



## **AGENDA**

KERSHAW COUNTY PLANNING & ZONING REGULAR MEETING AGENDA  
APRIL 13, 2026 @ 5:30 PM  
COUNCIL CHAMBERS - KERSHAW COUNTY GOVERNMENT CENTER  
515 WALNUT STREET, CAMDEN, SOUTH CAROLINA

- I. **Call to Order, Determination of Quorum**
- II. **Report on Compliance with Freedom of Information Act**
- III. **Approval of Agenda**
- IV. **Approval of Minutes**  
March 9, 2026 Regular Meeting
- V. **General Public Comment Period**  
**Excerpt from, Kershaw County Planning and Zoning Commission Rules of Procedure, Section 7, Procedures for Public Comment Period (Non Public Hearing)**
  - a. Public comment period:
    - is an opportunity for members of the public to share information with the Planning Commission.
    - is not a time for debate with or questions and answers from the Planning Commission.
    - is a time for the Planning Commission to receive input.
    - is not a time for Planning Commission response.

In short, during public comment, the Planning Commission will listen to public comment, but not comment on public comment.

b. The Public Comment period is limited to matters on the Agenda or matters over which the Planning Commission has authority and jurisdiction.

c. Offensive and inappropriate comments will not be tolerated, and comments should be limited to statements and rhetorical questions.

d. If a group would like to speak to the Planning Commission, the Commission requests that a spokesperson be selected and that this person indicates the group he/she is representing on the sign-up sheet and in his/her comments.

e. Public comment is a time to discuss issues, not individuals. Other avenues exist for individual personnel complaints.

Public comment period is limited to 30 minutes with 5 minutes maximum allowed per individual speaker.

VI. **Discussion**

A. Smart Growth Committee Progress

VII. **New Business - No Public Hearings Required**

A. **Case 26-07: Kershaw County Code of Ordinances Amendment Proposal:**

An Ordinance To Implement A Building Permit Allocation System.

B. **Case 26-08: Text Amendment Proposal:**

An Ordinance to Amend the Kershaw County, South Carolina Unified Code of Zoning and Land Development Regulations (ZLDR) to Add Section 5:3.3 Major Subdivision Design Standards.

C. **Case 26-09: Text Amendment Proposal:**

An Ordinance to Amend the Kershaw County, South Carolina Unified Code of Zoning and Land Development Regulations (ZLDR), Section 3:5.4, Buffering, Screening, Open Space, And Landscaping Regulations

D. **Case 26-10: Text Amendment Proposal:**

An Ordinance to Amend the Kershaw County, South Carolina Unified Code of Zoning and Land Development Regulations (ZLDR), to Amend Section 5:3.14 Sidewalks And Paths To Require Sidewalks On Both Sides Of The Road Right-Of-Way.

E. **Case 26-11: Text Amendment Proposal:**

An Ordinance to Amend the Kershaw County, South Carolina Unified Code of Zoning and Land Development Regulations (ZLDR) Section 3:6, Off-Street Parking Regulations, to Address Off-Street Parking Requirements For Major Subdivisions And To Limit On-Street Parking In Major Subdivisions To One Side of Roadways.

F. **Case 26-12: Text Amendment Proposal:**

An Ordinance to Amend the Kershaw County, South Carolina Unified Code of Zoning and Land Development Regulations (ZLDR), To Add Section 5:1.2-13, Requirements For The Naming Of Easements And Drives.

G. **Case 26-13: Text Amendment Proposal:**

An Ordinance to Amend the Kershaw County, South Carolina Unified Code of Zoning and Land Development Regulations (ZLDR), Sections 5:2.4-7 To Revise Existing Provisions Related To Performance Financial Guarantees Required During The Final Plat Approval Process For Major Subdivisions; To Amend Section 5:2.7-6 To Revise Existing Provisions Related To Performance Financial Guarantees Required For Final Plat Approval Process For Planned Development Districts; And to Amend Section 5:2.12-3 To Revise Existing Provisions Related To Improvement Guarantees.

H. **Case 26-14: Text Amendment Proposal:**

An Ordinance to Amend the Kershaw County, South Carolina Unified Code of Zoning and Land Development Regulations (ZLDR), By Revising Section 5:2, Land Development Submittal Requirements And Approval Process, To Modify Staff Review Timelines For Exempt, Minor, Major, And Large-Acreage Single-Family Residential Subdivision Submittals; Planned Development District (PDD) Submittals; And Minor And Major Group Development Submittals; And To Provide Additional Clarification And Guidance For Reviewers And Applicants Regarding Submittal Review Procedures.

I. **Case 26-15: Text Amendment Proposal:**

An Ordinance to Amend the Kershaw County, South Carolina Unified Code of Zoning and Land Development Regulations (ZLDR), Section 5:2.9-3, Impact Assessments, To Remove Traffic Management Plan Provisions As Redundant Language And To Add A Provision That The Kershaw County Planning And Zoning Commission Shall Evaluate And Consider Impact Assessments Submitted As Part Of Its Determination On Approval Of Proposed Projects.

VIII. **Old Business**

None

IX. **Director's Report**

X. **Legal Briefing**

XI. **Commissioner Briefings**

XII. **Executive Session (if needed)**

Receipt of Attorney-Client Privileged Legal Briefing, SC Code 30-4-70(2).

XIII. **Adjournment**

Executive Session may be called and held at any time by the Planning Commission for and permitted by South Carolina Freedom of Information Action and action may possibly be taken on issues subject to the Executive Session after the Planning Commission reconvenes. The public may access the internet as a guest through the County's Wi-Fi and locate the Planning Commission agenda on the County website at the link below:

Individuals who need auxiliary aids for effective communication concerning the above meeting should contact the Secretary to the Planning Commission at 803-425-7233, 24 hours prior to the scheduled meeting. This institution is an equal opportunity provider and employer. The public may access the internet as a guest through the County's Wi-Fi and locate the Planning Commission agenda on the County website:

<https://www.kershaw.sc.gov/departments/departments-h-q/planning-zoning/planning-commission>

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**Kershaw County Planning and Zoning Commission  
Regular Session Minutes – March 9, 2026, 5:30 PM  
County Council Chambers  
515 Walnut Street, Camden, SC 29020**

**Members in Attendance:** Jonathan Proctor, Mason Wolfe, Robert Horton, Christopher Renfroe and Lanny Gunter

**Members Attending Remotely:** None

**Members Absent:** Heather Dykes

**Staff in Attendance:** Zack Hoover, John DuBose

**Call to Order and Determination of Quorum, and Election of Chairperson**

Chairman Proctor called the meeting to order at 5:34 PM, and verified that there was a Quorum.

Mr. Proctor called for an election for Secretary of the Planning Commission for the 2026 year. Mr. Proctor opened the floor for nominations for chairman. Mr. Proctor made a nomination for Rhonda Darity to be elected secretary. Mr. Renfroe seconded the motion. Hearing no additional nominations, Mr. Proctor closed the nominations and proceeded with the voting. Rhonda Darity was elected Secretary of the Commission with a 5:0 vote.

**Report on Compliance with Freedom of Information Act**

Planning Director, Zack Hoover, reported that the agenda and supporting materials were made available online on the Planning and Zoning Department website as well as the Kershaw County Events Calendar in accordance with the Planning Commission Rules of Procedure.

**Adoption of Agenda**

Chairman Proctor called for a motion to adopt the agenda. Mr. Renfroe made a motion to adopt the agenda; seconded by Mr. Horton. By show of hands, Mr. Proctor, Mr. Wolfe, Mr. Horton, Mr. Renfroe and Mr. Gunter were all in favor.

**Approval of Minutes**

Chairman Proctor stated that the minutes for the January 12, 2026 regular meeting had been distributed electronically. He asked if there were any additions, corrections, or deletions to the minutes.

Hearing none, Mr. Proctor asked for a motion to approve the January 12, 2026 regular meeting minutes. Mr. Wolfe made a motion to approve the minutes. Mr. Renfroe seconded the motion. By show of hands, Mr. Proctor, Mr. Wolfe, Mr. Horton, Mr. Renfroe and Mr. Gunter were all in favor.

**General Public Comment Period**

No individuals signed up for public comment.

**Discussion**

**Smart Growth Committee**

Mr. Proctor spoke to the Commission about the progress made in during the January and February Smart Growth Committee meetings; which included continued talks about residential design standards for major subdivisions, a permit allocation system for residential dwelling permits, residential common open space changes, off-street parking regulation changes, and more which will be voted upon at the March 26, 2026 Smart Growth Committee meeting.

515 Walnut Street, Room 160 Camden, SC 29020 803-425-7233 Fax 803-424-5268

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## **New Business - Public Hearings Required**

### **Case 26-04: Zoning Map Amendment Proposal:**

Mr. Proctor introduced the case and invited the applicant to speak. Mr. William Cox on behalf of the applicant Michael Cummings and property owner Edlin Bryan Young spoke to the rezoning request for the +/- 32.17 acre parcel located at TMS#062-00-00-025 PO from the RD-2 to the GD Zoning District.

The Commission, applicant, and Kershaw County staff discussed the rezoning request as outlined in the staff report.

Mr. Proctor made a motion to amend the agenda to change Item VII. New Business - No Public Hearings Required, to Item VII. New Business - Public Hearings Required; seconded by Mr. Renfroe. By show of hands, Mr. Proctor, Mr. Wolfe, Mr. Horton, Mr. Renfroe and Mr. Gunter voted to approve the agenda as amended.

Based on the presentation and discussion between the Planning Commission and applicant, Mr. Proctor asked for a motion to be made to forward the rezoning request to Kershaw County Council with a Favorable recommendation. Mr. Horton made the motion; seconded by Mr. Proctor.

**In favor by show of hands:** Mr. Proctor, Mr. Wolfe, Mr. Horton, Mr. Renfroe and Mr. Gunter;  
**Opposed:** None.

*The motion passed with a 5:0 favorable recommendation.*

## **New Business - No Public Hearings Required**

### **Case 26-05: Exception Proposal:**

Mr. Proctor introduced the case and invited the applicant to speak. Mr. Ethan Oberman, Mr. Mike Koprowski and Mr. Stephen Smoak spoke on the request for exception to the Zoning and Land Development Regulations Section 5:3.6-1 Disturbance of Buffers.

The Commission, applicants, and Kershaw County staff discussed the exception request of widening the 6 foot wide access corridor pathway to 10 feet wide to accommodate the ride-on mowers to perform maintenance of the approved golf course, as outlined in the staff report.

Based on the presentation and discussion between the Planning Commission and applicant, Mr. Renfroe made a motion to approve of the exception request, seconded by Mr. Proctor.

**In favor by show of hands:** Mr. Proctor, Mr. Wolfe, Mr. Horton, Mr. Renfroe and Mr. Gunter;  
**Opposed:** None.

*The motion passed with a 5:0 favorable recommendation.*

### **Case 26-06: Text Amendment Proposal:**

Mr. Proctor introduced the case and invited the applicant to speak. Mr. Ethan Oberman, Mr. Mike Koprowski and Mr. Stephen Smoak spoke on the request for the text amendment towards section 3:3 of the Kershaw County Zoning and Land Development Regulations for Rural Country Clubs.

The Commission, applicants, and Kershaw County staff discussed the text amendment request as outlined in the staff report.

After discussion, Mr. Proctor made a motion to enter executive session; seconded by Mr. Renfroe. By show of hands, Mr. Proctor, Mr. Wolfe, Mr. Horton, Mr. Renfroe and Mr. Gunter were all in favor. The Commission entered executive session at 6:31 PM.

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Mr. Proctor made a motion to exit the executive session; seconded by Mr. Renfroe. By show of hands, Mr. Proctor, Mr. Wolfe, Mr. Horton, Mr. Renfroe and Mr. Gunter were all in favor. The Commission exited the executive session at 6:46 PM. Mr. Proctor stated that no decisions were made and no votes were taken.

The Commission and Kershaw County staff discussed the proposed text amendment language. Based on the presentation and discussion between the Planning Commission and staff, Mr. Proctor made a motion to forward the text amendment to the Kershaw County Council with a favorable recommendation with the following areas of concern for suggested review to be had by Kershaw County Council: Section 3:3.28-2 Rural Country Club Regulations Item A, currently does not require a golf course to be present which could open development in the rural part of the County to have the proposed amended guest lodge facilities with minimal Rural Country Club facilities; reconsider the striking of Conditionally in the Rural Country Club definition and in Section 3:3.28-4 Item A.3; consider the impact impact from adding Perimeter to Section 3:3.28-2 Item C and Section 3:3.28-5 Item C.2; consider the impact from striking the Item C.9 from Section 3:3.28-5 to allow guest lodging facilities for Rural Country Club / Golf Course being open to the general public; consider the impact for staff lodging facilities being permitted.; seconded by Mr. Renfroe.

**In favor by show of hands:** Mr. Proctor, Mr. Wolfe, Mr. Horton, Mr. Renfroe and Mr. Gunter;

**Opposed:** None

*The motion passed with a 5:0 favorable recommendation.*

#### **Old Business**

*None*

#### **Director's Report**

*None*

#### **Legal Briefing**

*None*

#### **Commission Member Briefings**

**Chairman Jonathan Proctor:** Mr. Proctor asked for an update on the Horse Creek Academy Stormwater issues, and Mr. Hoover stated that he had not received any new information, but would reach out to the Stormwater Department to receive a status update.

**Vice-Chairman Mason Wolfe:** *None*

**Commissioner Christopher Renfroe:** *None*

**Commissioner Robert Horton:** *None*

**Commissioner Lanny Gunter:** *None*

## **Adjournment**

Chairman Proctor asked if there were any additional items to be brought up before the Commission. Hearing none, he asked for a motion to adjourn. Mr. Renfroe made the motion; seconded by Mr. Wolfe. By show of hands, Mr. Proctor, Mr. Wolfe, Mr. Horton, Mr. Renfroe and Mr. Gunter. With a 5:0 vote, the meeting was adjourned at 6:51 PM.

Respectfully submitted,

*Rhonda Darity*

Rhonda Darity, Secretary



**KERSHAW COUNTY  
CODE  
OF  
ORDINANCES**

**KERSHAW COUNTY  
PLANNING AND ZONING COMMISSION**

**REQUEST FOR TEXT AMENDMENT BY  
KERSHAW COUNTY (CASE 26-07)**

**PROPOSAL: AN ORDINANCE TO IMPLEMENT A BUILDING PERMIT ALLOCATION  
SYSTEM.**

**April 13, 2026**

# STAFF REPORT

## KERSHAW COUNTY PLANNING COMMISSION April 13, 2026 Meeting

**Request #: 26-07**

<b>Applicant:</b>	Kershaw County Smart Growth Committee
<b>Proposal:</b>	AN ORDINANCE TO IMPLEMENT A BUILDING PERMIT ALLOCATION SYSTEM.

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### Background Summary

Smart Growth Rewrite Committee Recommendation: 5-2 Favorable

Kershaw County Council 1st Reading: 6-0 Favorable

This ordinance implements a cap on the number of residential building permits that can be issued over a six-month period to distribute growth at a reasonable rate. The cap amount will be set by the County Council and is evaluated every six months. The caps will be separately set for single family dwelling units within major subdivisions, single family dwelling units (including manufactured homes) outside major subdivisions, accessory dwelling units, and multi-family units. The permit allocation program as a whole is in place for at least two years, with the ability of the County Council to extend the program after two years.

**Attachments:**

- 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.

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**WHEREAS**, the effects of significant growth are apparent and have resulted not only in increased traffic, congestion and noise, but have also burdened the other public services provided by Kershaw County and have required that the County increase its workforce and purchase the necessary machinery and equipment in an effort to maintain acceptable levels of service; and

**WHEREAS**, the referenced growth poses a threat to public safety in that the County's road system is barely adequate to serve current traffic volumes, a situation which will only worsen as more motorists access the system, whether as new residents or as visitors; and

**WHEREAS**, the County is limited in its options to address road systems due the high cost of road construction or road improvement projects, the taxation limitations imposed by Act 388 of 2006, and the limited availability of state funds administered through the County Transportation Commission (CTC), with all of the aforesaid limiting factors being outside of the control of County; and

**WHEREAS**, the County is similarly limited in its ability to effectuate capital improvements and provide core governmental services due to the high costs of capital projects, rampant inflation, and the taxation limitations imposed by Act 388 of 2006; and

**WHEREAS**, to address and manage the effect of its growth and to assure quality and well-designed development in the future, the County has commissioned various studies and plans to assist in providing the required infrastructure and services to accommodate its citizenry in a cost-effective manner, without the necessity of unreasonable fee and tax increases; and

**WHEREAS**, the rate of growth has outpaced the rate by which the County has been able to acquire necessary funding to construct new capital facilities, to maintain current facilities and

services at the levels of service desired by the County and by its citizenry, and to install necessary infrastructure, especially roads; and

**WHEREAS**, if the County's population rate of growth is not adequately managed, the County will be forced to either greatly increase ad valorem taxes to meet the resulting needs or allow the facilities of the County to fall behind present levels of service; and

**WHEREAS**, the County is concerned about the overcrowded conditions of schools and the ability of the School Board to meet the demands of the County's growth rate through planned acquisition of additional land for new schools or a capital budget for additional classroom infrastructure; and

**WHEREAS**, the adverse effects of growth and the costs associated therewith for infrastructure and services are primarily the product of residential development; and

**WHEREAS**, the County hereby determines that the enactment of a building permit allocation system for the issuance of building permits for residential construction is in the best interests of all the citizens of the County in order to provide for orderly, managed, controlled growth, thereby enabling the County to formulate, formally adopt, and implement plans and policies with respect to capital improvements, personnel, facilities and equipment, transportation improvements, other infrastructure improvements and upkeep, and levels of service with respect to the full range of county governmental involvement; and

**WHEREAS**, the County has enacted a new Comprehensive Plan and is in the process of updating and re-writing the Kershaw County Zoning and Land Use Regulations (ZLDR) to implement policies that will lead to responsible and sustainable growth; and

**WHEREAS**, a building permit allocation system should be implemented for the County over a period of approximately two years, from May 13, 2026 to April 30, 2028; and

**WHEREAS**, the public health, safety, economy, good order, appearance, convenience, morals, and general welfare require a harmonious, orderly and progressive development of land, and a temporary building permit allocation system is necessary and proper for the County to attain this end; and

**WHEREAS**, the County is committed to the appropriation of funds and the construction and installation of capital improvements during the period of the referenced permit allocation system; and

**WHEREAS**, in addition to the need to manage the rate of growth, it is evident that the allocation system must address the form and type of new development occurring during the program if the effort to accomplish the goals of the County's current Comprehensive Plan and the pending re-write of the Comprehensive Plan and ZLDR are to be successful; and

**WHEREAS**, in implementing this building permit allocation system, the County has sought to devise a plan of distribution which recognizes and reasonably accommodates without undue delay prior expenditures and expectations of owners and developers of property, that allows all permit applicants a fair opportunity for a permit, that promotes a range of residential development consistent with traditional residential development trends and that fosters the achievement of the goals adopted by County Council in the Comprehensive Plan, but at a pace that allows for the capital improvements needed to maintain the coveted quality of life in the County to be accomplished; and

**WHEREAS**, the County will monitor and review the efficacy of the permit allocation system prior to its expiration and may act to extend the permit allocation system at or before the expiration of the approximately two-year period; and

**WHEREAS**, Kershaw County Council has the legal authority to enact a building permit allocation system for the issuance of permits for residential construction pursuant to the authority conferred by Chapter 29 of Title 6 of the Code of Laws of South Carolina, and otherwise known as the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 and the police powers of counties granted pursuant to the Constitution of the State of South Carolina and state legislation, including the Home Rule Act (Act No. 283 of 1975) and Section 4-9-25 of the Code of Laws of South Carolina; and

**WHEREAS**, this building permit allocation system was reviewed by the Kershaw County Planning Commission and, after receiving public input, certain recommendations were made to the Kershaw County Council; and

**WHEREAS**, a public hearing was held on May 12, 2026 concerning this building permit allocation system; and

**WHEREAS**, Kershaw County Council is empowered with the authority to amend the Kershaw County Code of Ordinances as deemed appropriate, and Council now believes it is in the best interest to so act with respect to the matters described herein.

**NOW, THEREFORE, BE IT ORDAINED** by the Kershaw County Council that the Kershaw County Code of Ordinances shall be and is hereby amended by adding the provisions attached hereto as **Exhibit 1**, pertaining to a building permit allocation system, to read specifically as provided on **Exhibit 1**.

THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON FINAL READING.

SIGNED, SEALED AND DELIVERED THIS \_\_\_\_\_ DAY OF  
, 2026.

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

Attest:

\_\_\_\_\_  
Hannah M. Parler  
Clerk of Council

First Reading: March 31, 2026

Second Reading: \_\_\_\_\_, 2026

Third Reading: May 12, 2026

Public Hearing: May 12, 2026

**KERSHAW COUNTY, SC**  
**BUILDING PERMIT ALLOCATION SYSTEM**

**Proposed as Chapter 7 of the Kershaw County Code of Ordinances**

Section 7-1 TITLE

This Chapter shall be known and may be cited as the Building Permit Allocation System (BPAS).

Section 7-2 AUTHORITY

- (A) These regulations are adopted for the promotion of the public health, safety, economy, good order, convenience, and general welfare of Kershaw County under the authority granted by:
- (1) The S.C. Code Chapter 29 of Title 6 (otherwise known as the South Carolina Local Government Comprehensive Planning Enabling Act of 1994), and
  - (2) The general police powers of counties granted pursuant to the Constitution of the State of South Carolina and state legislation, including the Home Rule Act (Act No. 283 of 1975) and S.C. Code § 4-9-25.
- (B) Furthermore, the provisions of this ordinance shall not be construed to limit the power and ability of the County to utilize any current laws, codes and regulations in substitution of, or in conjunction with, these provisions to accomplish its intended purpose.

Section 7-3 PURPOSE AND INTENT

(A) Purpose. The purpose of this section is to create a building permit allocation system to distribute certain building permits at a reasonable rate and in a manner intended to limit the pace of construction of certain dwelling units over a fixed period. The purpose of the system is to respond to a variety of growth and development forces which affect the County's ability to meet community expectations and demands. Some factors and considerations supporting the need for the BPAS are as follows:

- (1) Kershaw County is a desirable place to live and work due to its position in the Central Midlands and the greater Columbia metropolitan area. The County's convenient location, level and quality of infrastructure and services, climate, and access to natural recreation areas have generated continued high and unsustainable levels of residential growth;
- (2) According to U.S. Census Bureau data and Kershaw County's estimates, the County's population increased by 6.01% during the decade spanning from 2010 to 2020 and by 9.63% from 2020 to 2024. While incomplete data exists through July 1, 2025, the

available data suggests that the population growth rate from 2020 to July 1, 2025, will be 12.53%

The chart below<sup>1</sup> indicates the annual growth in population and dwelling units from 2020 to 2025. The chart also includes population data from 2010 to provide greater historical context for the population growth of Kershaw County;

Year	Population	Growth Rate	Building Permits Issued (housing units)
2010	61,697	-	
2020	65,403	6.01% from prior decade	504
2021	66,253	1.30%	725
2022	67,989	2.62%	509
2023	70,331	3.44%	526
2024	71,912	2.25%	490
2025	73,166	1.74%	497

- (3) Kershaw County has experienced more population growth in the four years between 2020 and 2024 than in the entire preceding decade;
- (4) Like other fast-growing communities, Kershaw County continues to face infrastructure stresses brought on by continued residential growth. Keeping pace with the demands of increasing numbers of housing remains a significant issue;
- (5) Considering the County's location and physical geography as defined by Interstate Highway I-20 and the Wateree river and wetlands, movement of people and goods depends upon a limited network of major roadways. Growth greatly affects the County's road system as daily activities generate traffic and considerable congestion on primary road corridors which struggle to handle daily traffic volumes, especially

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<sup>1</sup> 2010 and 2020 population data from official U.S. Census data. 2021 through 2025 population data from the U.S. Census's official Vintage Population Estimates for those years as of July 1, 2025 (which track closely with the American Community Survey data where that data is available). Available at <https://www2.census.gov/programs-surveys/popest/tables/2020-2025/counties/totals/co-est2025-pop-45.xlsx>. Further, according to the World Population Review, Kershaw County has a current population (as of March 2026) of **74,804**. Available at <https://worldpopulationreview.com/us-counties/south-carolina/kershaw-county>.

at certain peak periods during each day. This situation is projected to worsen as Kershaw County and the region continues to grow;

- (6) The rate of growth has outpaced the availability of funding (federal, state, and local) to install necessary transportation infrastructure, especially roads and road improvements;
- (7) County revenues do not support construction of needed capital investments, necessitating difficult budgeting decisions for Kershaw County Council;
- (8) To manage the effects of growth and to assure quality, well-designed development in the future, the County has commissioned, adopted, and implemented various studies and plans to identify needs and assist in providing required infrastructure and services to support its citizenry in a cost-effective manner, without raising ad valorem taxes. These include a new Comprehensive Plan adopted on October 15, 2025, the formation of an Ad Hoc Smart Growth Committee on August 12, 2025, the pending efforts to develop a new version of the Kershaw County Unified Code of Zoning and Land Use Regulations (ZLDR), adoption and implementation of a Development Impact Fee ordinance on July 22, 2025, study and review of needs to implement a Capital Improvement Plan adopted on July 22, 2025, and similar plan documents;
- (9) If the County's population rate of growth is not adequately managed, County Council may be forced to either significantly increase property taxes to respond to service and infrastructure demands or reduce the present levels of service for County facilities and services. Either response will generate negative financial and/or quality of life impacts since infrastructure is directly connected to the quality of life in the County.

(B) Intent. In designing and implementing the Building Permit Allocation System, the County has incorporated appropriate mechanisms to recognize different categories of residential development, account for already-approved residential development, provide equity and fairness, and allow for reasonable flexibility.

- (1) These provisions are intended to better manage and address the effects of growth that have resulted in increased traffic, congestion, and burdens upon the infrastructure system and the ability of the County to provide other public services.
- (2) During the lifespan of the BPAS, the County is fully committed, to the extent practical, to the appropriation of funds and the construction and installation of needed capital improvements which will serve existing and future residents.
- (3) In implementing the BPAS, the County has sought to devise a plan that does not disrupt existing residential development patterns in the County and which utilizes a means of distributing permits that recognizes and reasonably accommodates,

without undue delay, prior expenditures and expectations of owners and developers of property.

- (4) The BPAS is intended to manage the construction of dwelling units through the allocation of residential building permits. Single-family, duplex and townhouse residential units represent individual dwelling units and therefore require one permit for each unit. Because multi-family units require a single building permit for each building constructed, regardless of the number of units within each building, the plan of distribution takes this into account. While each building only requires a single building permit for construction, an individual permit allocation shall be assigned to each separate dwelling in a multi-family building.

#### Section 7-4 JURISDICTION; APPLICABILITY.

- (A) The regulations in this chapter shall apply to any building permit application for a residential dwelling unit to be placed on a vacant lot or parcel in the unincorporated areas of Kershaw County on which a residence(s) did not exist as of the date of adoption of this system.
- (B) The permits issued pursuant to this system pertain to new residential construction only and include buildings which are categorized as Single Family Residential (including patio homes and townhomes) or as Multifamily/ Apartment.
- (C) Nothing in this section shall be construed to affect or otherwise limit the approved use, plans, and construction of a dwelling unit(s) for which a building permit has already been issued prior to the effective date of these provisions.
- (D) The building permit allocation system will be effective for the period of May 15, 2026, to April 30, 2028. The building permit allocation system will expire at 11:29 PM on April 30, 2028, unless otherwise extended by Kershaw County Council through passage of an ordinance.

#### Section 7-5 IMPLEMENTATION AND ADMINISTRATION OF BUILDING PERMIT ALLOCATION SYSTEM.

- (A) The BPAS shall be implemented so that the demands of growth are met in a prompt manner.
- (B) For purposes of this ordinance, an allocation is equivalent to a building permit. No separate application for an allocation is required prior to submission of a building permit application.
- (C) The administration of the BPAS is the responsibility of the Kershaw County Planning & Zoning Director or his or her designee. The director is authorized to issue and maintain explanatory materials, necessary forms and applications, and appropriate procedures to effectively administer this ordinance.

- (D) Kershaw County Planning & Zoning Department shall ensure that the department processes complete applications and issues building permits in a timely manner, maintains appropriate records and data, and effectively administers any amendments to this section.

Section 7-6 AVAILABILITY AND ALLOCATION OF PERMITS.

- (A) The overall number of residential building permits allocated under this program is established by the Kershaw County Council to maintain a more sustainable rate of growth and avoid any spikes or peaks in residential construction. The distribution of permit allocations will be handled utilizing different dwelling unit categories and allocation provision as outlined in Section 7-8.
- (B) Permits shall be issued on a semi-annual basis in the chronological order in which applications are received (commonly referred to as "first come, first serve") by the Building Inspection Division of the Planning and Zoning Department.
- (C) One-half of the allocated permits will be available on May 1 and the other half will be made available on November 1 of each year. Each 6-month period represents an allocation cycle.

Section 7-7 PERMIT ALLOCATIONS.

- (A) Dwelling Unit Types. The number of new dwelling units allocated for the duration of this program shall be managed using different categories of dwelling unit types, with categorical limits on the respective number of permits.
  - (1) Category A, Single Family Dwelling. On an annual basis, a total number of permits shall be made available for the construction of buildings meeting the definition of "Dwelling, Single Family Detached", "Dwelling, Mobile Home", "Dwelling, Manufactured Home", "Dwelling, Duplex", "Dwelling, Triplex", "Dwelling, Quadruplex", "Dwelling, Patio House", and "Dwelling, Townhome."
  - (2) Category B, Accessory Dwelling Unit. On an annual basis, a total number of permits shall be reserved and made available exclusively for the construction of buildings meeting the definition of "Accessory Apartments."
  - (3) Category C, Multifamily Dwelling. During the term of the program, a total number of permits shall be made available for the construction of buildings meeting the definition of "Dwelling, Multi-family." This category is independent of the form of ownership and includes units known as "condominiums" and/or in a "horizontal property regime" as defined by State law.
- (B) Established Allocations and Limitations on Number of Applications.

- (1) The annual number of available residential permits is established at a total of 350 dwelling units to yield a more manageable average annual growth rate over the duration of this program. Annual allocations for Categories A, B, and C are provided in Table 1. The number of residential permit allocations over the two-year duration of the program and the total allocation for all unit types is illustrated in Table 2.
- (2) Regardless of the total number of available allocations established in this section, 60 percent (208 permits) of the permit allocations for Category A (Single Family) dwelling types during the semi-annual allocation cycle shall be reserved for those applicants seeking only a single building permit for construction of a building meeting the definition of "Dwelling, Single Family Detached", "Dwelling, Mobile Home", or "Dwelling, Manufactured Home" not located within a "Major Subdivision" (as defined in the Kershaw County, South Carolina Unified Code of Zoning and Land Development Regulations).
- (3) Regardless of the total number of available allocations established in this section, the number of permit applications which may be submitted for any single development/subdivision or combination of phases in a single development/subdivision shall be limited to no more than twenty-five (25) percent of the permit allocations remaining in the semi-annual allocation cycle (50 permits) for the Category A (Single Family) dwelling types after reservation of permit allocations pursuant to Section 7-7 (B)(2).

<b>Table 1: Dwelling Type Categorical Allocations, 2026-2027</b>			
	May-October	October-April	Annual Total
Single Family Dwelling Units	154	154	308
Accessory Dwelling Units	1	1	2
Multifamily	20	20	40
Totals	175	175	350

<b>Table 2: Program Totals, 2026-2028</b>	
Single Family Dwelling Units	616
Accessory Dwelling Units	4
Multifamily Dwelling Units	80

Total	700
-------	-----

- (C) Management of Permit Allocations. Any permits allocated for a given cycle but not issued during that cycle shall be carried over and will be made available with the next or subsequent allocation cycles. Alternatively, if the number of permit applications exceeds the available amount of building permits during an allocation cycle, such applications shall maintain their position on a waiting list and shall be administered during the next allocation cycle.
- (D) Transfer of Allocations Prohibited. If all permits are not issued during any allocation period, available permits identified in the established categories of dwelling units in subsection (A) of this section shall not be transferred between categories to another type of dwelling unit.

Section 7-8 APPLICATION REQUIREMENTS AND PROCEDURES.

- (A) Application requirements and specific procedures will be maintained on file in the office of the Building Official.
- (B) Permit requests will be considered for completed applications only.
- (C) Applications for a building permit will be accepted at any time during the allocation cycle, starting on the first day of a semi-annual allocation cycle.
- (D) If the number of building permit applications exceeds the available supply for the semiannual allocation cycle, no further permits will be issued.
- (E) Each permit application shall be made pursuant to a specific set of plans for a specific lot or parcel. Plan substitutions are not allowed. Minor revisions are allowed only to plans under review or that have been issued a Building Permit upon approval of the Building Official. Substantial revisions may require resubmittal.
- (F) Permits will be issued only in the applicant's name.
  - (1) For purposes of this system, the applicant is the owner of record of the lot for which the permit is sought and who has a present possessory interest in the lot, to include the right of unfettered access and authority to convey.
  - (2) For purposes of this system, an applicant and any person, firm, corporation, partnership or other entity in which the applicant holds an interest, shall be considered the same applicant. For purposes of this system, an applicant and his or her spouse and unemancipated children under 21, shall be considered the same applicant.

(3) Proof of ownership and such other information as may be reasonably requested to determine an applicant's eligibility for a permit must be supplied upon request. Proof of ownership, including but not limited to affidavits detailing information such as business relationships and membership in entities like LLCs and corporations, may be routinely required. The County will consider substance, not mere form, in the interpretation of this section to ensure that an applicant is an owner, in law and in fact.

#### Section 7-9 COMMENCEMENT OF CONSTRUCTION.

(A) Construction authorized under permits issued pursuant to this allocation system shall commence within six months from the date the Building Official issues the building permit. Otherwise, the permit will become invalid and be made available within the allocation cycle.

(1) Construction may be considered to have begun upon the initiation of site work and foundation construction, provided additional improvements progress in a reasonable timeframe toward completion of the project.

(2) A lapse of construction activities for a period of six months shall invalidate the permit and the allocation will become available as a new allocation under this system.

#### Section 7-10 EXEMPTIONS.

(A) Additions, Renovations, or Replacement. Permit allocation does not apply to additions or renovations to an existing residential building or to the repair or replacement of a damaged or destroyed residential building that was occupied immediately prior to its damage or destruction. A manufactured home replacing an existing manufactured home on a parcel of real property is not subject to permit allocation system provided the existing manufactured home is removed from the property and the replacement manufactured home placed on the property does not otherwise result in a new dwelling unit on the property.

#### Section 7-11 SPECIAL EXECEPTIONS.

(A) Planned Development Districts (PDDs) and Development Agreements. Development projects submitted to Kershaw County for consideration and approval as a Planned Development District (S.C. Code § 62-29-740) in conjunction with a Development Agreement (S.C. Code § 6-31-10 *et. seq.*), as required by the Kershaw County, South Carolina Unified Code of Zoning and Land Development Regulations (ZLDR), may receive project specific dedicated building permit allocations for the PDD project that are in addition to and outside of the permit allocations established in this program.

Development projects that are submitted in conjunction with a Development Agreement but are not proposed as a PDD may also receive project specific dedicated building permit allocations in addition to and outside of the permit allocations established in this program.

The South Carolina General Assembly found, in enacting the South Carolina Local Government Development Agreement Act (S.C. Code § 6-31-10 *et. seq.*), that the lack of certainty in the approval of development can result in a waste of economic and land resources, can discourage sound capital improvement planning and financing, can cause the cost of housing and development to escalate, and can discourage commitment to comprehensive planning. The General Assembly further found that Development Agreements provide assurance to a developer that upon receipt of its development permits it may proceed in accordance with existing laws and policies, subject to the conditions of a development agreement, strengthens the public planning process, encourages sound capital improvement planning and financing, assists in assuring there are adequate capital facilities for the development, encourages private participation in comprehensive planning, reduces the economic costs of development, allows for the orderly planning of public facilities and services, and allows for the equitable allocation of the cost of public services. Further, a development agreement must provide a development schedule including commencement dates and interim completion dates and may include defined performance standards that must be met by a developer, all of which lead to increased predictability in the rate of population growth attributable to the Development Agreement Project. Inasmuch as a Development Agreement is contractual agreement between a local government and developer the number of housing units and the schedule governing when the housing units will be built may be negotiated and the negotiated public benefits intended to offset the impact to the housing units may be scheduled and programed accordingly, thereby effectively achieving the goals of this building permit allocation program within the Development Agreement.

A PDD development project with accompanying Development Agreement, or a non-PDD development project submitted with a Development Agreement, may request project specific dedicated building permit allocations and, if requested, must submit that request upon submission of the project to the Kershaw County Planning and Zoning Department. Development Agreement projects may qualify for project specific dedicated building permit allocations if the County Council determines and makes specific findings that the Development Agreement for a proposed development project provides public benefits and adequately offsets the project's expected impacts to public facilities and services by funding or providing public facilities, and/or by dedication or reservation of land for public purposes, and/or through other conditions, terms,

restrictions, or other requirements deemed necessary for the preservation of the public health, safety, and welfare of its citizens as determined by County Council.

The determination of whether a development project submitted with a Development Agreement will receive project specific building permit allocations that are in addition to and outside of the building permit allocation system shall be at the sole discretion of the Kershaw County Council. Applicants are discouraged from submitting a Development Agreement that does not adequately address and offset the expected impacts of the development project to the public road system, public facilities, and public services. The Kershaw County Council will not grant project specific building permit allocations for Development Agreement projects if the Development Agreement has been submitted to Kershaw County in a rote or illusory manner.

#### Section 7-12 MONITORING AND EVALUATION.

- (A) The County Council shall evaluate the system twice per year. This evaluation shall include an assessment of the need for specific annual allocations, progress on studies, progress on installation of programmed capital improvements, and all other aspects of the system.
- (B) To facilitate the evaluation, the Planning & Zoning Director shall provide a report to County Council setting forth the number of permits sought, the number of permits issued, a description of any significant administrative problems which arose over the assessment period, the progress of the implementation of any Capital Improvements Program, any recommendations for changes or revisions to this section to improve its effectiveness or administration, and such other relevant information as he or she may deem useful or that the Council may request.
- (C) County Council may adjust or modify the total allocation of permits or the categorical allocations.
- (D) County Council may terminate the program at any time based upon the results of an assessment or other conditions which suggest the need to eliminate the system.

#### Section 7-13 APPEALS.

Appeals from the provisions of this system are made directly to the County Board of Zoning Appeals pursuant to the procedure outlined in the ZLDR, with the criteria for the granting of a variance those set forth in the ZLDR of this code.

#### Section 7-14 LIBERAL CONSTRUCTION.

The provisions of this section shall be liberally construed to effectively carry out its stated purposes, which are found and declared to be in the furtherance of the public health, safety,

economy, convenience and general welfare for the harmonious, orderly, and progressive development of land within the County.

Section 7-15 SEVERABILITY; CONFLICT.

- (A) All provisions are severable, such that if any provision or the administration of this system is held invalid, the invalidity does not affect other provisions or applications of this system that can still be given effect.
- (B) In the event of a conflict with other provisions in the ZLDR, this Code, or other County ordinances and regulations, the provisions contained in this Chapter shall be controlling.

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**UNIFIED CODE  
OF  
ZONING AND LAND DEVELOPMENT  
REGULATIONS**

**KERSHAW COUNTY  
PLANNING AND ZONING COMMISSION**

**REQUEST FOR TEXT AMENDMENT BY  
KERSHAW COUNTY (CASE 26-08)**

**PROPOSAL: AN ORDINANCE TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA  
UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR) TO ADD  
SECTION 5:3.3 MAJOR SUBDIVISION DESIGN STANDARDS.**

**April 13, 2026**

# STAFF REPORT

## KERSHAW COUNTY PLANNING COMMISSION April 13, 2026 Meeting

Request #: 26-08

**Applicant:** Kershaw County Smart Growth Committee

**Proposal:** AN ORDINANCE TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR) TO ADD SECTION 5:3.3 MAJOR SUBDIVISION DESIGN STANDARDS.

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### Background Summary

Smart Growth Rewrite Committee Recommendation: 7-0 Favorable

Kershaw County Council 1st Reading: 6-0 Favorable

This ordinance implements design standards for homes in major subdivisions to promote attractive, well-designed subdivision developments to promote better community character. The ordinance specifically sets standards relating to exterior façade materials, variance within dwelling design, and foundation requirements.

**Attachments:**

- 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.

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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 \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**KERSHAW COUNTY, SOUTH CAROLINA**

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

ATTEST:

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

First Reading:        March 31, 2026  
Second Reading:       
Public Hearing:        May 12, 2026  
Third Reading:        May 12, 2026

Indicates New Matter

~~Indicates Matters Stricken~~

## **5:3 LAND DEVELOPMENT DESIGN STANDARDS AND REQUIRED IMPROVEMENTS**

### **5:3.3 Major Subdivision Design Standards**

The purpose of this section is to establish minimum architectural and design standards for single-family residential development within Major Subdivisions in order to promote visual interest, neighborhood compatibility, long-term durability of structures, and overall community character. These standards are intended to prevent excessive uniformity, encourage quality construction materials, and ensure harmonious streetscapes.

#### **5:3.3-1 Applicability**

- A. The standards set forth in this section shall apply to all new single-family dwellings located within a Major Subdivision, as defined by this Ordinance.
- B. These standards shall apply at the time of building permit review and shall be enforced by the Planning and Zoning Department.
- C. Additions or alterations to existing dwellings shall not be subject to these standards unless the scope of work constitutes a new dwelling unit.

#### **5:3.3-2 Permitted Exterior Façade Materials**

- A. The exterior wall finishes on all single-family detached dwellings shall consist of one or more of the following materials:
  - 1. Brick or brick veneer
  - 2. Stone or stone veneer
  - 3. Stucco or synthetic stucco, except within:
    - a. Two (2) feet of grade level; or
    - b. Two (2) feet of an exterior door jamb
  - 4. Wood siding
  - 5. Cementitious siding (e.g., fiber cement or Hardie-type products)
  - 6. Vinyl siding
- B. The use of reflective metal siding, unfinished concrete block, or other similar materials not expressly listed above shall be prohibited on primary façades.
- C. No more than three different types of materials shall be used on the façade, excluding foundation material.

**5:3.3-3 Dwelling Variation Requirements**

- A. For residential developments containing more than five (5) lots, architectural variation shall be required to avoid repetitive building designs. These variation requirements shall apply to both single-family detached dwellings and single-family attached dwellings.
- B. No dwelling shall be substantially identical in appearance to:
  - 1. The dwelling immediately adjacent on either side; or
  - 2. The dwelling most directly across the street.
  - 3. For single-family attached dwelling units, each block of dwelling units will be considered instead of individual dwellings.
- C. Architectural distinction shall be achieved through a combination of the following elements, as applicable:
  - 1. Use of different exterior surface materials or material combinations
  - 2. Variations in rooflines, roof pitches, or the incorporation of dormers
  - 3. Variations in the location, size, and proportions of front porches
  - 4. Variations in the location, size, and proportions of garages and/or carports
- D. Repetition of the same floor plan or elevation may be permitted provided the exterior appearance is sufficiently differentiated to meet the intent of this section, as determined by the Planning and Zoning Department.

**5:3.3-5 Foundation Requirements**

- A. All single-family detached dwellings subject to this section shall utilize one of the following foundation types:
  - 1. **Crawl Space Foundation**
    - a. A residence constructed using a crawl space shall provide a minimum clear crawl space height of eighteen (18) inches and shall clad a minimum average of eighteen (18) inches of siding above finished grade on the front and side facades with brick or brick veneer, stone or stone veneer, stucco, or other approved masonry material.
  - 2. **Raised Slab Foundation**
    - a. A residence constructed using a slab foundation supporting floor framing shall clad a minimum average of eighteen (18) inches of siding above finished grade on the front and side facades with brick or brick veneer, stone or stone veneer, stucco, or other approved masonry material.

3. **Slab-on-Grade Foundation**

a. A residence constructed using a slab on ground foundation shall clad a minimum average of eighteen (18) inches of siding above finished grade on the front and side facades with brick or brick veneer, stone or stone veneer, stucco, or other approved masonry material.

4. Basements foundation may be used on the sides and/or rear façades.

B. **Prohibited Materials**

Foundations shall not be clad with finished or unfinished concrete masonry units (CMU) or exposed concrete blocks.

**5:3.3-6 Administrative Review**

A. The Planning and Zoning Department shall have the authority to review building elevations, foundation details, and material specifications for compliance with this section.

B. Minor deviations may be approved administratively where it is demonstrated that the proposed design meets the intent and purpose of these standards.

C. Appeals shall be processed in accordance with procedures established in this Ordinance.

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**UNIFIED CODE  
OF  
ZONING AND LAND DEVELOPMENT  
REGULATIONS**

**KERSHAW COUNTY  
PLANNING AND ZONING COMMISSION**

**REQUEST FOR TEXT AMENDMENT BY  
KERSHAW COUNTY (CASE 26-09)**

**PROPOSAL: AN ORDINANCE TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA  
UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR), SECTION  
3:5.4, BUFFERING, SCREENING, OPEN SPACE, AND LANDSCAPING REGULATIONS**

**April 13, 2026**

# STAFF REPORT

## KERSHAW COUNTY PLANNING COMMISSION April 13, 2026 Meeting

Request #: 26-09

**Applicant:** Kershaw County Smart Growth Committee

**Proposal:** AN ORDINANCE TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR), SECTION 3:5.4, BUFFERING, SCREENING, OPEN SPACE, AND LANDSCAPING REGULATIONS

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### Background Summary

Smart Growth Rewrite Committee Recommendation: 7-0 Favorable

Kershaw County Council 1st Reading: 6-0 Favorable

This ordinance mandates a percentage of open space that must be included in a major subdivision and other large developments that increases based on development size. Further, this ordinance eliminates the use of wetlands and special flood hazard areas as usable open space.

**Attachments:**

- 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.

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(f) Required open space shall, to the maximum extent practicable and with consideration given to environmental features and subdivision design, be distributed throughout a development. Open space areas should be arranged so that residents and users have reasonable access to such spaces within the development. Required open space shall not be consolidated into a single location solely for the purpose of meeting the minimum requirements of this ordinance. It is the intent of this ordinance to encourage the provision of multiple open space forms of varying types and sizes within each development where open space is required.

(g) Requiring useable common open space in subdivisions will further the original policy goals for common open space that are recited in the ZLDR

(h) The Kershaw County Planning Commission considered the proposed text amendment at its meeting on \_\_\_\_\_, 20\_\_, and by a \_\_\_\_\_ vote recommended \_\_\_\_\_ of the proposed text amendment.

**Section 2. Amendment to Section 3:5.4 of the Kershaw County Unified Code of Zoning and Land Development Regulations**

The Kershaw County Unified Code of Zoning and Land Development Regulations is amended as a set forth on **Exhibit 1** to this Ordinance, which is included herein and incorporated herein by reference. follows:

**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.

*<remainder intentionally blank, signature page follows>*

**AND IT IS SO ORDAINED**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**KERSHAW COUNTY, SOUTH CAROLINA**

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J. Ben Connell, Chair  
Kershaw County Council

ATTEST:

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Hannah Parler, Clerk to Council

First Reading:  
Second Reading:  
Public Hearing:  
Third Reading:

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Indicates New Matter~~Indicates Matters Stricken~~**3:5 BUFFERING, SCREENING, OPEN SPACE, AND LANDSCAPING REGULATIONS****3:5.4 Residential Common Open Space**

Common open space is land and/or water bodies used for recreation, amenity, or buffer. The purpose of this section is to ensure adequate usable open space for single-family and high density residential development; to integrate recreation, landscaping, greenery, and/or natural areas into such projects; to promote the health and safety of residents of such projects; to compensate for the loss of open space inherent in single-family and multi-family residential projects; and to aid in stormwater management.

The open space shall be freely accessible to all residents and property owners of a development, where required by this Ordinance. Open space shall not be occupied by buildings or structures other than those in conjunction with the use of the open space including roads and parking and amenities. Common open space shall not be included in the area calculated to meet minimum lot area requirements. Parking areas within the common open space area to accommodate open space amenities shall not be calculated to meet site parking area requirements.

**3:5.4-1 Where Required**

- A. **Open Space Requirements for Major Subdivision and Group Development Residential Developments** - Open space shall be reserved for active or passive recreation where such reservations would be appropriate. Each reservation shall be of suitable size, dimension, topography, and general access for the particular purposes envisioned by the applicant and the Planning and Zoning Commission. These areas shall be shown on the sketch plan, preliminary plans, and final plats and shall be marked "reserved for recreation open space." Provisions for the maintenance of the open space shall be stipulated prior to approval. Kershaw County will not assume responsibility of the maintenance of the open space. ~~The total number of acres to be reserved in open space area(s) shall be determined in accordance with the following formula which has been prepared on the basis of providing approximately three (3) acres (130,608 square feet) for every 100 one-acre dwelling unit lots:~~

~~$$130,680 \div A = OS$$~~

~~$$A = \text{Average square feet of subdivision lot (total square feet of all lots} \div \text{number of lots)}$$~~

~~OS = Percent of total acreage of development site required to be set aside for open space~~

~~Example: Average lot size = 18,000 ft sq.  $130,680 \div 18,000 = 7.26\%$~~

~~If the total site development acreage were 150 acres, then 10.89 acres (150 x 7.26%) acres of open space would be required.~~

~~For that same 150-acre site with an average lot size of 60,000 square feet, 3.27 acres of open space would be required.  $130,680 \div 60,000 = 2.18\%$  —  $150 \times 2.18\% = 3.27$  acres~~

~~B. **Multifamily and High-Density Residential** – The following uses/projects consisting of eight (8) or more units shall provide common open space in the amounts prescribed:~~

<b>Table 3-16 Common Open Space: Amount Required</b>	
<b>Proposed Uses/Projects</b>	<b>Ratio (% of Lot)</b>
Townhouse Projects	<b>15</b>
Manufactured Home Parks	<b>20</b>
Multi-Family Projects	<b>20</b>

~~C. **Cluster Developments** – Residential cluster developments shall meet the sixty (60) percent open space requirements of the Conservation Subdivision and Group Development Design provisions of this Ordinance.~~

~~D. **Planned Development Districts** – Open space requirements shall be per the approved development plan or meet the minimum requirements for the corresponding residential and/or non-residential uses of this Ordinance.~~

~~**Note:** Landscaped buffer areas provided to meet the requirements for multi-family projects and mobile/manufactured home parks may not be applied toward meeting the above requirements.~~

~~B. **Minimum Open Space Requirements** - The required minimum amount of usable open space within an applicable development shall be provided in accordance with this section and Table 3-16. Open space shall be calculated as a percentage of the total square footage of the development. Each development shall also include a minimum number of distinct open space types, as specified in Table 3-16.~~

<b>Table 3-16 Minimum Open Space Requirement</b>		
<b>Subdivision Type</b>	<b>Percentage (%) Required</b>	<b>Minimum Required Open Space Area Types</b>
<b>Single-Family Unit Subdivision</b>		
Less than 50 Acres	<u>10%</u>	<u>2</u>
Greater Than 50 Acres	<u>15%</u>	<u>3</u>

<b>Table 3-16</b>		<b>Minimum Open Space Requirement</b>	
<b>Subdivision Type</b>	<b>Percentage (%) Required</b>	<b>Minimum Required Open Space Area Types</b>	
<b>Multi-Family Unit Subdivision</b>			
<u>Less than 25 Acres</u>	<u>10%</u>	<u>2</u>	
<u>Greater Than 25 Acres</u>	<u>15%</u>	<u>3</u>	
<b>Planned Development District</b>			
Open space requirements shall be per the approved development plan or meet the minimum requirements for the corresponding residential and/or non-residential uses of this Ordinance.			
<b>Note:</b> Landscaped buffer areas provided to meet the requirements for multi-family projects and mobile/manufactured home parks may not be applied toward meeting the above requirements.			

C. **Open Space Types** - Open Space Areas shall allow for public areas, semi-public areas, and / or private outdoor areas within the subdivision and planned development. All open space areas shall be landscaped in accordance with this Ordinance and provide uniform design and coordinated experiences for the user. The following open space area types are examples of what may be used to satisfy open space requirements under this Ordinance:

- |                                  |                                    |
|----------------------------------|------------------------------------|
| 1. <u>Pocket Park</u>            | 5. <u>Dog Park</u>                 |
| 2. <u>Natural Green Area</u>     | 6. <u>Amenity Center</u>           |
| 3. <u>Greenway / Linear Park</u> | 7. <u>Walking Trails and Paths</u> |
| 4. <u>Neighborhood Park</u>      | 8. <u>Plaza or Square</u>          |

D. **Open Space Design Standards** - The design and incorporation of open space shall consider the following:

- Accessibility** - Required open space areas shall be located and designed to be readily accessible to residents and visitors of the development. Open space areas shall incorporate universal design principles to ensure usability by a wide range of individuals and user groups. Such areas shall also be designed and constructed to comply with applicable accessibility standards, including the requirements of the Americans with Disabilities Act (ADA), where applicable.
- Distribution and Consolidation** - Required open space shall, to the maximum extent practicable and with consideration given to environmental features and subdivision design, be distributed throughout the development. Open space areas shall be arranged so that residents and users have reasonable access to such

spaces within the development. Required open space shall not be consolidated into a single location solely for the purpose of meeting the minimum requirements of this section. It is the intent of this section to encourage the provision of multiple open space forms of varying types and sizes within each development where open space is required.

3. **Public Seating** - Public seating shall, to the maximum extent practicable and with consideration given to environmental features and subdivision design, be provided in those areas designated as open areas.

### 3:5.4-3 Common Open Space Plan

Proposed uses/projects and residential subdivisions shall submit an open space or landscaping plan as part of the application for a building permit. The plan shall:

- A. Designate areas to be reserved as open space. The specific design of open space shall be sensitive to the physical and design characteristics of the site.
- B. Designate the type of open space which will be provided, and indicate the location of plant materials, decorative features, recreational facilities, etc.
- C. Specify the manner in which common open space shall be perpetuated, maintained, and administered.

### 3:5.4-4 Types of Common Open Space and Required Maintenance

The types of common open space which may be provided to satisfy the requirements of this Ordinance together with the maintenance required for each are as follows:

- A. **Natural Areas** - Natural areas are areas of undisturbed vegetation or areas replanted with vegetation after construction. Woodlands and wetlands are specific types of natural areas. however wetlands and areas located within a Special Flood Hazard Area may not be counted towards the Open Space percentage requirements. Maintenance is limited to removal of litter, dead trees, plant materials, and brush. Natural watercourses are to be maintained as free-flowing and devoid of debris. Stream channels shall be maintained so as not to alter floodplain levels.
- B. **Recreational Areas** - Recreational areas are designed for specific active recreational uses such as tot lots, tennis courts, swimming pools, ball fields, and similar uses. Recreational area shall be accessible to all residents of the development. Maintenance shall ensure that there exist no hazards, nuisances, or unhealthy conditions.

- C. **Greenways** - Greenways are linear green belts linking residential areas with other open space areas. These greenways may contain bicycle paths, footpaths, and bridle paths. Connecting greenways between residences and recreational areas is encouraged. Maintenance is limited to a minimum of removal and avoidance of hazards, nuisances, or unhealthy conditions.
- D. **Landscaped areas, lawns, and required buffer areas**, including creative landscaped areas with gravel and tile, so long as the tile does not occupy more than two (2) percent of the required open space. Lawns, with or without trees and shrubs, shall be watered regularly to ensure survival, and mowed regularly to ensure neatness. Landscaped areas shall be pruned, cleaned, kept free of weeds, and watered regularly.
- E. **Off-Street Parking Areas - Off-street parking areas that are provided to access an open space area and shall be counted toward the minimum open space requirement.**
- F. **Conservation Design Subdivision and Group Development Projects** - *Removed per ZLDR amendment.*

### 3:5.4-5 Preservation of Open Space

Land designated as common open space may not be separately sold, subdivided, or developed. Open space areas shall be maintained so that their use and enjoyment as open space are not diminished or destroyed. Open space areas may be owned, preserved, and maintained as required by this section by any of the following mechanisms or combinations thereof:

- A. Common ownership of the open space by a homeowner's association which assumes full responsibility for its maintenance.
- B. Deed restricted private ownership which shall prevent development and/or subsequent subdivision of the open space land and provide the maintenance.
- C. *Removed per ZLDR amendment.*

In the event that any private owner of open space fails to maintain the same, the County may, in accordance with the open space plan and following reasonable notice, demand that deficiency of maintenance be corrected, and enter the open space to maintain the same. The cost of such maintenance shall be charged to those persons having the primary responsibility for maintenance of the open space.

**3:5.4-6 Residential Major Subdivision Reverse Frontage Lots**

Residential major subdivisions, where proposed for areas adjacent to arterial streets and roads, shall be denied direct access to, and shall be separated from such streets and roads by reverse frontage lots. Elsewhere, double frontage lots shall be prohibited.

Residential reverse frontage lots shall have a minimum rear yard of fifty (50) feet next to the arterial street, measured from the shortest distance of the proposed back building line to the street right-of-way, and shall within such rear yard and immediately adjacent to the right-of-way, have a non-access planting screen easement of at least thirty (30) feet in depth planted to Type "D" Buffer requirements per this Article.

DRAFT PROPOSAL



**UNIFIED CODE  
OF  
ZONING AND LAND DEVELOPMENT  
REGULATIONS**

**KERSHAW COUNTY  
PLANNING AND ZONING COMMISSION**

**REQUEST FOR TEXT AMENDMENT BY  
KERSHAW COUNTY (CASE 26-10)**

**PROPOSAL: AN ORDINANCE TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR), TO AMEND SECTION 5:3.14 SIDEWALKS AND PATHS TO REQUIRE SIDEWALKS ON BOTH SIDES OF THE ROAD RIGHT-OF-WAY.**

**April 13, 2026**

# STAFF REPORT

## KERSHAW COUNTY PLANNING COMMISSION April 13, 2026 Meeting

**Request #: 26-10**

**Applicant:** Kershaw County Smart Growth Committee

**Proposal:** AN ORDINANCE TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR), TO AMEND SECTION 5:3.14 SIDEWALKS AND PATHS TO REQUIRE SIDEWALKS ON BOTH SIDES OF THE ROAD RIGHT-OF-WAY.

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### Background Summary

Smart Growth Rewrite Committee Recommendation: 7-0 Favorable

Kershaw County Council 1st Reading: 6-0 Favorable

This ordinance requires sidewalks on both sides of all public and private street right-of-ways within major subdivisions and other large developments.

**Attachments:**

- 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.

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- (f) Research consistently demonstrates that access to sidewalks and walkable infrastructure is associated with increased physical activity and healthier lifestyles among residents, contributing to improved public health outcomes and reduced rates of chronic disease.
- (g) The Kershaw County Planning Commission considered the proposed text amendment at its meeting on \_\_\_\_\_, 2026, and by a \_\_\_\_\_ vote recommended \_\_\_\_\_ of the proposed text amendment.

**Section 2.      Amendment to Section 5:3.14 of the Kershaw County Unified Code of Zoning and Land Development Regulations**

The Kershaw County Unified Code of Zoning and Land Development Regulations is amended as follows:

**5:3.14            Sidewalks and Paths**

Sidewalks, paths, trails, and/or greenways designed to accommodate pedestrian, bicycle, and other non-automotive traffic shall be provided in all major residential subdivisions, major group developments, and Planned Development Districts. Sidewalks shall be required on both sides of all public and private street rights-of-way within such developments unless otherwise approved by the Planning and Zoning Commission due to demonstrated physical constraints or impracticability. The system of sidewalks, paths, trails, greenways, or combination thereof shall be designed such that every lot in the development or building in a group development has access to the system. To achieve this goal, a sidewalk must be located on each side of the road right-of-way. Connectivity of the system to nearby schools, businesses, institutions, and other facilities shall be provided as applicable and practicable. The proposed system design shall be approved by the Planning and Zoning Commission at the plan review per the provisions of this Ordinance.

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**KERSHAW COUNTY, SOUTH CAROLINA**

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J. Ben Connell  
Chair, Kershaw County Council

ATTEST:

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Hannah Parler, Clerk to Council

First Reading:  
Second Reading:  
Public Hearing:  
Third Reading:

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**UNIFIED CODE  
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ZONING AND LAND DEVELOPMENT  
REGULATIONS**

**KERSHAW COUNTY  
PLANNING AND ZONING COMMISSION**

**REQUEST FOR TEXT AMENDMENT BY  
KERSHAW COUNTY (CASE 26-11)**

**PROPOSAL: AN ORDINANCE TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR) SECTION 3:6, OFF-STREET PARKING REGULATIONS, TO ADDRESS OFF-STREET PARKING REQUIREMENTS FOR MAJOR SUBDIVISIONS AND TO LIMIT ON-STREET PARKING IN MAJOR SUBDIVISIONS TO ONE SIDE OF ROADWAYS.**

**April 13, 2026**

# STAFF REPORT

## KERSHAW COUNTY PLANNING COMMISSION April 13, 2026 Meeting

**Request #: 26-11**

**Applicant:**

Kershaw County Smart Growth Committee

**Proposal:**

AN ORDINANCE TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR) SECTION 3:6, OFF-STREET PARKING REGULATIONS, TO ADDRESS OFF-STREET PARKING REQUIREMENTS FOR MAJOR SUBDIVISIONS AND TO LIMIT ON-STREET PARKING IN MAJOR SUBDIVISIONS TO ONE SIDE OF ROADWAYS.

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### Background Summary

Smart Growth Rewrite Committee Recommendation: 6-0 Favorable

Kershaw County Council 1st Reading: 6-0 Favorable

This ordinance prohibits parking on both sides of the street in major subdivisions and other large developments (and that prohibition must be included in any filed Covenants, Conditions, and Restrictions (CCRs) by any Homeowners' Association. The ordinance also implements off-street parking requirements in major subdivisions and other large developments to reduce on-street congestion. Overall, this improves roadway safety and access for emergency services, and provides parking opportunities for residents and visitors.

**Attachments:**

- 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.

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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 \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**KERSHAW COUNTY, SOUTH CAROLINA**

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

ATTEST:

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

First Reading:  
Second Reading:  
Public Hearing:  
Third Reading:

Indicates New Matter

~~Indicates Matters Stricken~~

### **3:6 OFF-STREET PARKING REGULATIONS**

#### **3:6.1-3 Off-Street Parking Requirements in Major Subdivisions**

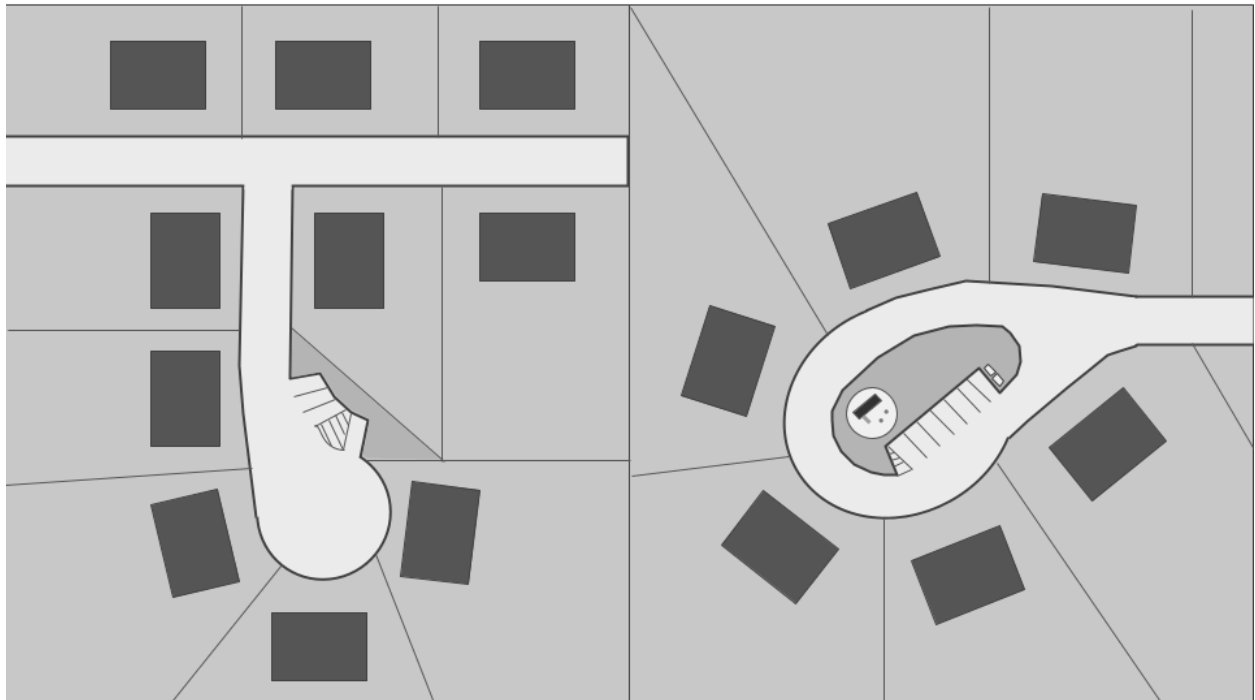
The purpose of this section is to ensure that adequate off-street parking is provided within residential subdivisions to reduce on-street congestion, improve roadway safety and access for emergency services, and provide convenient parking opportunities for residents and visitors throughout the development.

A. **Applicability** - The provisions of this section shall apply to all major residential subdivisions and planned residential developments requiring subdivision approval under this ordinance.

B. **Required Off-Street Parking Areas** - Developers shall provide designated off-street parking areas within residential subdivisions in accordance with the following requirements:

1. **Parking Along Primary Internal Streets** - Off-street parking areas shall be provided along streets within the subdivision at intervals not exceeding five hundred (500) feet.
2. **Parking Near Community Amenities** - Off-street parking areas shall be provided in proximity to community features and amenities intended for common use, including but not limited to:
  - i. Open space areas
  - ii. Recreational amenities
  - iii. Playgrounds
  - iv. Cluster mailbox facilities

3. **Parking at Cul-de-Sacs** - Off-street parking areas shall be provided in association with cul-de-sacs where practical and where such parking will not interfere with required turning radii, emergency vehicle access, or other safety considerations.
- C. **Minimum Size of Parking Areas** - Each required off-street parking area shall contain no fewer than four (4) parking spaces.
- D. **Distribution of Parking Areas** - Required off-street parking areas shall, to the maximum extent practicable and with consideration given to environmental features and subdivision design, be distributed throughout the subdivision to provide accessible parking opportunities for residents and visitors across the development. Required off-street parking areas shall not be consolidated into a single location solely for the purpose of meeting the minimum requirements of this section.
- E. **Design and Access** - All off-street parking areas shall:
  1. Be located outside of the public travel lane and not impede vehicular circulation.
  2. Be designed and comply with applicable accessibility, draining and design standards established in accordance with Section 3:6.2 Design Standards.



**3:6.1-4 Limitation of On-Street Parking in Major Subdivisions**

The purpose of this section is to reduce on-street congestion, improve roadway safety and access for emergency services by limiting on-street parking to one side of roads within all major Subdivision .

**A. Applicability** - The provisions of this section shall apply to all major residential subdivisions and planned residential developments requiring subdivision approval under this ordinance.

**B. Limitation of On-Street Parking** – On street parking shall be limited to one side of the roadway in all major residential subdivisions and planned residential developments with the following requirements:

1. Restrictive Covenants: Prior to the recording of any deed or plat subdividing the property, the owner shall submit to the Kershaw County Planning Director a properly executed and duly recorded set of restrictive covenants covering the tract to be divided. These restrictive covenants shall be in a form acceptable to Kershaw County and shall provide, at a minimum, as follows:

(a) Parking shall be limited to one side of the roadway in the subdivision, and the covenants shall establish the side of the roadway designated for on-street parking.

(b) The restrictive covenants shall refer to the plat required by the subdivision regulations.

(c) The plat shall reflect the side of the roadway designated for on-street parking by appropriate plat note.

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**UNIFIED CODE  
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REGULATIONS**

**KERSHAW COUNTY  
PLANNING AND ZONING COMMISSION**

**REQUEST FOR TEXT AMENDMENT BY  
KERSHAW COUNTY (CASE 26-12)**

**PROPOSAL: AN ORDINANCE TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA  
UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR), TO ADD  
SECTION 5:1.2-13, REQUIREMENTS FOR THE NAMING OF EASEMENTS AND DRIVES.**

**April 13, 2026**

# STAFF REPORT

## KERSHAW COUNTY PLANNING COMMISSION April 13, 2026 Meeting

**Request #: 26-12**

**Applicant:** Kershaw County Smart Growth Committee

**Proposal:** AN ORDINANCE TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR), TO ADD SECTION 5:1.2-13, REQUIREMENTS FOR THE NAMING OF EASEMENTS AND DRIVES.

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### Background Summary

Smart Growth Rewrite Committee Recommendation: 6-0 Favorable

Kershaw County Council 1st Reading: 6-0 Favorable

This ordinance provides regulations for the naming of private easements and drives over 2,000 feet in length or accessing more than three lots to provide clearer 911 addressing for property owners and emergency services.

**Attachments:**

- 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.

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- (f) Vesting approval authority for private drive and easement names in the Kershaw County 911 Addressing Department ensures coordination with the County's master address database, avoids duplication of road names, and maintains the integrity of the countywide addressing system.
- (g) The Kershaw County Planning Commission considered the proposed text amendment at its meeting on \_\_\_\_\_, 20\_\_, and by a \_\_\_\_\_ vote recommended \_\_\_\_\_ of the proposed text amendment.

**Section 2.     **Amendment to add Section 5:1.2-13 to the Kershaw County Unified Code of Zoning and Land Development Regulations****

The Kershaw County Unified Code of Zoning and Land Development Regulations is amended as follows:

**5:1               **Regulations for the Subdivision of Land the Creation of Lots****

**5:1.2-13   Requirements for the naming of private easements and drives**

Naming of a private easement and/or drive will be required if the following conditions are met:

- A. Any private drive or easement over 2,000 feet;
- B. Any private drive or easement that accesses more than three (3) lots of records.

The naming of the private easement and/or drive shall be subject to the approval of the Kershaw County 911 Addressing department.

Road names on plats must be approved by the Planning Department in consultation with the Kershaw County 911 Addressing department before a plat may be recorded in the Register of Deeds Office.

No road name hereafter established, regardless of suffixes or directionals, shall duplicate either phonetically or by spelling, another road name in the unincorporated area of Kershaw County. This is to ensure emergency personnel are directed to the proper location in the correct jurisdiction.

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**KERSHAW COUNTY, SOUTH CAROLINA**

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J. Ben Connell  
Chair, Kershaw County Council

ATTEST:

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Hannah Parler, Clerk to Council

First Reading:  
Second Reading:  
Public Hearing:  
Third Reading:

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**UNIFIED CODE  
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ZONING AND LAND DEVELOPMENT  
REGULATIONS**

**KERSHAW COUNTY  
PLANNING AND ZONING COMMISSION**

**REQUEST FOR TEXT AMENDMENT BY  
KERSHAW COUNTY (CASE 26-13)**

**PROPOSAL: AN ORDINANCE TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR), SECTIONS 5:2.4-7 TO REVISE EXISTING PROVISIONS RELATED TO PERFORMANCE FINANCIAL GUARANTEES REQUIRED DURING THE FINAL PLAT APPROVAL PROCESS FOR MAJOR SUBDIVISIONS; TO AMEND SECTION 5:2.7-6 TO REVISE EXISTING PROVISIONS RELATED TO PERFORMANCE FINANCIAL GUARANTEES REQUIRED FOR FINAL PLAT APPROVAL PROCESS FOR PLANNED DEVELOPMENT DISTRICTS; AND TO AMEND SECTION 5:2.12-3 TO REVISE EXISTING PROVISIONS RELATED TO IMPROVEMENT GUARANTEES.**

**April 13, 2026**

# STAFF REPORT

## KERSHAW COUNTY PLANNING COMMISSION April 13, 2026 Meeting

**Request #: 26-13**

**Applicant:**

Kershaw County Smart Growth Committee

**Proposal:**

AN ORDINANCE TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR), SECTIONS 5:2.4-7 TO REVISE EXISTING PROVISIONS RELATED TO PERFORMANCE FINANCIAL GUARANTEES REQUIRED DURING THE FINAL PLAT APPROVAL PROCESS FOR MAJOR SUBDIVISIONS; TO AMEND SECTION 5:2.7-6 TO REVISE EXISTING PROVISIONS RELATED TO PERFORMANCE FINANCIAL GUARANTEES REQUIRED FOR FINAL PLAT APPROVAL PROCESS FOR PLANNED DEVELOPMENT DISTRICTS; AND TO AMEND SECTION 5:2.12-3 TO REVISE EXISTING PROVISIONS RELATED TO IMPROVEMENT GUARANTEES.

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### Background Summary

Smart Growth Rewrite Committee Recommendation: 7-0 Favorable

Kershaw County Council 1st Reading: 6-0 Favorable

This ordinance increases the performance guarantee from developers. The current performance guarantee is one year at 15%, meaning that a developer must deposit with the County a financial guarantee of 15% of the total cost of improvements to cover any expenses associated with correcting and repairing any defects within only the first year. This ordinance now requires that financial guarantee of 25% for the first year, 15% for the second year, and a further one-year continuation if a substantial failure occurs.

**Attachments:**

- 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.

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- (f) Current ZLDR performance guarantee provisions do not provide for extension of the performance guarantee in the event of significant infrastructure failure during the warranty period. Significant failure of an infrastructure item dedicated to public maintenance within the two (2) year warranty period indicates that the dedicated infrastructure might be deficiently constructed and require further repair.
- (g) Requiring a one (1) year extension of the performance guarantee for an item of infrastructure that has not performed during the two (2) year performance guarantee will help ensure that the infrastructure is properly repaired and performs in satisfactory condition after the repair.
- (h) Requiring a one (1) year extension to the performance guarantee for an infrastructure item(s) that has had a significant failure and/or repair is an appropriate mechanism to allocate the risk and expense of repair obligations between the Developer and Kershaw County.
- (i) The ZLDR currently allows for improvement guarantees which allow developers to record a final plat prior to final completion of the development project's infrastructure. Developers seek plat approvals under improvement guarantees so that they can convey lots to third parties, providing the cash flow needed by the developer to complete the development project. Development projects must be substantially completed prior to final approval of a plat utilizing the improvement guarantee process. In general, the development must be completed except for final road surfacing, minor grading, and minor stormwater management controls.
- (j) The ZLDR establishes the improvement guarantee at one hundred twenty-five (125) percent of the development improvement costs of a development project or phase of development project.
- (k) Increasing the improvement guarantee to one hundred fifty (150) percent of the development improvement costs is an appropriate and equitable allocation of the risk and expense of completing and installing infrastructure in development projects that have not reached final completion.
- (l) These amendments to performance guarantees and improvement guarantees will ameliorate the risk of Kershaw County accepting maintenance responsibility for defective infrastructure and improvements and amending the guarantee provisions will appropriately and equitably to allocate the risk and expense of repair obligations between the Developer and Kershaw County.

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

Sections 5:2.4-7, 5:2.7-6, and 5:2.12-3, are amended as set forth in "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.**

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 \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**KERSHAW COUNTY, SOUTH CAROLINA**

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J. Ben Connell, Chair  
Kershaw County Council

ATTEST:

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Hannah Parler, Clerk to Council

First Reading:  
Second Reading:  
Third Reading:  
Public Hearing:

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#### 5:2.4-7 Final Plat Approval Procedure

The Planning Official shall review the final plat for compliance with the final plat submittal requirements of this Ordinance. The Planning Official may stamp a final plat approved for recording upon receiving the following:

##### A. Performance Financial Guarantee

The developer/owner shall deposit with the County a performance financial guarantee in the amount of ~~fifteen-twenty-five (15) (25)~~ percent of the total cost of improvements to cover any expenses associated with correcting and repairing any defects which may surface during the first year of the warranty period. The performance financial guarantee will reduce to fifteen (15) percent of the total cost of improvements to cover any expenses associated with correcting and repairing any defects which may surface during the second year of the warranty period. The County Engineer shall review and approve documentation of the total cost of improvement. In the event defects do surface and the developer does not correct said defects, the County may take action to do so using the deposited funds. In the absence of any defects or where the cost of any needed repairs is less than the amount deposited, the balance shall be returned to the developer/owner.

A substantial failure or required repair of a guaranteed item within the warranty period will result in a one (1) year extension to the end of the warranty period for the specific infrastructure item that failed, resulting in a maximum three (3) year warranty period. A substantial failure is defined as the following:

1. Substantial Failure: The cost of remediating or repairing a defect is greater than thirty-three (33) percent of the itemized cost of the infrastructure item being repaired, as listed on the approved engineers bond.
2. Example: Road construction cost is itemized at \$600,000, and a road failure results in cost of repair exceeding \$200,000, the performance financial guarantee will be extended for one (1) year for the roads item. In this example, the road construction item would be bonded for a total of three (3) years, however the performance financial guarantee will expire after the two (2) year period for all other items not suffering a substantial failure.

At the conclusion of the warranty period, the County may accept said dedicated streets and other improvements into the County maintenance system. The warranty period shall be the ~~one-two (1) (2)~~ year period commencing on the date the final plat is recorded with the Register of Deeds. The performance financial guarantee shall be one (1) of the following approved by the Finance Director:

1. Surety bond made out to Kershaw County from a surety bonding company authorized to do business in South Carolina.
2. Irrevocable letter of credit from a bank or other reputable institution.
3. Escrow account where applicant may deposit cash or other instruments readily convertible into cash at face value with the County or to the County in escrow with a bank.
4. Prepayment to the County with any unexpended funds to be returned to the applicant.
5. Other Financial Assurances - Such other financial assurances that the Finance Director finds will reasonably guarantee the availability of ~~fifteen~~-~~twenty-five~~ ~~(15)~~ ~~(25)~~ percent of the total cost of improvements to cover any expenses associated with correcting and repairing any defects which may surface during the warranty period.

Any document providing such financial guarantee required under this section shall be in such form and substance as specified by and satisfactory to the County. The required performance financial guarantee (completed and fully executed) shall be a condition of final plat approval and shall be delivered to and approved by the Finance Director prior to the recordation of the final plat and/or the subdivision of the affected property by plat, deed, or otherwise.

**5:2.12 Improvement Guarantees**

**5:2.12-3 Financial Guarantees**

Where final plat approval is requested by the applicant/developer prior to the completion of all required improvements, the Planning and Zoning Director, Public Works Director, and County Engineer, as applicable, shall recommend to the County Administrator financial guarantees of such type and in such amounts (not less than ~~425~~ 150 percent of cost of materials and installation) sufficient to guarantee with reasonable certainty that the required improvements will be completed as and when required by the Planning Staff. Said financial guarantees to be used for such purposes may include one (1) or more of the following types, if acceptable to the Planning Staff:

- A. Surety bond made out to Kershaw County from a surety bonding company authorized to do business in South Carolina.
- B. Irrevocable letter of credit from a bank or other reputable institution.
- C. Escrow account where applicant may deposit cash or other instruments readily convertible into cash at face value with the County or to the County in escrow with a bank.
- D. Prepayment to the County with any unexpended funds to be returned to the applicant.
- E. Contract for Completion - The applicant may deliver to the County a contract for completion of the required improvements executed by the applicant and a qualified responsible and duly licensed contractor together with an executed performance bond issued by such surety as the Planning Staff might approve. Along with said contract and performance bond, the applicant shall deliver to the County the right and option to enforce the terms and conditions of the contract and the performance bond.
- F. Other Financial Assurances - Such other financial assurances that the Planning Staff finds will reasonably guarantee the satisfactory completion of the required improvements as and when required.

Any document providing such financial guarantee required by the Planning Staff under this section shall be in such form and substance as specified by and satisfactory to the County. The required financial guarantee (completed and fully executed) shall be a condition of final plat approval and shall be delivered to and approved by the County Administrator prior to the recordation of the final plat and/or the subdivision of the affected property by plat, deed, or otherwise.

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**UNIFIED CODE  
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REGULATIONS**

**KERSHAW COUNTY  
PLANNING AND ZONING COMMISSION**

**REQUEST FOR TEXT AMENDMENT BY  
KERSHAW COUNTY (CASE 26-14)**

**PROPOSAL: AN ORDINANCE TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR), BY REVISING SECTION 5:2, LAND DEVELOPMENT SUBMITTAL REQUIREMENTS AND APPROVAL PROCESS, TO MODIFY STAFF REVIEW TIMELINES FOR EXEMPT, MINOR, MAJOR, AND LARGE-ACREAGE SINGLE-FAMILY RESIDENTIAL SUBDIVISION SUBMITTALS; PLANNED DEVELOPMENT DISTRICT (PDD) SUBMITTALS; AND MINOR AND MAJOR GROUP DEVELOPMENT SUBMITTALS; AND TO PROVIDE ADDITIONAL CLARIFICATION AND GUIDANCE FOR REVIEWERS AND APPLICANTS REGARDING SUBMITTAL REVIEW PROCEDURES.**

**April 13, 2026**

# STAFF REPORT

## KERSHAW COUNTY PLANNING COMMISSION April 13, 2026 Meeting

**Request #: 26-14**

**Applicant:**

Kershaw County Smart Growth Committee

**Proposal:**

AN ORDINANCE TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR), BY REVISING SECTION 5:2, LAND DEVELOPMENT SUBMITTAL REQUIREMENTS AND APPROVAL PROCESS, TO MODIFY STAFF REVIEW TIMELINES FOR EXEMPT, MINOR, MAJOR, AND LARGE-ACREAGE SINGLE-FAMILY RESIDENTIAL SUBDIVISION SUBMITTALS; PLANNED DEVELOPMENT DISTRICT (PDD) SUBMITTALS; AND MINOR AND MAJOR GROUP DEVELOPMENT SUBMITTALS; AND TO PROVIDE ADDITIONAL CLARIFICATION AND GUIDANCE FOR REVIEWERS AND APPLICANTS REGARDING SUBMITTAL REVIEW PROCEDURES.

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### Background Summary

Smart Growth Rewrite Committee Recommendation: 7-0 Favorable

Kershaw County Council 1st Reading: 6-0 Favorable

This ordinance amends various sections of the code to allow an additional five business days for staff to review land development submissions to be more deliberate and thorough in reviews.

**Attachments:**

- 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.

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Development Review staff in various subsections, by deletion of a reference to the County Engineer in Section 5:2.4-5 inasmuch as that reference might be incorrectly interpreted to vest sole review authority for construction plan submissions in the County Engineer, and by the addition of a reference to construction plan approval processes within the section header of Section 5:2.4-5.

- (h) The Kershaw County Planning and Zoning Commission considered the proposed text amendment at its meeting on \_\_\_\_\_, 20\_\_, and by a \_\_\_\_\_ vote recommended \_\_\_\_\_ of the proposed text amendment.

**Section 2.      Amendment to Section 5.2 of the Kershaw County Unified Code of Zoning and Land Development Regulations**

The Kershaw County Unified Code of Zoning and Land Development Regulations is amended as a set forth on **Exhibit 1** to this Ordinance, which is included herein and incorporated herein by reference. follows:

**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.

*<remainder intentionally blank, signature page follows>*

**AND IT IS SO ORDAINED**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**KERSHAW COUNTY, SOUTH CAROLINA**

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J. Ben Connell  
Chair, Kershaw County Council

ATTEST:

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Hannah Parler, Clerk to Council

First Reading:  
Second Reading:  
Public Hearing:  
Third Reading:

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Indicates New Matter

~~Indicates Matters Stricken~~

## 5:2 LAND DEVELOPMENT SUBMITTAL REQUIREMENTS AND APPROVAL PROCESS

### 5:2.2 Exempt Subdivisions

#### 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)~~ fifteen (15) 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

#### 5:2.3-4 Approval Process

- A. The Planning Official shall make a determination that the proposed subdivision qualifies for and meets the requirements of a minor subdivision. Supporting documentation such as deeds, wills, titles, supplemental plats and maps, etc. as outlined in the checklist and approval guidelines shall be reviewed and evaluated.
- B. Within ~~ten (10)~~ fifteen (15) working days of submission of the plat, the Planning Official shall make a determination that the proposed minor subdivision conforms to applicable zoning district regulations and the regulations for the subdivision of land and the creation of lots section 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

**5:2.4 Major Subdivisions****5:2.4-5 Preliminary Plan and Construction Plans Approval Process**

The Planning Official and Development Review staff shall review the preliminary plat for compliance with the requirements of this Ordinance and verify that the plat is in substantial conformance with the sketch plan as approved by the Planning and Zoning Commission. Within ~~twenty (20)~~ twenty-five (25) working days of receipt of the preliminary plat, the Planning Official shall approve, approve conditionally, or disapprove the plat. If the preliminary plat is disapproved or approved conditionally, the reasons for such action shall be conveyed to the applicant. The reasons for disapproval shall refer specifically to those parts of the sketch plan, the Comprehensive Plan, ordinance, or regulation with which the preliminary plat does not conform. On conditional approval, the Planning Official may require the applicant to resubmit the preliminary plat with all recommended changes before approving said plat. A decision of the Planning Official may be appealed to the Planning and Zoning Commission. The appeal must be filed within sixty (60) days of the administrative decision, and shall be heard at the next regular Planning and Zoning Commission meeting scheduled at least fifteen (15) days after the appeal is filed. If the preliminary plat is found to conform to all requirements of the Ordinance, the Planning Official shall notify the applicant.

The Planning Official, County Engineer and Development Review staff shall review the construction plans for compliance with the requirements of this Ordinance. Within ~~twenty (20)~~ twenty-five (25) working days of receipt of the construction plans, the Planning Official and County Engineer shall approve, approve conditionally, or disapprove the construction plans. If the construction plans are disapproved or approved conditionally, the reasons for such action shall be conveyed in writing to the applicant and copied to the Planning Official. The reasons for disapproval shall refer specifically to those parts of the Ordinance or regulation with which the plans do not conform. On conditional approval, the Planning Official and County Engineer may require the applicant to resubmit the construction plans with all recommended changes before approving said plans. A decision of the Planning Official and County Engineer may be appealed to the Planning and Zoning Commission. The appeal must be filed within sixty (60) days of the administrative decision, and shall be heard at the next regular Planning and Zoning Commission meeting scheduled at least fifteen (15) days after the appeal is filed. If the construction plans are found to conform to all requirements of the Ordinance, the Planning Official and County Engineer shall notify the applicant and the Planning Official in writing.

Upon final approval of the preliminary plat, and upon receipt of written final approval of the construction plans ~~from the County Engineer~~, the Planning Official shall note approval in writing on at least two (2) copies of the preliminary plat. One (1) copy shall be retained by the Planning and Zoning Office and one (1) copy given to the applicant. Written approval on the preliminary plat shall state that the approval is to proceed under supervision of the County with the installation of site improvements; and to proceed with the preparation of the final plat. The approval must further state that preliminary plan approval does not authorize the applicant to sell or otherwise transfer lots or parcels within the platted subdivision. The Planning Official shall sign and date this written statement.

#### **5:2.4-7 Final Plat Approval Procedure**

The Planning Official shall review the final plat for compliance with the final plat submittal requirements of this Ordinance. Within twenty-five (25) working days of receipt of the Final plat, the Planning Official shall approve, approve conditionally, or disapprove the plat. The Planning Official may stamp a final plat approved for recording upon receiving the following:

#### **5:2.5 Large Acreage Single Family Residential Developments on Private Road**

##### **5:2.5-3 Preliminary Plan Approval Procedure**

The Planning Official and County Engineer shall review the preliminary plan for compliance with the requirements of this Ordinance. Within ~~twenty (20)~~ twenty-five (25) working days of receipt of the preliminary plan, the Planning Official and County Engineer shall approve, approve conditionally, or disapprove the preliminary plan. If the preliminary plan is disapproved or approved conditionally, the reasons for such action shall be conveyed to the applicant. The reasons for disapproval shall refer specifically to those parts of the Comprehensive Plan, ordinance, or regulation with which the preliminary plan does not conform. On conditional approval, the Planning Official and/or County Engineer may require the applicant to resubmit the preliminary plan with all recommended changes before approving said plan.

##### **5:2.5-5 Final Plat Approval Procedure**

The Planning Official shall review the final plat for compliance with the final plat submittal requirements of this Ordinance. Within twenty-five (25) working days of receipt of the Final plat, the Planning Official shall approve, approve conditionally, or disapprove the plat. The Planning Official may stamp a final plat approved for recording upon receiving the following:

## 5:2.6 Group Developments

### 5:2.6-2 Minor Group Development Approval Process

Minor group developments do not require Planning and Zoning Commission review prior to approval with the exception that both minor and major group developments within the Lake Wateree Overlay District (LWOD) require Planning and Zoning Commission approval per the special LWOD development standards. The applicant shall complete an application for a group development that shall be prepared by the Planning Official. The applicant must submit two (2) sets of zoning and land development site plans addressing off-street parking; buffering, screening, and landscaping requirements; resource conservation; and other provisions of this Ordinance as determined by the Planning Official. All of the required site plan information (off-street parking, buffering, screening, landscaping, resource conservation, etc.) must be displayed on a single sheet of paper. The Planning Official shall prepare site plan guidance documents to aid the applicant in preparing the site plans.

Within ~~ten (10)~~ twenty-five (25) working days of submission of the zoning and land development site plan, the Planning Official shall approve, approve with changes, or reject the plan. If rejected, changes, additional analysis, or other information necessary to make an approval determination shall be identified and transmitted to the applicant. Zoning and land development site plans shall be approved prior to the issuance of the building permit. Site construction landscaping per the approved zoning and land development site plan shall be completed and approved prior to the issuance of a certificate of occupancy.

The applicant must submit two (2) sets of engineering (civil) plans and calculations that shall be in compliance with the applicable engineering specifications and standards of this Ordinance. The County Engineer shall prepare guidance documents to aid the applicant in preparing the engineering plans. Engineering site plans shall be approved prior to the issuance of the building permit. Site construction per the approved engineering site plan shall be completed and approved prior to the issuance of a certificate of occupancy. Within ~~twenty (20)~~ twenty-five (25) working days of receipt of the engineering plans, the Planning Official and County Engineer shall approve, approve conditionally, or disapprove the engineering plans. If the engineering plans are disapproved or approved conditionally, the reasons for such action shall be conveyed in writing to the applicant and copied to the Planning Official. The reasons for disapproval shall refer specifically to those parts of the Ordinance or regulation with which the plans do not conform. On conditional approval, the Planning Official and County Engineer may require the

applicant to resubmit the engineering plans with all recommended changes before approving said plans.

### **5:2.6-3 Major Group Development Approval Process**

#### **B. Approval Process**

##### **3. Approval**

- a. Within ~~twenty (20)~~ twenty-five (25) working days of receipt of the engineering plans, the Planning Official and County Engineer shall approve, approve conditionally, or disapprove the engineering plans. If the engineering plans are disapproved or approved conditionally, the reasons for such action shall be conveyed in writing to the applicant and copied to the Planning Official. The reasons for disapproval shall refer specifically to those parts of the Ordinance or regulation with which the plans do not conform. On conditional approval, the Planning Official and County Engineer may require the applicant to resubmit the plans with all recommended changes before approving said plans.

### **5:2.7 Development of Planned Development Districts**

#### **5:2.7-4 Preliminary Plan Approval Procedure**

Within ~~twenty (20)~~ twenty-five (25) working days of receipt of the preliminary plat, the Planning Official shall review the preliminary plat for compliance with the requirements of this Ordinance and verify that the plat is in substantial conformance with the sketch plan as approved by the Planning and Zoning Commission. The Planning Official shall approve, approve conditionally, or disapprove the plat. If the preliminary plat is disapproved or approved conditionally, the reasons for such action shall be conveyed to the applicant. The reasons for disapproval shall refer specifically to those parts of the PDD site plan, the Comprehensive Plan, Ordinance, or regulation with which the preliminary plat does not conform. On conditional approval, the Planning Official may require the applicant to resubmit the preliminary plat with all recommended changes before approving said plat. A decision of the Planning Official may be appealed to the Planning and Zoning Commission. The appeal must be filed within sixty (60) days of the administrative decision, and shall be heard at the next regular Planning and Zoning Commission meeting scheduled at least fifteen (15) days after the appeal is filed. If the preliminary plat is found to conform to all requirements of the Ordinance, the Planning Official shall notify the applicant.

Within ~~twenty (20)~~ twenty-five (25) working days of receipt of the construction plans, the Planning Official and County Engineer shall review the construction plans for compliance with the requirements of this Ordinance. The Planning Official and County Engineer shall approve, approve conditionally, or disapprove the construction plans. If the construction plans are disapproved or approved conditionally, the reasons for such action shall be conveyed in writing to the applicant and copied to the Planning Official. The reasons for disapproval shall refer specifically to those parts of the Ordinance or regulation with which the plans do not conform. On conditional approval, the Planning Official and County Engineer may require the applicant to resubmit the construction plans with all recommended changes before approving said plans. A decision of the Planning Official and County Engineer may be appealed to the Planning and Zoning Commission. The appeal must be filed within sixty (60) days of the administrative decision, and shall be heard at the next regular Planning and Zoning Commission meeting scheduled at least 15 days after the appeal is filed. If the construction plans are found to conform to all requirements of the Ordinance, the County Engineer shall notify the applicant and the Planning Official in writing.

#### **5:2.7-6 Final Plat Approval Procedure**

The Planning Official shall review the final plat for compliance with the final plan submittal requirements of this Ordinance. Within twenty-five (25) working days of receipt of the Final plat, the Planning Official shall approve, approve conditionally, or disapprove the plat. The Planning Official may stamp a final plat approved for recording upon receiving the following:



**UNIFIED CODE  
OF  
ZONING AND LAND DEVELOPMENT  
REGULATIONS**

**KERSHAW COUNTY  
PLANNING AND ZONING COMMISSION**

**REQUEST FOR TEXT AMENDMENT BY  
KERSHAW COUNTY (CASE 26-15)**

**PROPOSAL: AN ORDINANCE TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR), SECTION 5:2.9-3, IMPACT ASSESSMENTS, TO REMOVE TRAFFIC MANAGEMENT PLAN PROVISIONS AS REDUNDANT LANGUAGE AND TO ADD A PROVISION THAT THE KERSHAW COUNTY PLANNING AND ZONING COMMISSION SHALL EVALUATE AND CONSIDER IMPACT ASSESSMENTS SUBMITTED AS PART OF ITS DETERMINATION ON APPROVAL OF PROPOSED PROJECTS.**

**April 13, 2026**

# STAFF REPORT

## KERSHAW COUNTY PLANNING COMMISSION April 13, 2026 Meeting

**Request #: 26-15**

**Applicant:**

Kershaw County Smart Growth Committee

**Proposal:**

AN ORDINANCE TO AMEND THE KERSHAW COUNTY, SOUTH CAROLINA UNIFIED CODE OF ZONING AND LAND DEVELOPMENT REGULATIONS (ZLDR), SECTION 5:2.9-3, IMPACT ASSESSMENTS, TO REMOVE TRAFFIC MANAGEMENT PLAN PROVISIONS AS REDUNDANT LANGUAGE AND TO ADD A PROVISION THAT THE KERSHAW COUNTY PLANNING AND ZONING COMMISSION SHALL EVALUATE AND CONSIDER IMPACT ASSESSMENTS SUBMITTED AS PART OF ITS DETERMINATION ON APPROVAL OF PROPOSED PROJECTS.

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### Background Summary

Smart Growth Rewrite Committee Recommendation: 6-1 Favorable

Kershaw County Council 1st Reading: 6-0 Favorable

This ordinance expressly permits the Planning Commission to consider impact assessments, expressly including those from the Kershaw County School District, in approving developments in Kershaw County.

**Attachments:**

- 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.

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(f) The Kershaw County Planning and Zoning Commission considered the proposed text amendment at its meeting on \_\_\_\_\_, 20\_\_\_\_, and by a \_\_\_\_\_ vote recommended \_\_\_\_\_ of the proposed text amendment.

**Section 2. Amendment to Section 3:2.9.3 of the Kershaw County Unified Code of Zoning and Land Development Regulations**

The Kershaw County Unified Code of Zoning and Land Development Regulations is amended as set forth on **Exhibit 1** to this Ordinance, which is included herein and incorporated herein by reference. follows:

**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.

*<remainder intentionally blank, signature page follows>*

**AND IT IS SO ORDAINED**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

**KERSHAW COUNTY, SOUTH CAROLINA**

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J. Ben Connell  
Chair, Kershaw County Council

ATTEST:

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Hannah Parler, Clerk to Council

First Reading:  
Second Reading:  
Public Hearing:  
Third Reading:

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Indicates New Matter~~Indicates Matters Stricken~~**5:2 LAND DEVELOPMENT SUBMITTAL REQUIREMENTS AND APPROVAL PROCESS****5:2.9-3 Impact Assessments**

~~The traffic management plan provisions of this Ordinance shall inform the Planning and Zoning Commission of potential impacts of a proposed development on the transportation system. The Planning Official shall work with respective public service providers to develop impact assessment reporting forms to be submitted to the Planning and Zoning Department. The impact assessment reporting forms shall be approved by the Planning and Zoning Commission. The Planning and Zoning Commission shall evaluate and consider the impact assessments submitted by responding agencies as part of its determination on approval of the proposed project.~~

For proposed major subdivisions greater than forty (40) units, major group developments, and planned development districts, impact assessment reporting forms shall be submitted to, at minimum, the following agencies, as applicable:

- A. Kershaw County School District (for impact assessments of residential developments)
- B. Kershaw County Utilities (sewer)
- C. Kershaw County Engineer
- D. Kershaw County Environmental Services (solid waste and recycling)
- E. Kershaw County Public Works
- F. Kershaw County Fire Service
- G. Lugoff-Elgin Fire District
- ~~H. Camden Fire Department~~
- I. Kershaw County Sheriff
- J. City of Camden Water and Sewer
- K. Lugoff-Elgin Water Authority
- L. Cassatt Water Company
- M. Bethune Rural Water
- ~~N. Kershaw County Emergency Medical Services Kershaw Health (formerly Kershaw County Medical Center)/EMS~~
- O. United States Postal Service

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