), and water supply. In addition, it includes a Community Risk Reduction section that recognizes community efforts to reduce losses through fire prevention, public fire safety education, and fire investigation.
- (i) A maximum of 40 points of the overall FSRS score is based on the community's water supply. This part of the survey focuses on whether the community has sufficient water supply for fire suppression beyond daily maximum consumption. All components of the water supply system are reviewed including fire hydrant flow inspections and frequency of flow testing. A significant factor in the score is the number of fire hydrants that are no more than 1,000 feet from the representative locations.
- (j) Requiring installation of fire hydrants for all non-exempt subdivision activity, where there is an available public water system with sufficient fire flow, should improve the County's ISO rating for fire services, with a resulting positive impact on the hazard insurance rates for Kershaw County citizens. Exempt Subdivisions are defined and set forth in the ZDLR at Section 5:2.2-1 and Section 5:2.2-2.
- (k) The Kershaw County Planning Commission considered the proposed text amendment at its meeting on March 10, 2025, and by a 6:0 vote recommended approval of the proposed text amendment.

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

Section 5:1.4-5 Water Supply, System to Include Fire Hydrants, is amended as set forth on **Exhibit 1** attached hereto and incorporated herein by reference.

**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.**

Whenever the provisions of this ordinance impose more restrictive standards than are required in or under the ZLDR, the regulations contained herein shall prevail. To the extent that this ordinance contains provisions that conflict with provisions of the ZLDR, the Kershaw County Code of Ordinances, or other Kershaw County ordinances, the provisions contained in this ordinance supersede all conflicting provisions and this ordinance is controlling.

**Section 5. Effective Date.**

This ordinance is effective upon Third Reading.


**AND IT IS SO ORDAINED**

Dated this 13th day of May, 2025.

**KERSHAW COUNTY, SOUTH CAROLINA**

  
\_\_\_\_\_  
J. Ben Connell  
Chairman, Kershaw County Council

ATTEST:

  
\_\_\_\_\_  
Hannah M. Parler, Clerk to Council



First Reading: April 8, 2025  
Second Reading: April 22, 2025  
Public Hearing: May 13, 2025  
Third Reading: May 13, 2025

Ordinance No. \_\_\_\_\_105.2025

**Exhibit 1**

Indicates New Matter

Indicates-Matters-Stricken

**5:1 SUBDIVISIONS**

**5:1.4 Water Supply**

**5:1.4-5 System to Include Fire Hydrants**

Where existing infrastructure of the available public water system supplying water to the entrance of the subdivision is capable of sustaining fire flow, fire hydrants will be installed internally for major subdivision development or along the right-of-way for minor subdivision development by the developer. Fire hydrants shall be installed and spaced internally or along the road-right-of way throughout each subdivision to maintain a maximum space of 500 feet apart based on fire truck (fire apparatus) access.

# **SUPPORT MATERIALS**

7. Planned development district.

C. **Review** - The designated responsibility for reviewing and approving each of the above is as follows:

Table 5-4		Land Development Review and Approval Responsibilities			
Development Type	Planning Official	County Engineer	Building Official	Planning Commission	County Council
Exempt Subdivision	✓				
Minor Subdivision	✓				
Major Subdivision	✓	✓		✓	
Large Acreage	✓	✓			
Minor Group Development	✓	✓	✓		
Major Group Development	✓	✓	✓	✓	
Planned Development District	✓	✓		✓	✓
<b>Note: Removed per ZLDR amendment</b>					

**5:2.2 Exempt Subdivisions**

The following are exempt from the definition of a subdivision and, as such, are not governed by the regulations for subdivisions of this Ordinance. Exempt subdivisions, however, are subject to applicable zoning district regulations.

**5:2.2-1 State Law Exemptions (under SC Code of Law 6-29-1110)**

The following exceptions 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 combination or re-combination 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. Plats of these exceptions must be received as information by the Planning and Zoning Department, which shall indicate that fact on the plats.
- C. The combination or recombination of entire lots of record where no new street or change in existing streets is involved.

### 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 station, gas pressure control station, or similar facility.

### 5:2.2-3 Submittal Requirements

- A. Applicants of subdivisions exempt from the land development requirements of this Ordinance shall nonetheless submit to the Planning Official original copies (with original Registered Land Surveyor stamp or seal) of said exempt plat, drawn to the requirements of the *Minimum Standards Manual for the Practice of Land Surveying in South Carolina*, and shall include the Kershaw County Tax Map Survey (TMS) number. The exempted subdivision shall, however, conform to applicable zoning district regulations of this Ordinance.
- B. The Planning Official shall prepare approval guidelines and a checklist to assist the applicant in preparing the plat and submitting the documentation required to obtain approval for recording.
- C. The applicant shall produce evidence that no taxes or assessments are outstanding against the property.
- D. The applicant shall pay the prescribed plat approval fee set by County Council.

#### **5:2.2-4 Approval Process**

- A. The Planning Official shall make a determination that the proposed subdivision qualifies for and meets the requirements of an exempt subdivision. Supporting documentation such as deeds, wills, titles, supplemental plats and maps, etc. shall be reviewed and evaluated. The Planning Official shall prepare a plat approval guideline and checklist.
- B. Within ten (10) working days of submission of the plat, the Planning Official shall make a determination that the proposed exempt subdivision conforms to applicable zoning district regulations of this Ordinance and shall approve, approve with changes, or reject the plat. If rejected, changes, additional analysis, or other information necessary to make an approval determination shall be identified and transmitted to the applicant.
- C. Upon determination that all conditions for approval have been met, the Planning Official shall sign and stamp the plat as approved for recording.

#### **5:2.3 Minor Subdivisions**

##### **5:2.3-1 Definition of Minor Subdivision**

A minor subdivision is a subdivision which does not involve any of the following:

- A. The creation of more than ten (10) lots.
- B. The creation of any new street.
- C. The extension of public water or sewer lines.
- D. The installation of drainage improvements through one (1) or more lots to serve one (1) or more other lots.
- E. The extension of an existing minor or major subdivision or development under the same ownership or control which would in effect create more than ten contiguous lots.
- F. The creation of lots that cannot meet the driveway maximum number and separation standards.

**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 25-05)**

**PROPOSAL: TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR), SECTION 5:1.4-5 WATER SUPPLY, TO AMEND FIRE HYDRANT REQUIREMENTS IN BOTH MAJOR AND MINOR SUBDIVISIONS.**

**March 10, 2025**

**Ordinance 105.2025**

# STAFF REPORT

## KERSHAW COUNTY PLANNING COMMISSION (March 10, 2025 Meeting)

**Request #:** 25-05

**Applicant:** Kershaw County

**Proposal:** TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR), SECTION 5:1.4-5 WATER SUPPLY, TO AMEND FIRE HYDRANT REQUIREMENTS IN BOTH MAJOR AND MINOR SUBDIVISIONS.

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### Background Summary

Kershaw County Fire Chief W. Matthew Bullard is requesting a change to Section 5:1.4-5 of the Kershaw County Zoning and Land Development Regulations pertaining to fire hydrants.

The current ordinance requires fire hydrants to be installed and spaced internally throughout major subdivisions in Kershaw County. Minor subdivisions (10 lots or fewer) do not currently require fire hydrants to be installed. The proposed text amendment would include minor subdivision to the fire hydrant installation requirements and would allow fire access to homes that would otherwise not be served by a hydrant. This would potentially improve ISO ratings for the fire department and would assist residents in lowering their homeowner insurance premiums.

**Attachments:**

- Exhibit 1: Request for text amendment letter from Kershaw County Fire Service
- Exhibit 1: Text amendment language

## Planning and Zoning Commission Options:

- *Forward a favorable recommendation of the proposed text amendment to the Kershaw County Council*
- *Forward an amended version of the proposed text amendment to the Kershaw County Council.*
- *Forward an unfavorable recommendation to the Kershaw County Council*
- *Continue the review to the next Planning and Zoning 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.

## Planning and Zoning Commission Action Summary

Chairman Towell introduced the case and introduced Kershaw County Fire Chief W. Matthew Bullard. Mr. Bullard presented the text amendment proposal to the commission.

Commission members asked for clarification to the nature of subdividing property under the minor subdivision standards and if fire hydrants would be required for an individual subdividing property to deed to family members. Staff affirmed that the property owners would have to install the fire hydrants if the property is subdivided, even if the property was deeded to family members. Staff additionally clarified that installation of fire hydrants would only be required if the lots have public water availability.

Based on the presentation and discussion between the Planning Commission and Mr. Bullard, Mr. Towell made a motion to approve of the text amendment as proposed; seconded by Mrs. Dykes. By show of hands, Mr. Towell, Mr. Proctor, Mr. Horton, Mrs. Dykes, Mr. Wolfe and Mr. Renfro were all in favor (6:0).

Exhibit 1  
Request for text amendment letter from Kershaw County Fire Service

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## Kershaw County Fire Service

W. Matthew Bullard, Fire Chief  
515 Walnut St.  
Camden, SC 29020  
Phone: (803) 425-1522  
Fax: (803) 424-4018  
<http://www.joinkcf.com>

February 4th, 2025

Director Adams-Raczkowski,

I am requesting a change to a section of the current Kershaw County ZLDR. Currently section 5:1.4-5 pertaining to fire hydrants reads as follows:

*System to Include Fire Hydrants Where existing infrastructure of the available public water system supplying water to the entrance of the subdivision is capable of sustaining fire flow, fire hydrants will be installed internally by the developer. Fire hydrants shall be installed and spaced internally throughout each subdivision to maintain a maximum space of 500 feet apart based on fire truck (fire apparatus) access.*

We know that we have seen quite a few developments within the county that have been minor developments, and a few major developments. The way this section of the ZLDR reads, developers would only be required to install hydrants for new subdivisions where the infrastructure exists to support it.

I am proposing that we make changes to the requirements for hydrants to be worded that would include minor, major, and subdivision development. I believe the key terminology change to include the word development would help us tremendously. This would allow us to get added hydrants in areas that add a strip of houses where an existing water line exists. Right now, if we have a row of houses that are added on a road frontage, because it does not classify as a subdivision, the developers are not required to install hydrants or at least a hydrant.

This would potentially improve ISO ratings for the fire department and in return would assist residents in lowering their insurance premiums.

I would greatly appreciate your consideration in this matter.

Respectfully,

W. Matthew Bullard

W. Matthew Bullard  
Fire Chief  
Kershaw County Fire Service  
[matthew.bullard@kershaw.sc.gov](mailto:matthew.bullard@kershaw.sc.gov)  
803-425-1522, Opt. 2

*\*Courage \* Service \* Teamwork \* Leadership \* Dedication \* Tradition \**

**Exhibit 2**

Indicates New Matter

~~Indicates Matters Stricken~~

**5:1 SUBDIVISIONS**

**5:1.4 Water Supply**

**5:1.4-5 System to Include Fire Hydrants**

Where existing infrastructure of the available public water system supplying water to the entrance of the subdivision is capable of sustaining fire flow, fire hydrants will be installed internally for major subdivision development or along the right-of-way for minor subdivision development by the developer. Fire hydrants shall be installed and spaced internally or along the road-right-of way throughout each subdivision to maintain a maximum space of 500 feet apart based on fire truck (fire apparatus) access.