

**CITY OF CAYCE, SOUTH CAROLINA
LAND DEVELOPMENT REGULATIONS**

Adopted by the Cayce City Council on 4-01-2014

**Prepared by the City of Cayce Planning Commission
With assistance from the staff of
Central Midlands Council of Governments**

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ARTICLE 1

GENERAL PROVISIONS

1-1 Purpose

The public health, safety, economy, good order, appearance, convenience, morals, and general welfare require the harmonious, orderly and progressive development of land within the City of Cayce. In furtherance of this general intent, the regulation of land development by the City of Cayce is adopted for the following purposes, among others:

- A. To encourage the development of an economically sound and stable community;
- B. To assure the timely provision of required streets, utilities, other facilities and services to new land developments;
- C. To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments;
- D. To assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, transportation and other public purposes; and
- E. To assure, in general, the wise and timely development of new areas or redevelopment of areas in harmony with the adopted City of Cayce Comprehensive Plan.

1-2 Short Title

These regulations shall be known as and may be cited as the City of Cayce Land Development Regulations.

1-3 Authority

These regulations are adopted under authority granted by the General Assembly of South Carolina, pursuant to authority conferred by the 1994 “South Carolina Local Government Comprehensive Planning Enabling Act”, SC Code Sections 6-29-310 through 6-29-1640.

1-4 Jurisdiction

These land development regulations shall apply to all development of land within the incorporated area of the City of Cayce.

1-5 Types of Development

For the purpose of proper regulation, developments have been divided into types and separate regulations developed for each type. These types and the applicable sections of these regulations are:

- A. Traditional Subdivisions – specifically articles one through six and ten through fifteen apply to this type of development.
- B. Group Developments – specifically articles one through seven and eleven through fifteen apply to this type of development.
- C. Planned Developments - Article eight
- D. Extraordinary Development – Article ten

1-6 Official Recording

Upon enactment of the ordinance by the City Council of the City of Cayce, adopting these regulations, a copy of the ordinance shall be filed in the offices of the Lexington County Clerk of Court. After that time, no subdivision plat for any land within the subdivision jurisdiction of the City of Cayce shall be filed until such plat has been submitted to and approved by the City of Cayce Planning Commission or other authorized parties, according to the procedures set forth in this ordinance.

1-7 Application of Regulations

No street, other public way or land shall be accepted or maintained; nor shall any water lines, sewer lines, street lighting or similar improvements be extended or connected; nor shall any permits be issued by any department of the municipality or county for construction of a building or other improvement in any subdivision established hereafter which does not meet the requirements set forth in this ordinance.

1-8 Effect of Plat on Dedications

The approval of a plat by the Administrative Officer shall not be deemed to constitute or influence an acceptance by the City Council of the dedication of any street or other ground upon the plat.

1-9 Violation and Penalty

Violation by Subdivider -Whoever, being the owner or agent of the owner of any land located within a subdivision, transfers or sells, agrees to sell or negotiates to sell any land by reference to or exhibition of or by other use of plat of a subdivision, before such plat has been approved by the Administrative Officer and recorded in the office of the County Registrar of Deeds, shall be guilty of a misdemeanor, and upon conviction, forfeit and pay a minimum penalty of five hundred (500) dollars to the City, for each lot so transferred or sold or agreed or negotiated to be sold. The description of any such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring such lot or parcel shall not exempt the transaction from such penalties or from the remedies herein provided. The City Council may enjoin such transfer, sale or agreement by action for injunction brought in any court competent jurisdiction and may also recover such penalty by civil action in any court of competent jurisdiction.

Violation by Recording Official - The Lexington County official whose duty it is to accept and record plats of real estate shall not accept, file or record any subdivision plat in such office without the approval of the Administrative Officer. If the recording official violates the provisions of this section, he shall in each instance be subject to the same penalty as provided in the above section and the City Council shall have the same rights and remedies as to enforcement or collection as therein provided and may enjoin any violations thereof.

Enforcement - Whenever it shall come to the attention of the City Council that any provision of these regulations have been or is being violated, the City Council may immediately institute suit and prosecute the same to final judgment.

ARTICLE 2 DEFINITIONS

2-1 Usage

A. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense: words used in the plural number include the singular: the word "herein" means "in these regulations": word "regulations" means "these regulations".

B. A "person" includes a corporation, a partnership, and an incorporated or unincorporated association of persons such as a club: "shall" is always mandatory: "may" is discretionary: a "building" includes a structure: a "building" or "structure" includes any part thereof: "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied".

2-2 Words and Terms Defined

For the purpose of these regulations, the following words and terms are defined as follows:

ADT: Average daily trips

Administrative Official: The Planning Director or other person duly designated to act in his behalf.

Affordable: means in the case of dwelling units for sale, housing in which mortgage, amortization, taxes, insurance, and condominium or association fees, if any, constitute no more than twenty-eight percent of the annual household income for a household earning no more than eighty percent of the area median income, by household size, for the metropolitan statistical area as published from time to time by the U.S. Department of Housing and Community Development (HUD) and, in the case of dwelling units for rent, housing for which the rent and utilities constitute no more than thirty percent of the annual household income for a household earning no more than eighty percent of the area median income, by household size for the metropolitan statistical area as published from time to time by HUD.

Applicant: The owner of land proposed to be subdivided or his/her representative.

Application for Exemption: An application to be made with the Administrative

Official upon which a finding of applicability of these regulations is to be made. See the definition of "subdivision" for standards of applicability.

Bikeway: Any road, path or way which in some approved manner is specifically designated as being open to bicycle travel, regardless of whether such facilities are designed for the exclusive use of the bicycles or are to be share with other transportation modes, and which further includes a dedicated right-of-way for public use.

Block: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad right-of-ways, shorelines of waterways, or boundary lines of municipalities or counties.

Bond: Any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the Government Body. All bonds shall be approved by the Governing Body wherever a bond is required by these regulations. A bond can be a performance bond, surety bond, or an irrevocable letter of credit. The amount must equal at least 150% of the cost of the required improvement.

Bufferyard: An area within a property or site, generally adjacent to or parallel with the property line either consisting of natural existing vegetation or created by the use of trees, shrubs, and/or fences designed to limit continuously the view and/or sound from the site to adjacent sites or properties.

Building: Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind, and includes any structure.

Building Line: A line beyond which, no foundation wall or part of the structure of any building shall project, with the exception of roof overhang and the sub-surface projection of footings.

Cartway: The actual road surface area from curb line, which may include travel lanes, parking, and deceleration and acceleration lanes. Where there are no curbs, the cartway is that portion between the edges of the paved surface.

Central Water System: A private water company not owned and operated by a public agency, serving new community development in an outlying area. It includes water treatment and distribution facilities.

Central Sewerage System: A community sewer system, including collection and treatment facilities, not owned and operated by a public agency serving a new subdivision in an outlying area.

Cluster or **Clustering**: means a site-planning technique that concentrates

buildings and structures in specific areas on a lot, site, or parcel to allow the remaining land to be used for recreation, open space, and/or preservation of features, and/or structures with environmental historical, cultural, or other significance. The techniques used to concentrate buildings may include, but shall not be limited to, reduction in lot areas, setback requirements, and/or bulk requirements, with the resultant open space being devoted by deed restrictions for one or more uses.

Cluster development, residential: means a land development project in which the site planning technique of clustering dwelling units is employed.

Common open space: means the portion of the site set aside in perpetuity as open space. This area may include wetlands, floodplains or flood-hazard areas, stream corridors, prime agricultural lands, habitats of endangered species, wildlife, as identified on applicable federal or state lists, scenic views, historical or cultural features, archaeological sites, or other elements to be projected from development as well as easements for public utilities.

Construction Plan: The drawings accompanying a subdivision plat or plan and showing specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the Administrative Officer as a condition of the approval of the plat or plan.

Crosswalk: A right-of-way within a block dedicated to public use, intended primarily for pedestrian use designed to provide access to adjacent roads.

Density: The number of dwelling units per acre of “developable land” within the boundaries of a residential project.

Developable land: All land within a project’s boundaries, including lands or parcels designated for the support of the development; that is, all areas for lots, parking areas, drives, roads, drainage and utility easements or rights-of-way, sign easements, entrance structure easements, and lands designated for private recreation.

Developer: The owner or owners (or their representative) of a lot or of any land included in a proposed development (also, the holder of an option or contract to purchase, or any other person having enforceable proprietary interest in such land).

Development: means the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure, any mine, excavation, landfill or land disturbance, and/or any changes in use, or alteration or extension of use, of land.

Divided Street: A street having an island or other barrier separating moving lanes.

Easement: A grant to the general public, corporation, or certain person or persons of the right to the use of the strip or parcel of land for a specific purpose. Fee simple title to the land remains with the grantor.

Extraordinary Developments: Any artificial impoundment, such as a lake, created through the use of dams or other means.

Final Plat or Plan: The final map of all or a portion of a subdivision that is presented for final approval.

Frontage: That side of a lot abutting on a street or way ordinarily regarded as the front of the lot, but it shall not be considered as the ordinary side of a corner lot.

Grade: The slope of a road, street, or other public way, specified in percentage (%) terms from the horizontal.

Gross area: means the total area of the site, including the net buildable area and public rights-of-way.

Group Development: All divisions of a tract or parcel of land into two or more building sites for the purpose, whether immediate or future, of building development. Group developments would include apartment complexes, office parks, shopping centers or other commercial structures or complexes containing two or more business establishments, mobile home parks, industrial parks, or other developments where the site is not subdivided into lots and public streets but is divided into two or more building sites.

Health Department: The public health department having jurisdiction over the land area in which the proposed subdivision is located, or the South Carolina Department of Health and Environmental Control.

Individual Sewage Disposal System: A septic tank, seepage tile sewage disposal system, or any other approved sewage treatment device.

Infrastructure: The facilities and services, needed to sustain residential, commercial, industrial, institutional and other activities.

Land Development: A change in land characteristics through redevelopment, construction, subdivision into parcels, condominium complexes, apartment complexes, commercial parks, shopping centers, industrial parks, mobile home parks or similar developments for sale, lease or any combination of owner and rental characteristics.

Lot: The basic development unit - an area with fixed boundaries, used or intended to be used by one building and its accessory building(s) and not divided by any public highway or alley.

Lot Area: Means the total area of the lot including easements.

Lot, Corner: A lot situated at the intersection of two (2) streets - (The interior angle of such intersection not exceeding 135 degrees).

Lot Depth: The mean horizontal distance between the front and rear lot lines.

Lot, Double Frontage: A lot having frontage and access of two or more public streets. A corner lot shall not be considered having double frontage unless it has frontage and access on three or more streets.

Lot Improvement: Any building, structure, place, work of art, or other object, or improvement of the land on which they are situated constituting a physical betterment of real property, or any part of such betterment.

Lot, Interior: A lot other than a corner lot.

Lot, Reversed Frontage: A lot having frontage on two or more public streets, the access of which is restricted to one street.

Lot Width: The mean horizontal distance between the side lot lines of a lot measured at right angles to the depth; or the same distance measured at a point midway between the front lot line and the rear lot line; or at the rear line of the required front yard (building line), especially on irregularly shaped lots.

Low-income household: A household whose gross annual income does not exceed 50 percent of the area median as adjusted for household size.

Manufactured Home: A single-family dwelling unit fabricated in an off-site manufacturing facility for installation or assembly at the building site, bearing a label certifying that it is built in compliance with the Federal Manufactured Home Construction and Safety Standards Act of 1974 (42. U.S.C Sec. 501), which became effective June 15, 1976.

Mobile Home: A movable or portable residential dwelling that was fabricated in an off-site manufacturing facility, designed to be a permanent residence, over thirty-two (32) feet in length and eight (8) feet or more in width, constructed to be towed on its own chassis and designed without a permanent foundation for long-term occupancy, which includes a double wide or expandable mobile home as defined below, as well as a portable dwelling composed of a single unit, which

may or may not be in compliance with the Federal Manufactured Home Construction and Safety Standards Act of 1974. The term "mobile home" as used in this Ordinance shall not include prefabricated, manufactured, modular or unitized dwellings placed on permanent foundations, nor shall it refer to travel trailers, campers or similar units designed for recreation or other short term uses. A Mobile Home may or may not be permanently attached to the ground, and its transport features may or may not be removed. Mobile Home activity shall be permitted only in a Mobile Home Park. A Mobile Home Park must meet the requirements of the Mobile Home Park Ordinance.

(a) **Doublewide Mobile Home:** A doublewide mobile home is a mobile home with two or more units separately towable, but designed to be joined into one integral unit at the site.

(b) **Expandable Mobile Home:** An expandable mobile home is a mobile home with one or more sections that fold, collapse or telescope into the principal unit when being transported and which can be expanded at the site to provide additional living area.

Moderate-income household: A household whose gross annual income is less than 80 percent of the area median as adjusted for household size.

Modular Home: A structure intended for residential use and manufactured off-site in accord with the Southern Building Code and BOCA Basic Building Code.

Net buildable area: The portion of the cluster development that may be developed or used for common open space, whether publicly dedicated or private, but excluding private streets, public streets, and other publicly dedicated improvements.

Off-Site: Any premises not located within the area of the property to be subdivided whether or not in the same ownership of the applicant for subdivision approval.

Ordinance: Any legislative action, however denominated, of a local government, which has the force of law, including any amendment or repeal of any ordinance.

Owner: Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations.

Parking, Off-Street: An area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street arranged so that no maneuvering incidental to parking shall be on any public street and so that an automobile may be parked or moved therein without

moving any other automobiles.

Planning Commission: The City of Cayce Planning Commission.

Preliminary Plat or Plan: The preliminary drawing or drawings, described in these regulations, indicating the proposed manner or layout of the subdivision to be submitted to the Administrative Officer for approval.

Public Improvement: Any drainage ditch, roadway, parkway, sidewalk, pedestrian way, tree, lawn, off-street parking area, lot improvement, or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which local government responsibility is established.

Registered Engineer: An engineer properly licensed and registered in the State of South Carolina.

Registered Land Surveyor: A land surveyor properly licensed and registered in the State of South Carolina.

Reserve Strip: A strip of land adjacent to a public street or similar right-of-way which has been reserved for the purpose of controlling access to the public way.

Re-subdivision: A change in a map of any approved or recorded subdivision plat if such change affects any street layout on such map or area reserved there for public use, or any lot line: or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.

Right-of-Way: A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Rights-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains, shade trees or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right-of-way is established.

Sale or Lease: Any immediate or future transfer of ownership, on any possessory interest in land, including contract of sale, lease, devise, interstate succession, or other written instrument.

Setback: The required distance between a structure and the lot lines on the lot in which it is located. Lot lines can be the property lines or the edge of a street

right-of-way.

Screening: Either (A) a strip of at least ten (10) feet wide, densely planted (or having equivalent natural growth) with shrubs or trees at least four (4) feet high at the time of planting, of a type that will form a year-round dense screen at least six (6) feet high: or (B) an opaque wall or barrier or uniformly painted fence at least six (6) feet high. Any requirements herein contrary to the Landscape Ordinance shall mean to meet those of the Landscape Ordinance.

Single-Family Dwelling: A permanent structure placed on a permanent foundation, having one or more rooms, with provisions for living, sanitary, and sleeping facilities arranged for the use of one or more individuals of the same family. These dwellings shall include site-built, manufactured, and modular homes.

Site plan: The development plan for one or more lots on which is shown the existing and/or the proposed conditions of the lot.

Sketch Plan or Site Plan: A sketch plan or plat is a generalized map prepared by the developer that shows the development concept. Its purpose is to serve as a basis for discussion without either the Administrative Officer or the developer making commitments. This phase of the subdivision process precedes the preparation of the preliminary plat or plan (or final plat in the case of minor subdivisions).

Streets: The word means, relates to, and includes the entire right-of-way of streets, avenues, boulevards, roads, highway, freeways, lanes, alleys, courts, thoroughfares, collectors, minor streets, cul-de-sacs, and other ways.

Street Classifications: Streets may be classified as follows:

Alley: a public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.

Arterial (Major Thoroughfare): A freeway, expressway or a street or highway which is used or intended to be used for moving either heavy vehicular traffic volumes or high-speed traffic, or both, or which was designated as a major thoroughfare in the Comprehensive Plan.

Collector: A street which is used or intended to be used for moving traffic from minor streets to major thoroughfares, including the principal entrance and circulation street or streets of a development. Types of collector streets include:

1. Urban residential - collector streets which serve minor urban residential

streets;

2. Rural residential - collector streets which serve only minor rural residential lots which meet the lot size requirements of a minor residential street; and
3. Commercial or Industrial - collector streets that serve minor commercial or industrial streets.

Local (Minor Street): A street that is used or intended to be used to provide access to other streets from individual properties. Types of minor streets include:

1. Urban residential - minor streets serving residential lots in incorporated areas;
2. Rural residential - minor streets serving residential lots;
3. Commercial or Industrial - minor streets serving commercial or industrial uses;
4. Marginal access - minor streets located parallel and adjacent to a limited access street or highway which provide access to abutting properties and protection from through traffic; and
5. Cul-de-sac - minor street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

Private Streets: Any road or street that is not publicly owned or maintained and used for access by the occupants of the development, their guests and the general public.

Street Perimeter: Any existing street to which the parcel of land to be subdivided abuts one (1) side.

Subdivider: Any person who (1) having an interest in land, causes it, directly or indirectly to be divided into a subdivision or who (2) directly or indirectly, sells, leases, or develops, or offers to sell, lease, or develop, or advertises for sale, lease, or development, any interest, lot, parcel site, unit, or plat in a subdivision, or who (3) engages directly or through an agent, in the business of selling, leasing developing, or offering for sale, lease, or development, a subdivision or any interest, lot, parcel site, unit, or plat in a subdivision, and who (4) is directly or indirectly controlled by, or under direct or indirect common control with any of the foregoing.

Subdivision: all divisions of a tract or parcel of land into two or more lots,

building sites, or other divisions for the purpose, whether immediate or future, of sale, lease, or building development, and includes all division of land involving a new street or change in existing streets, and includes re-subdivision which would involve the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or, the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, and includes combinations of lots of record; however, the following exceptions are included within this definition only for the purpose of requiring that the local planning agency be informed and have a record of the subdivisions:

- (a) the combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the governing authority;
- (b) the division of land into parcels of five acres or more where no new street is involved and plats of these exceptions must be received as information by the planning agency which shall indicate that fact on the plats; and
- (c) the combination or recombination of entire lots of record where no new street or change in existing streets is involved.

Subdivision Types:

- 1. **Nonresidential Subdivision:** A subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivisions shall comply with the applicable provisions of these regulations.
- 2. **Traditional Subdivision:** All divisions of a tract or parcel of land into two (2) or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development, and includes all divisions of land involving a new street or a change in existing streets, and includes re-subdivision and where appropriate, to the process of subdivision or to the land or area subdivided, provided however, that the following exceptions are included within this definition only for the purpose of requiring that an Application for Exemption be filed with the Administrative Official.
 - A. All exceptions stated in the definition of *subdivision*.
- 3. **Planned Development:** The intent of the Planned Development is to better bridge the inherent difference between residential and nonresidential uses and to better accommodate change within those areas of the City of Cayce where due to economics or other factors responsible for change, potentially incompatible development could compromise property values

or adversely impact existing land use, transportation facilities, or infrastructure.

Through the Planned Development advocated by these Regulations, it is possible to ameliorate differences between potentially incompatible uses by exacting concessions and conditions as necessary to achieve "land use compatibility."

4. **Conservation Subdivision:** A residential development where fifty percent or more of the developable land area is designated as undivided, permanent open space; thereby permanently protecting agriculturally, environmentally, or historically significant areas within the parcel. The remaining developable land is subdivided into buildable lots.
5. **Major Subdivision.** All subdivisions not classified as minor subdivisions, requiring any new street or extension of supporting public or private utilities.
6. **Minor Subdivision.** Any subdivision with lots fronting on an existing street, not involving any new street or road, the extension of public utilities, and not adversely affecting the remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the comprehensive plan, official map, zoning ordinance or this ordinance.

Use: The purpose or activity for which a piece of land or its buildings is designed, arranged, or intended, or for which it is occupied or maintained.

ARTICLE 3

PROCEDURE FOR PLAT APPROVAL

3-1 General Procedure

Whenever any subdivision of land is proposed, before any contract is made for sale of any part thereof, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the subdividing owner, or his authorized agent, shall apply for and secure approval of such proposed subdivision in accordance with the following procedure. They then must proceed through the following four (4) separate steps:

- A.** Pre-application meeting
- B.** Review and approval of Sketch Plan
- C.** Review and approval of Preliminary Plat, and
- D.** Review and approval of Final Plat.

Steps A, B and C shall be completed prior to making any street improvements and installing any utilities. Step D shall be completed prior to sale of any lots, recording of any portion of the plat of the proposed subdivision, or issuance of a building permit for construction of buildings.

3-2 Procedures

The following procedures shall be followed in the submission, review, and action upon all subdivision plats:

3.2.1 Pre-application meeting

Before making any formal application for any subdivision, the subdivider shall schedule an appointment with the Administrative Official and other City officials, including but not limited to the City Project Engineer and the Lexington County Public Works Director, to discuss the procedure for approval of the subdivision plat and the requirements as to the general layout of streets, and for the reservations of land, street improvements, drainage, water, sewer, fire protection, and similar matters, as well as the availability of existing services. Officials shall also advise the applicant, when appropriate, to discuss the proposed subdivision with other governmental agencies concerned with development.

At this meeting, the applicant shall have the option of seeking the direction of the Administrative Official as which approvals are required, the applicant requirements, and applicable details.

3.2.2 Minor Subdivisions: Minor subdivisions which do not involve the construction or opening of new streets, water or sewer facilities, storm drainage systems, or improvement to existing streets may be accepted for review by the Administrative Officer in the form of a final plat. Sketch plans and preliminary plats are not required in such cases. However, a service connection plan for utilities and a grading plan may be required.

3.2.3 Sketch Plan:

- A. Discussion of Requirements.** Before preparing the sketch plan for a subdivision, the applicant should discuss with the Administrative Official the procedure for adoption of a subdivision plat and the requirements as to general layout of streets and for reservations of land, street improvements, drainage, sewerage, fire protection, extraordinary development (Article 10) and other similar matters, as well as the availability of existing services. The Administrative Official shall also advise the applicant, where appropriate, to discuss the proposed subdivision with those officials who must eventually approve these aspects of the subdivision plat coming within their jurisdiction.

- B. Application Procedure and Requirements.** Prior to subdividing land, an owner of the land, or his representative, shall file an application for approval of a sketch plan. The application shall:
 - 1.** Be made on forms available at the office of the Administrative Official.

 - 2.** Include all contiguous holdings of the owner, including land in the same ownership, as defined herein, with an indication of the portion that is proposed to be subdivided, accompanied by an affidavit of ownership.

 - 3.** Be accompanied by a minimum of seven (7) copies of the Sketch Plan as described in these regulations and complying in all respects with these regulations.

- C. Approval of Sketch Plan.** After reviewing the Sketch Plan, the Administrative Official will advise the applicant within thirty (30) days after application that the Sketch Plan is approved, disapproved, or

approved with certain modifications. If approved, said approval shall constitute authorization to prepare and submit a Preliminary Plat. Approval *does not* authorize the developer to begin the proposed construction or improvements. If the Administrative Official to the Planning Commission fails to act on the Sketch Plan within thirty (30) days after application, the Sketch Plan shall be deemed approved and a certificate to that effect shall be issued by the Administrative Officer upon demand; provided, however, that the subdivider may waive this requirement and consent in writing to extension of such period.

D. Appeals of the Decisions of the Administrative Official. If an applicant disagrees with the disapproval or approval with modifications of his Sketch Plan by the Administrative Official, he may submit the Sketch Plan to the Planning Commission at its next regular meeting. The Planning Commission shall review the Sketch Plan at the meeting, at which it is presented, and act on the appeal with pertinent comments and recommendations noted in the minutes of the Planning Commission meeting.

E. Distribution of Sketch Plan. Sketch Plans shall be distributed for purposes of notification to the following agencies and departments when appropriate:

1. Administrative Official/Planning Commission (file copy)
2. SC Department of Health and Environmental Control
3. Lexington County Public Works
4. Appropriate Water and Sewer Provider
5. Director of Parks
6. Director of Sanitation
7. Appropriate soil & erosion control agency

In addition, one copy shall be returned to the applicant showing any modifications needed.

3-2.4 Preliminary Plat

A. Application Procedure and Requirements. Based upon the approval of the Sketch Plan, the applicant should file with the Administrative Official an application for approval of a Preliminary Plat. The application shall:

1. Be made on forms available at the office of the Administrative Official together with a fee as set forth by the City of Cayce.
2. Be accompanied by a minimum of eight (8) hard copies plus one (1) digital copy of the Preliminary Plat as described in these regulations.
3. Be accompanied by a minimum of eight (8) hard copies plus one (1) digital copy of Construction Plans as described in these regulations.
4. Conform in all respects with the Sketch Plan as approved.

B. Approval of Preliminary Plat. Upon determination by the Administrative Official that the Preliminary Plat conforms with the approved Sketch Plan, the applicant shall submit an appropriate number of copies of the Preliminary Plat and construction Plans to the following agencies, as needed, for review and approval:

1. Administrative Official/Planning Commission (file copy)
2. Lexington County Public Works
3. Appropriate Water and Sewer Provider
4. Director of Parks
5. Director of Sanitation
6. Appropriate soil & erosion control agency
7. South Carolina Department of Health & Environmental Control
8. County Assessor's Office

These reviewing agencies shall report their findings to the Administrative Official within fifteen (15) days after receipt of the Preliminary Plat. Upon receipt of reports from these reviewing agencies the Administrative Official shall give approval, approval with certain modifications, or disapproval of the Preliminary Plat, but in each case his/her action shall be taken within sixty (60) days after submission of the Preliminary Plat: otherwise, such plat shall be deemed to have been approved and a certificate to that effect shall be issued by the Administrative Official on demand: provided, however, that the applicant for approval may waive

this requirement and consent in writing to an extension of such period. The grounds of disapproval of any Preliminary Plat shall be stated in the records of the Administrative Officer.

It is expressly understood that the Administrative Official shall not act to override the requirements of other agencies or City Departments. He/she may, however, seek to bring agreement in case of conflicts between the various reviewing agencies, or a reviewing agency and the subdivider.

Any plat submitted to the Administrative Official shall contain the name and address of a person to whom notice of hearing may be sent: and no plat shall be acted upon by the Planning Commission without affording a hearing thereon, notice of time and place of which shall be sent by certified mail to said address not less than fifteen (15) days before the date fixed therefore.

A party in interest may appeal an Administrative Official's action to the Planning Commission. The Planning Commission must act on the appeal within 60 days in accordance with S.C. Code § 6-29-1150(C)

Any appeals of a Planning Commission decision shall be made to the Circuit Court in accord with S.C. Code § 6-29-1150(D)

Pursuant to S.C. Code §6-29-1155, a property owner may request pre-litigation mediation.

Approval of the Preliminary Plat shall be noted on the plat and certified by the Administrative Official. Also noted shall be the date on which the Administrative Official granted approval and the date of written notification to the subdivider or his authorized agent. *Approval of a preliminary subdivision plat shall not constitute approval of the final subdivision plat.* Application for approval of the final (record) plat will be considered only after the requirements for final plat approval as specified herein have been fulfilled and after all other specified conditions have been met. Upon approval of the preliminary subdivision plat by the Administrative Official, the subdivider may proceed with compliance of the other requirements of these regulations, construction of proposed improvements, and the preparation of the final subdivision plat.

- C. Effective Period of Preliminary Approval.** The approval of the Preliminary Plat shall be effective for a period of two (2) year; at the end of which time, final approval on the subdivision must have been obtained from the Administrative Official (although the plat need not yet be signed and filed with the Registrar of Deeds). Any plat not receiving final approval within the period of time set forth therein shall be required to

resubmit a new plat for preliminary approval subject to all new land development regulations.

3-2.5 Final Plat

A. Application Procedure and Requirements. Following the approval of the Preliminary Plat and completion of all required improvements, if the improvements are not going to be bonded, the applicant shall file with the Administrative Official as application for final approval of a subdivision plat. The application shall:

1. Be made on forms available at the Office of the Administrative Official.
2. Be accompanied by a minimum of eight (8) prints, one reproducible copy and one electronic copy of the Final Plat, and
 - a. As-built drawing of sanitary sewers (if applicable) with grade, pipe sizes, and points of discharge.
 - b. As-built drawing of storm sewer system with grade, pipe sizes, and location of outlets.
 - c. As-built drawing of water system with pipe sizes and location of hydrants and valves.
 - d. As-built drawings of streets and when applicable, sidewalks.
3. Comply in all respects with the Preliminary Plat as approved.
4. Be accompanied by all formal irrevocable offers of dedication to the public of all streets, local government uses, utilities, park, and easements, approved by the local government attorney; and the Final Plat shall be marked with a notation indicating the formal offers of dedication as follows:

The owner, or his representative, hereby irrevocably offers for dedication to the local government all the streets, local government uses, easements, parks and required utilities shown in the subdivision plat and construction plans in accordance with an irrevocable offer of dedication dated _____, and recorded in the Registrar of Deeds' Office.

By _____

(Owner or Representative)

Date _____

The applicant shall deliver a full covenant and warranty deed to all such lands in proper form for recording.

- 5. Be accompanied by the surety bond, if required, in a form satisfactory to the local government attorney and in an amount established by the Planning Commission upon recommendation of the City Project Engineer and Lexington County Public Works shall include a provision that the principal of the bond shall comply with all the terms of the resolution of Final Plat approval as determined by the Administrative Officer and shall include, but not be limited to, the performance of all required subdivision and off-site improvements, and that all improvements and land included in the irrevocable offer of dedication shall be dedicated to the local government free and clear of all liens and encumbrances on the premises.
- 6. Be accompanied by the following certificate signed by a registered South Carolina Engineer covering all required improvements which are not bonded:

I hereby certify that the streets, drainage system, sewer system, and water system in _____ Subdivision as shown on the Record Drawings dated _____, prepared by _____ have been installed in accordance with the Preliminary Plat and Construction Plans approved by the City of Cayce on _____, 20____.

SEAL

 Registered Engineer

- B. Final Plat Approval.** Upon determination by the Administrative Official to the Planning Commission that the Final Plat is in conformity with the Preliminary Plat as approved, the Administrative Official shall submit an appropriate number of copies of the Final Plat and As-Built Drawings to the same agencies and City departments which reviewed and approved the Preliminary Plat.

These reviewing agencies shall report their findings to the Administrative

Officer within fifteen (15) days after receipt of the Final Plat.

Upon Receipt of:

1. A report from the SC Department of Health and Environmental Control that all lots are acceptable for installation of wells or a report from the City Project Engineer and the South Carolina Department of Health and Environmental Control Water Division that the water system is acceptable for operation.
2. A report from the SC Department of Health and Environmental Control that all lots are acceptable for installation of an individual sewage disposal system or a report from the City Project Engineer and the South Carolina Department of Health and Environmental Control Waste Water Division that the waste water system is acceptable for operation;: and
3. A report from the County Engineer that all streets and drainage facilities have been properly installed in accordance with the Preliminary Plat.

Or upon approval of a bond for completion of improvements by the City Council, the Administrative Officer shall give approval, approval with modifications, or disapproval of the Final Plat. When bond is used in lieu of completion of improvements, the Administrative Officer shall stipulate the period of time within when all of the required improvements shall be installed and approved by the appropriate agencies. In no event shall this time be longer than two (2) years. *Final acceptance will be based on a satisfactory on-site inspection by the City Project Engineer and Lexington County Public Works reported in writing to the Administrative Officer.*

In each case the Administrative Officer shall act on a Final Plat within sixty (60) days after the date of application; otherwise, such plat shall be deemed to have been approved and a certificate to that effect shall be issued by the Administrative Officer on demand; provided, however, that the applicant may waive this requirement and consent in writing to the extension of such period. The grounds of disapproval of any plat shall be stated upon the records of the Administrative Official. No plat shall be acted upon by the Planning Commission without affording a hearing thereon, notice of time and place of which shall be sent by registered or certified mail to the address provided by the applicant not less than fifteen (15) days before the time of the hearing.

It is expressly understood that the Administrative Official shall not act to override the requirements of other agencies or City Departments. He/she

may however, seek to bring agreement in cases of conflict between the various reviewing agencies, or a reviewing agency and the subdivider. In no case shall the Administrative Official disapprove a Final Plat of a subdivision which:

1. Meets the requirements of a Final Plat as set forth in the regulations, and
2. Conforms to an approved Preliminary Plat, and
3. Has all the required improvements installed and approved.

- C. **Certificate of Approval for Recording.** Upon approval of the Final Plat by the Administrative Official, the following statement will be placed on the Final Plat by the Administrative Official and two (2) copies of the plat returned to the subdivider:

The subdivision plat shown hereon has been found to comply with the City of Cayce Land Development Regulations and has been approved for recording in the Office of the Registrar of Deeds of the County of Lexington, South Carolina.

_____20_____

Title

- D. **Recording of Final Plat.** It shall be the responsibility of the applicant to file the plat with the County Registrar of Deeds within thirty (30) days of the date of approval by the Administrative Official.
- E. **Staging of Major Subdivisions.** The Administrative Official may grant Final Plat approval to sections of a subdivision shown on an approved Preliminary Plat which meet all the previously mentioned requirements of this ordinance if such sections, in the opinion of the Administrative Official, are adequately served by all utilities, a storm drainage system and street system, even if no other sections of the subdivision are developed.
- F. **Final Plat Revision.** If it should become necessary to revise a final plat due to a dimensional error, a revised plat shall be submitted to the County Clerk for final recording after the Administrative Official has approved and signed the revised plat.

3-3 South Carolina Department of Health & Environmental Control (DHEC) Approval
It shall be the developer's responsibility to obtain any required permits and approval from DHEC.

3-4 Federal Housing Administration or Farmers Home Administration Approval
In the event the subdivider plans to secure approval of his subdivision design by the Federal Housing Administration and/or the Farmers Home Administration, it is suggested that such approval be secured prior to submission of a preliminary plat to the Administrative Official.

3-5 Flood Plain Restrictions
Refer to the City's Flood Damage Prevention Ordinance.

3-6 Wetlands
No portion of a subdivision shall be approved for construction which is in a designated wetland without prior approval from, and subject to the restrictions of, the U.S. Army Corps of Engineers.

3-7 Prohibition
No public official shall accept, file, or record any subdivision plat, plat of a group development, planned development, or any other type development unless such plat has been duly approved by the City of Cayce Administrative Official. Should any public official violate the provisions of this section he shall, in each instance, be subject to the penalties stated in Article 15 of these regulations.

3-8 Street Naming
The City of Cayce Planning Commission shall approve and authorize the name of any street or road laid out within the City of Cayce on any subdivision plat or group development subject to review and approval by said Planning Commission. Streets that are extensions of, or obviously in alignment with existing streets, shall bear that name. The name of new streets shall not duplicate or be similar in sound to existing names in Lexington County, irrespective of the use of the suffix street, avenue, circle, way, boulevard, drive, place, court or the like. It shall be unlawful for any person, in laying out any new street or road, to name such street or road on any plat, by any marking, or in any deed or instrument without first getting the approval of the Planning Commission. Any person violating this provision shall be guilty of a misdemeanor punishable by the terms of Article 15 of these regulations.

3-9 Appeals

A party in interest may appeal an Administrative Official's action to the Planning Commission. The Planning Commission must act on the appeal within 60 days in accordance with S.C. Code § 6-29-1150(C)

Any appeals of a Planning Commission decision shall be made to the Circuit Court in accord with S.C. Code § 6-29-1150(D).

Pursuant to S.C. Code §6-29-1155, a property owner may request pre-litigation

mediation.

ARTICLE 4

PLAT REQUIREMENTS

4-1 **Sketch Plan** - The Sketch Plan shall be prepared in accordance with the following requirements:

4-1.1. Sketch Plans submitted to the Administrative Official, prepared in pen or pencil, shall be drawn to a convenient scale of not less than one inch equals two hundred feet (depending upon the lot sizes and total acreage to be subdivided) and shall show the following information:

A. Name

1. Name of subdivision if property is within an existing subdivision.
2. Proposed name if not within a previously platted subdivision. The proposed name shall not duplicate the name of any plat previously recorded.
3. Name of property if no subdivision name has been chosen. (This is commonly the name by which the property is locally known.)

B. Ownership

1. Name and address, including telephone number, of legal owner or agent of the property involved in the subdivision.
2. Name and address, including telephone number, of the professional person(s), if any, responsible for the subdivision's design, or for the design of any public improvements, and for the surveys.

C. Location

A vicinity map at a scale of not less than one (1) inch equals two (2) miles showing the relationship of the proposed subdivision to surrounding development. The scale of the vicinity map should be shown, as well as a north arrow.

D. Features

1. Total acreage in the tract to be subdivided.
2. Location of property lines, existing easements, railroad right-of-ways, watercourses and existing buildings.
3. Location of all existing or platted streets or other public ways on or within 200' of the property.
4. Names of any adjoining subdivision.
5. Approximate location, widths, and classification of proposed streets, including width of right-of-ways.
6. Approximate location, dimensions, and area of all proposed or existing lots.
7. Existing and proposed uses of land throughout the subdivision.
8. Existing uses of land surrounding the subdivision.
9. The approximate location and dimensions of any parcel of land proposed to be set aside for a park, playground, or other public use, or for the common use of property owners in the proposed subdivision with designation of the purpose thereof.
10. Location of lakes, swamps, and land subject to flood, based on a one hundred-year frequency flood.
11. Topography in terms of mean sea level by contours at vertical intervals of not more than five (5) feet (The Administrative Official may accept vertical intervals of not more than ten (10) feet or waive the requirement where existing topographic mapping is not available at five (5) feet contours and the terrain of the proposed subdivision is not of major significance.), and extending at least one hundred (100) feet outside the subdivision.
12. Location of City-limit lines and county lines, if applicable.
13. Boundary of wooded area(s)

- 4-1.2. The subdivider shall submit a sketch plan of the entire tract he/she plans to ultimately develop, although his/her present plans call for the actual development of only a part of the property.
- 4-1.3. A site evaluation of the development, including a soil survey and interpretations conducted or approved by the County Soil and Water Conservation District as described herein, shall be submitted as an integral component of the Sketch Plan.

The developer of the subdivision shall apply to the Soil and Water Conservation District to do the required site evaluation and soil survey and interpretations. If the staff of the Conservation District determines that it cannot perform the site evaluation within 30 days of the application, then the developer may contract with a registered engineer, landscape architect or professional soil conservationist to perform the site evaluation. This site evaluation must then be submitted to the staff of the Conservation District for approval. The staff shall review the site evaluation within 15 days of its submission.

It is suggested that the subdivider obtain a site evaluation, including a soil survey and interpretations, and use it as an aid in the development of the Sketch Plan.

4-2 Preliminary Plat - The Preliminary Plat shall meet the minimum standards of design set forth in these regulations and shall include the following information:

- 4-2.1. The Preliminary Plat shall be prepared by a South Carolina Registered Land Surveyor at a convenient scale of not less than one inch equals 100 feet; adjustable depending upon lot sizes and total acreage. The plat and the accompanying information shall be drawn upon one of four standardized sheets: 8.5" x 11"; 8.5" x 14"; 11' x 17'; 24" x 36".

If more than one sheet is used to show the property, each sheet must indicate its particular number, the total number of sheets in the plat, and its relation to all adjoining sheets

- 4-2.2. The Preliminary Plat shall include the following:

A. Name

- 1. Name of subdivision if property is within an existing subdivision.
- 2. Proposed name if not within a previously platted subdivision. The proposed name shall not duplicate the name of any plat previously recorded.

B. Ownership

1. Name and address, including telephone number of legal owner or agent of the property involved in the subdivision.
2. Name and address, including telephone number of the professional person(s) responsible for the subdivision's design, or for the design of any public improvements, and for the surveys.

C. Location

A vicinity map at a scale of not less than one inch equals two miles showing the relationship of the proposed subdivision to surrounding development. The scale of the vicinity map should be shown, as well as a north arrow.

D. Features

1. Total acreage in the tract to be subdivided.
2. Graphic scale, north point and date. The north point shall be identified as magnetic, true or grid north.
3. Boundaries of the tract to be subdivided with all bearings and distances indicated. The boundary survey shall be to such a degree of accuracy that the error of closure is no greater than 1:2,500.
4. The following conditions:
 - a. Topography by contours at vertical intervals of not more than five (5) feet and extending at least one hundred (100) feet outside the subdivision.
 - b. Deed record names of adjoining property owners.
 - c. Names of any adjoining subdivision.
 - d. Property lines within and adjoining the subdivision.
 - e. Location and right-of-way of all existing or platted streets or other public ways, railroads, easements, water courses and buildings either on or adjacent to the property to be subdivided. Specify whether utility lines are in easements or right-of-ways and show location of poles or towers.
 - f. Location of city limits.

- g.** Location of streams, lakes, swamps, and land subject to flood, based on a one hundred-year frequency flood. Those lots so affected shall be identified and noted on the plat.
- h.** Location of existing adjoining property lines.
- i.** In case of re-subdivisions, a copy of the existing plat with proposed re-subdivisions superimposed thereon.
- j.** Size and location of existing sewers, water mains, drains, culverts or other underground facilities within the street or within the right-of-way of streets or roads adjoining the tract. Grades and invert elevations of sewers shall be shown.
- k.** The acreage of each drainage area affecting the proposed subdivision.
- l.** All elevations shall refer to Mean Sea Level Datum (if available) where public water and/or public sewers are to be installed.
- m.** Boundary of wooded area(s).

5. The following proposed conditions:

- a.** The location, width, classification and proposed name of all proposed streets, alleys, and other public ways. This should include the width of both the paved surface and the right-of-way.
- b.** The location and width of all utility and other types of easements.
- c.** The location, dimensions and building setback lines of all proposed lots.
- d.** The location and dimensions of all property proposed to be set aside for a park, playground, or other public use, or for the common use of property owners in the proposed subdivision with designation of the purpose thereof and conditions, if any, of the dedication or reservation.
- e.** Sufficient data acceptable to the City Project Engineer and Lexington County Public Works to determine readily the

location, bearing and length of all property lines, and to reproduce such lines upon the ground: the location of all proposed monuments.

- f.** Indication of the use of all lots (single family, two family, multi-family, townhouse, offices, commercial, warehousing, industrial, etc.)
- g.** Blocks shall be consecutively numbered or lettered in alphabetical order. The blocks in numbered additions to subdivisions bearing the same name shall be numbered or lettered consecutively throughout the several additions.
- h.** All lots in each block shall be consecutively numbered.
- i.** Total number of lots and total length of new streets.
- j.** Sidewalk locations.

4-3 Construction Plans

4-3.1. General - Construction plans shall be prepared for all required improvements by a registered South Carolina Engineer at a convenient scale of not less than one inch equals 100 feet.

4-3.2. The Construction Plans shall include the following if such an improvement is proposed in the subdivision.

- A.** Profiles showing existing and proposed elevations along the centerlines of all new roads. The elevation along the centerlines of existing roads shall be shown within one hundred (100) feet of their intersection with new roads. Approximate radii of all curves, lengths of tangents, and central angles on all streets shall be shown.
- B.** Where steep slopes exist, the City Project Engineer and Lexington County Public Works may require that cross-sections of all proposed streets at one-hundred foot stations shall be shown at five (5) points as follows: On a line at right angles to the center line of the street, and said evaluation points shall be at the center of the street, each property line, and points twenty-five (25) feet inside each property line.
- C.** Plans and profiles showing the locations and typical cross-section of street pavements including curbs and gutters, sidewalks, drainage easements, rights-of-ways, manholes, and catch basins; the locations of street trees,

street lighting standards, and street signs; the location, size and invert elevations of existing and proposed sanitary sewers, storm water drains, and fire hydrants, showing connection to any exact location and size of all water, gas, or other underground utilities or structures.

- D. Location, size, elevation, and other appropriate description of any existing facilities or utilities, including, but not limited to, existing streets, sewers, drain, water mains, easements, water bodies, streams, and other pertinent features such as swamps, railroads, buildings, at the point of connection to proposed facilities and utilities within the subdivision. The water elevations of adjoining lakes or streams at the date of the survey and the approximate 100-year flood elevations of such lakes or streams. All elevations shall be referred to the Mean Sea Level Datum where public water and/or public sewers are to be installed.
- E. The acreage of each drainage area affecting the proposed subdivision.
- F. Topography at a contour interval of two (2) feet, referred to sea level datum when public water and/or public sewers are to be installed or portions(s) of the subdivision would be inundated by a 100-year frequency flood.
- G. All specifications and references required by the construction standards and specifications of the City of Cayce, any other local government providing any utility, and the Department of Health and Environmental Control or Lexington County Public Works.
- H. A site grading plan showing proposed finished contours when any major contour changes or filling for flood protection is proposed in the subdivision.
- I. Title, name and address, telephone and signature of the South Carolina Registered Engineer and Surveyor responsible for the plans and date, including revision dates.

4-4 Final Plat: General - The Final Plat shall be prepared by a South Carolina Registered Land Surveyor at the same scale and containing the same information, except for any changes or additions required by the Administrative Official, as shown on the Preliminary Plat, The final finished contours and the resultant areas subject to inundation by a 100 year flood shall be shown. The Preliminary Plat may be used as the Final Plat if it meets these requirements and is revised in accordance with the requirements of the Administrative Official.

4-4.1 Scale of Plat - The Final Plat shall be drawn to a scale of not less than one (1) inch equals one hundred (100) feet.

4-4.2 Plat Information - All revision dates must be shown as well as the following:

- A. Name of owner of record.
- B. Name of subdivision, date, north point, and graphic scale. The north point shall be identified as magnetic, true or grid north.
- C. Name, registration number, and seal of registered surveyor or civil engineer.
- D. Name of municipality and/or county in which the subdivision is located and location map.
- E. Sufficient data to determine readily and reproduce accurately on the ground the location, bearing, and length of every street centerline, lot line, easement, boundary line, and building line whether curved or straight. This shall include the radius, point of tangent, and other data for curved property lines and curved streets, to an appropriate accuracy and in conformance with good surveying practice.
- F. Names of owners of record of all adjoining land and all property boundaries, water courses, streets, easements, utilities and other such improvements, which cross or form any boundary line of the tract being subdivided.
- G. Exact boundaries of the tract of land being subdivided shown with bearing and distances.
- H. Streets, alleys, rights-of-way, percent of grades, and street names.
- I. Rights-of-way or easement: location, widths and purposes.
- J. Lot lines, minimum building setback lines, and lot and block numbers.
- K. Parks, school sites, or other public open spaces, if any.
- L. All dimensions shall be to the nearest one-tenth (0.1) of a foot and angles to the nearest minute or as required by "Minimum Standards for the Practice of Land Surveying in South Carolina", whichever is stricter.
- M. Accurate description of the location of all monuments and markers.
- N. Areas to be used for purposes other than single-family residential and public, if any, with the purpose, location, and dimensions of each

indicated.

- O. One copy of the final plat, which shall be retained by the City of Cayce, shall include an overlay showing the type, number, and location of all streetlights.

4-4.3 Certification - The following signed certificates shall appear on the Final Plat that is submitted to the Administrative Official by the subdivider:

A. Certificate of Accuracy

I hereby certify that the plan shown and described hereon is true, correct, and accurate survey required by the Land Development Regulations of the City of Cayce and that the monuments shown were placed to the specifications set forth in said regulations.

| | |
|-------------|---|
| _____ | _____ |
| <i>Date</i> | <i>Registered Land Surveyor or Engineer</i> |
| SEAL | S. C. Registration Number _____ |

B. Certification of Ownership and Dedication

It is hereby certified that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby dedicate all streets, alleys, walks, parks, and other sites to public or private use as noted.

| | |
|-------------|--------------|
| _____ | _____ |
| <i>Date</i> | <i>Owner</i> |

C. Information to Accompany Final Plat when not using a Bond:

1. Final plan of sanitary sewer system with grade, pipe sizes, points of discharge, and pipe invert elevation.
2. Final plans of storm-water sewer system with grade, pipe size and location of outlets, and pipe invert elevations.
3. Final plan of water system with pipe sizes and location of hydrants and valves.
4. The following signed certificate:

I hereby certify that the streets, drainage system, sewer system and water system in _____ subdivision as shown on the Plat

dated _____, prepared by _____ has been installed in accordance with the Preliminary Plat (construction drawings) approved _____.

Date

Registered Engineer

SEAL

S.C. Registration Number _____

ARTICLE 5

MINIMUM DESIGN STANDARDS

5-1 **General** - In considering any Preliminary Plat, the Administrative Official shall give consideration to any Comprehensive Plan, or segments thereof, affecting the area in which the subdivision is located.

5-2 **Streets** - All streets, which shall hereafter be established in connection with the development of a subdivision, shall comply with the following design standards:

The layout of the streets as to arrangement, character, width, grade, and location may be required to conform to the, Official Map, Comprehensive Plan, to adjoining street systems or adjoining properties, and to the topography, natural features and drainage systems provided.

Where a subdivision abuts or contains an existing or proposed collector or through street, the Administrative Official may require marginal access streets, reverse frontage with screen planting, deep lots, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

Roads of an existing subdivision shall not be used as the sole means of ingress and egress in developing a new subdivision or extending an existing one unless granted by the Administrative Official. If, in judgment of the Administrative Official, the increased traffic and noise would create a safety hazard or otherwise be detrimental to residents of the existing subdivision, additional access shall be provided.

5-2.1 **Continuation of Existing Street Pattern** - Whenever topography will permit, the arrangements of streets in a subdivision shall provide for the alignment and continuation or projection of existing streets in adjoining areas. This is to mean the interconnectivity of subdivision developments.

5-2.2 **Cul-de-sacs** - Cul-de-sacs shall terminate in a circular turnaround having a minimum right-of-way of at least one hundred (100) feet in a diameter and a paved turnaround with a minimum outside diameter eighty (80) feet or other approved type of turnaround. Maximum length shall not exceed eight hundred (800) feet unless unusual circumstances require a greater length.

5-2.3 **Temporary Dead-End Streets** - Temporary dead-end streets, which extend for a greater distance than the depth of one abutting lot, shall be provided with a temporary turnaround having a diameter of eighty (80) feet, or other suitable turnaround.

5-2.4 **Half Streets** - Half streets are prohibited along property lines. Whenever a street is planned adjacent to the proposed subdivision tract boundary, the entire street

right-of-way shall be platted within the proposed subdivision.

- 5-2.5 Intersections** - The centerline of no more than two (2) streets shall intersect at any one point. Streets shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at an angle of less than sixty (60) degrees (angles of intersection to be measured at the intersection of street centerline). Curved streets shall have a minimum tangent of one hundred (100) feet at intersections.
- 5-2.6 Reverse Curves** - Where practical, a tangent of at least two hundred (200) feet on minor streets and three hundred (300) feet on collector streets shall be provided between reverse curves. On major thoroughfares, tangent distances shall be determined by the State Department of Transportation.
- 5-2.7 Street Access** - Where it is essential to the development of a logical street pattern, street right-of-way shall be extended to the boundary of adjoining property. Incompatible characteristics of adjoining property shall be given due consideration in making a determination of what shall constitute a logical street pattern.
- 5-2.8 Street Jogs** - Street jogs should be avoided. Where unavoidable, street jogs at intersections shall have a centerline offset of not less than one hundred fifty (150) feet.
- 5-2.9 Street Names** - Streets that are extensions of, or obviously in alignment with existing named streets, shall bear that name. The name of new streets shall be subject to the approval of the City Planning Commission and shall not duplicate or be similar in sound to existing names in Lexington County or Richland County when appropriate, irrespective of the use of the suffix street, avenue, circle, way, boulevard, drive, place, or court or the like.
- 5-2.10 Additional right-of-way** - Subdivisions which include an existing platted street that does not conform to the minimum right-of-way requirements of these regulations shall provide additional width along one or both sides of such street so that the minimum right-of-way required by these regulations is established. Subdivisions abutting only one side of such street shall provide a minimum of one-half, measured from the centerline of the existing right-of-way, of the right-of-way required by these regulations.
- 5-2.11 Right-of-Way and Pavement Widths** - Minimum right-of way and pavement widths shall be as follows:

| | R/W | Minimum Pavement Width (feet) | Design Speed (mph) | Min. Radius (feet) | Max. Grade % |
|---|-----|---|--------------------|--------------------|--------------|
| Business/ Industrial | 60' | 40' Closed section with 5' sidewalks on both sides | 30 | 380 | 6% |
| Residential Collector Lots > 20,000 SF | 60' | 24' Open section with 6' graded shoulder and a 4' wide sidewalk on one side, outside of the ditch or a 24' closed section with a 4' sidewalk on one side. | 30 | 380 | 8% |
| | 50' | | 30 | 380 | 8% |
| Lots < 20,000 SF ** | 50' | 30' closed section with a 5' wide sidewalk on one side. | 30 | 380 | 8% |
| Residential Sub-Collector Lots > 30,000 SF | 50' | 24' Closed section with a 4' sidewalk on at least one side. | 25 | 200*** | 8% |
| Lots > 10,000 or < 30,000 SF | 50' | 30' Closed section with 5' wide sidewalks on both sides | 25 | 200*** | 8% |
| Lots < 10,000 SF | 60' | 36' Closed section with 5' wide sidewalks on both sides | 25 | 200*** | 8% |
| Residential access Lots > 30,000 SF | 50' | 18' Open section with 6' graded shoulder or 24' Closed section | 25 | 200*** | 10% |
| Lots > 10,000 or Lots < 30,000 SF | 50' | 24' Closed section with 5' wide sidewalks on both sides | 25 | 200*** | 10% |
| Lots < 10,000 SF | 50' | 30' Closed section with 5' wide sidewalks on both sides | 25 | 200*** | 10% |

** Or where connected to neighborhoods with closed section sub-collectors and access roads.

*** Where the centerline deflection angle is 60 degrees or greater, the designer may deviate from the 25 mph design criteria and use a minimum radius of 125 feet to connect the centerlines

5-2.12 Street Grades - Grades on major thoroughfares shall be established by the State Department of Transportation. Grades on collector streets shall not exceed eight (8%) percent unless topographic conditions make this impractical. Grades on minor residential streets shall not exceed fifteen (15%) percent. All streets shall have a minimum grade of not less than one-half (0.5%) percent.

5-2.13 Horizontal Curves - Where a deflection angle of more than ten (10) degrees occurs in the alignment of a minor street, a curve of reasonable radius shall be introduced. A curve shall be introduced at any change in direction of a collector street or major thoroughfare. On major thoroughfares, the centerline radius of a curvature shall be determined by the State Department of Transportation. On collector streets the centerline radius of curvature shall not be less than three hundred and fifty (350) feet. On minor streets, the centerline radius of a curvature shall not be less than one hundred and fifty (150) feet.

5-2.14 Vertical Curves - Minimum stopping sight distance on major thoroughfares shall be determined by the State Department of Transportation. On collector streets minimum stopping sight distance shall be two hundred and seventy-five (275) feet (40 mph), and on minor streets one hundred and sixty (160) feet (25 mph). Stopping sight distances shall be measured from height of eye (three (3) feet nine (9) inches) to an object with a height of six (6) inches. Both distances measured above the centerline of the street.

5-2.15 Split Level Streets - Streets which are constructed so as to have two traffic ways, each at different levels within the same right-of-way, shall provide a paved traffic surface of at least twenty (20) feet on each level and a slope between the two traffic ways of three to one (3:1) or flatter.

5-2.16 Connectivity Index for Internal Streets - The streets within any proposed subdivision shall provide a connectivity index of at least 1.2. The connectivity ratio is computed by dividing the number of street links by the number of nodes within the subdivision. For purposes of this section, subdivisions with an arterial or collector providing access to a proposed subdivision is not considered a node in computing the connectivity ratio. The connectivity ratio does not apply to minor subdivisions.

5-2.17 Private Streets- Private streets may be permitted by the City of Cayce Planning Commission for the purpose of subdivision, if the private street is constructed to County standards and a mechanism approved by the Planning Commission is established to provide for all future maintenance of the private street.

- 5-3** **Blocks** - The Administrative Official shall examine every proposed subdivision as to its compliance with the following provisions:
- 5-3.1** **Non-residential Blocks** - Non-residential blocks shall be of such length and width as may be suitable for their prospective use, including adequate provision for off-street parking and service.
- 5-3.2** **Residential Block Length** - In order to insure convenient access between various parts of a subdivision, between the subdivision and surrounding areas, and in order to help prevent traffic congestion and undue inconvenience, the length of residential blocks hereafter shall not exceed fourteen hundred (1,400) feet or be less than six hundred (600) feet from corner to corner. Provided, however, such length requirements may be modified when such shall be appropriate due to the topography or physical shape of the property being subdivided. The width of any residential block shall be sufficient to permit two (2) tiers of lots, where topography and land ownership permits, except as otherwise provided in these regulations.
- 5-3.3** **Crosswalks** - Where a subdivision design involves unusually long blocks, public right-of-way for pedestrian crosswalks shall be provided where such are necessary for the convenience of pedestrians. Such crosswalk shall not be less than ten (10) feet wide and improved to include a concrete, asphalt or other approved surface walkway six (6) feet wide and four (4) inches thick.
- 5-3.4** **Block Width** - Blocks to the interior of the subdivision shall have sufficient width to provide for two tiers of lots. One tier of required block width is permitted in blocks adjacent to collector streets or arterial streets or waterway. Not more than two tiers of lots shall be provided for any block.
- 5-4** **Lots** - All lots, which shall hereafter be established in connection with the development of a subdivision, shall comply with the requirements set forth in the Zoning Ordinance of the City of Cayce, South Carolina or as shown below, whichever are more restrictive.
- 5-4.1** **Authority of Health Department** - Nothing contained in these regulations shall be construed as preventing the Health Department, after study of the conditions existing in a proposed subdivision, from requiring that all or any portion of the area of such subdivision shall not be built upon or that the minimum lot sizes set forth in these regulations are inadequate and must be increased to insure the protection of the public health.
- 5-4.2** **Setback Lines - Residential** - Building setback lines shall be in accordance with the Zoning Ordinance. Minimum side and rear setback lines shall also be in accordance with the Zoning Ordinance. Driveways shall be at least 2 feet from

the property line except at the point of entry and exit.

5-4.3 Lot Lines and City Limit or County Lines - Insofar as practical, lots should not be divided by City Limit or County boundary lines.

5-4.4 Lot Lines - Insofar as practical, side lot lines shall be at right angles to straight street lines and radial to curved street lines.

5-4.5 Minimum Lot Dimensions and Area - The minimum lot width at the front building line and minimum lot area shall be designated in the City of Cayce Zoning Ordinance.

5-4.6 Corner Lots

A. Corner lots shall be at least five (5) feet wider than interior lots; provided however, the maximum required width of corner lots shall be one hundred (100) feet.

5-4.7 Double Frontage - Double frontage lots (i.e., lots having street frontage both in front and rear) shall be avoided except in commercial zones, where essential to provide separation of residential development from railroad or major street right-of-way or from non-residential uses or where necessary due to topography. Where a railroad or major thoroughfare right-of-way, as shown on the major thoroughfare plan, abuts or runs through any portion of the subdivision, the subdivision plat shall provide for either a minor street or lots backing onto said right-of-way having a minimum depth of two hundred (200) feet.

5-4.8 Street Access - Every lot hereafter established shall front or abut on a street which conforms to the requirements of these regulations.

5-4.9 Flag Lots - Flag lots are not permitted.

5-4.10 Lots to Be Contiguous - Lots shall be arranged in a contiguous pattern within blocks or abutting a cul-de-sac. For minor subdivisions, all lots shall be contiguous, and any new lots subdivided from a tract that has been previously subdivided shall adjoin the existing lots.

5-5 Easements - Easements shall be required in subdivisions for the following purposes:

5-5.1 Utility Easements - When it is found to be necessary and desirable to locate public utility lines in other than street right-of-way, easements shall be shown on the plat for such purposes. All above ground utilities shall be provided along rear property lines except where site conditions make this impractical. Such easements shall be not less than twenty (20) feet along rear property lines and fifteen (15) feet along the side property line and, where possible, shall be centered

on rear and side lot lines.

- 5-5.2 Water Course and Drainage Easements** - Where a proposed subdivision is traversed by a water course, drainage way, or stream, appropriate provisions shall be made to accommodate storm water and drainage through and from the proposed subdivision. The area so improved shall conform substantially to the lines of said water course and be of a sufficient width for construction, or both, as to be adequate for the purpose, provided however, such public easement shall be not less than twelve (12) feet in width.
- 5-6 Reservation of Public Sites** - To insure the orderly development of the community, the subdivider shall be required to reserve and negotiate to sell needed spaces for parks, schools, fire stations and playgrounds, as required by local governmental units, for a period not to exceed thirty (30) days from the date of submission of the Sketch Plan. The reservation period may be extended for one (1) additional thirty (30) day period if a governmental unit files with the Administrative Official a written statement indicating a desire to negotiate.
- 5-7 Flood Protection** – Refer to the City’s Flood Damage Prevention Ordinance.

ARTICLE 6

REQUIRED IMPROVEMENTS

The subdivider shall install and/or pay for the improvements required by these regulations necessary to serve his subdivision prior to the approval of the Final Plat:

- 6-1 **Monuments** - All lot corners, street corners, and points of change of direction in exterior boundaries of the subdivision shall be marked with an iron pipe at least twenty four (24) inches long and driven to within four (4) inches of the finishing grade or flush as conditions may require.
- 6-2 **Natural Gas** - When gas lines are located in a street right-of-way, where possible, such lines shall be located outside the portion of the street to be surfaced to prevent cutting into the paved surface to serve abutting properties.
- 6-3 **Water Supply** - A public water system shall be installed in all subdivisions. When a water system is installed in a subdivision, water mains, valves, and fire hydrants shall be installed according to plans and specifications approved by the City Project Engineer and the Health Department. When the water main is located in the street right-of-way and it will be necessary to cut into the street surface to serve abutting lots, a connection shall be stubbed out to the property line to serve each lot before the street is surfaced.
- 6-4 **Sanitary Sewerage** - If a sanitary sewer system is installed in a subdivision, sanitary sewers shall be installed to the plans and specifications approved by the appropriate City Project Engineer and the South Carolina Department of Health and Environmental Control. When the sewer main is located in the street right-of-way, and it will be necessary to cut into the street surface to serve abutting lots, a connection shall be stubbed out to the property line to serve each lot before the street is surfaced.
- 6-5 **Sewerage Disposal Systems** - Prior to the construction of any sewerage disposal system such as an oxidation pond or other facility, the location, size, plans, and specifications of such a facility shall be approved by the City Project Engineer and the South Carolina Department of Health and Environmental Control.
- 6-6 **Curbs and Gutters** - Concrete curbs or paved valley-type gutters shall be installed and shall be in accordance with plans and specifications of the South Carolina Department of Transportation and Lexington County Public Works.
- 6-7 **Street Grading and Surfacing** - Street grading, base preparation, and surfacing shall be carried out by the subdivider according to plans and specifications of the South Carolina Department of Transportation and Lexington County Public Works.

- 6-8 Storm Drainage** - An adequate drainage system, including necessary improved open channels, pipes, culverts, storm sewers, intersection drains, drop inlet, bridges, and other necessary appurtenances shall be installed by the subdivider and shall be according to plans and specifications approved by the Lexington County Public Works.
- 6-9 Street Name Signs** - Street name signs shall be installed at all intersections within a subdivision. The location and design of such signs shall be approved by the proper City authority.
- 6-10 Sidewalks** - Sidewalks shall be installed and shall be constructed within the street right-of-way, and approved by Lexington County Public Works. A four (4) foot sidewalk shall be provided on at least one side of all minor streets. Five (5) foot sidewalks shall be provided on both sides of collector streets and major thoroughfares. A 3 foot landscaped strip should be provided between the sidewalk and the edge of the curb.
- 6-11 Underground utilities** – Utilities must be placed underground wherever practical.
- 6-12 Trees** - It is the intent of the City of Cayce to preserve trees within its corporate limits. In keeping with this intent, street trees should be planted at forty (40) foot intervals within ten (10) feet of the street right-of-way on both sides of the street, but must be outside the right-of-way. Existing trees should be preserved whenever possible, and the plans and specifications for tree planting and tree preservation should meet the approval of the Administrative Official.
- 6-13 Parks and Open Space** - Parks and open space provide a valuable asset to the urban setting for of the City of Cayce, its historical development and the general welfare of its residents. These standards ensure that parks and open space provide focal points for new communities. A central square or green, for example, may comprise a majority of the area required for dedication.
- 6-13.1.** Required parks/open space shall be reserved for any development in the zoning districts or areas as set forth in Table 6.1
- 6-13.2. Categories of Parks/Open Space** - The types of park or open space that may be provided to satisfy this chapter are described in Section 10.4-5 of the Cayce Zoning Ordinance. The applicant may choose among the types of parks or open space to include within the proposed development that is consistent with the overall minimum set-aside requirements of Table 6.1.

| Table 6.1 | |
|----------------------------------|---|
| Zoning Districts or Areas | Required Parks/Open Space |
| Industrial | Not applicable |
| Residential | 900 square feet per dwelling unit |
| Commercial/office | 450 square feet per 1,000 gross square feet for buildings exceeding 5,000 square feet |

6-13.3. Development phasing: This section establishes a procedure for enforcing the requirements for parks and open space through development phasing while providing flexibility in the development approval process. This procedure recognizes that there is usually a delay between the date when a subdivision plat is approved and when the lots are built upon and occupied, thus creating a demand for parks and open space.

- A . In residential subdivisions that are to be platted in two or more phases, the required park or open space dedication must be provided in each phase of subdivisions except as provided in subsection B below
- B. If a subdivision is proposed in phases, the applicant may plat the first 100 lots pursuant to the preliminary plat and defer the provisions of parks and/or open space to future phases of the development. No further subdivision plat shall be approved unless and until parks or open space are provided in increments equal to the acreage required in 6-13.1 above. Required Parks/Open Space of this chapter are subject to the phasing provisions of Table 6.3.

| Table 6.3 | | |
|---|--|-------------------------------|
| Number of lots per phase | Acres of parks or open space required | Timing of improvements |
| Phase 1: 1-100 | Up to 1 (minimum size of 1 acre) | Phase 2 |
| Phase 2: 101-300 | Up to 2 | Phase 3 |
| Phase 3 through completion of development | As required by 6-13.1 | At time of platting |

6-13.4. Connectivity: The City of Cayce finds and determines that an interconnected system of parks, trails, greenways, and bikeways provided a greater public benefit than isolated parks with access exclusively by automobiles. Such areas can provide form to neighborhoods, a common public gathering space, and an opportunity to protect natural areas. Accordingly, this section provides incentives for developers to link parks and open space provided pursuant to this section with other public or private park and opens space areas. It is not the intent of this

section to require developers or landowners to provide general public benefit but rather to create incentives for creativity in the design of parks and open space as well as creative opportunities to meet the requirement of this section.

- A** Greenbelts, greenways, or linear parks provided pursuant to this subsection shall be credited toward the minimum park and open space area requirements of 6-13.1 at a ratio of 1 acre for every 20,000 square feet provided, where
- 1.** Such areas include sidewalks, trails, or similar facilities that align with such facilities in an abutting tract, or where abutting tracts are improved, or conform to the specifications set forth in the facilities plan.
 - 2.** Parks or open space provided pursuant to this subsection shall be credited toward the minimum park and open space area requirements at a ratio of 1 acre for every 20,000 square feet provided, where
 - a.** all lots within the proposed subdivision are within 1/4 mile of the park or open space; and
 - b.** the park or open space area abuts an area zoned C-2 (NEIGHBORHOOD COMMERCIAL).

6-14 **Traffic Control Devices** - Traffic Control devices whether signs or signals, shall be installed by the Developer as deemed appropriate by the City of Cayce, its agencies and/or the South Carolina Department Transportation. The authority to require traffic control devices may be exercised by the City at anytime during the approval process.

6-15 **Street Lights** Standard 15,000 lumen LED street lights shall be installed at a rate of not less than one street light per six (6) lots. The developer shall make provisions for operating cost and perpetual maintenance.

6-16 **Secondary Access** - At least one access point into a single-family residential subdivision shall be provided for every 2,640 (1/2 mile) of frontage. Where a single-family residential subdivision exceeds 125 units, a secondary access will be required.

6-17 **Cross Access** - All lots in commercial or mixed-use districts that front an arterial or collector street shall provide an access connection to abutting parking areas that is at least 36 feet in width. The applicant may grant a common access easement across the lot or recorded deed covenant providing common access across the lot with adjacent lot or lots as mitigation.

6-18 **Traffic Calming** –

6.18.1 Applicability: This section applies to local streets. Streets exceeding 300 feet in length shall include an approved traffic calming feature. The distance between

traffic calming features shall not exceed the block length standards in Section 5-3.2

- 6-18.2** Traffic Calming Features: the following provisions describe and establish standards for permitted traffic calming devices where traffic calming measures are permitted as part of the roadway design elements in Section 5-2. The descriptions below are described in the document entitled *Traffic Calming: State of the Practice*. Traffic calming options for local streets are noted in Table 6.4
- 6-18.3** Maintenance: Maintenance of landscaping associated with traffic calming features shall be the sole responsibility of the HOA.

| Table 6.4 |
|---|
| <p>Neckdown/flares, street narrowing/intersection throating: neckdowns are curb extensions at intersections that reduce roadway width curb to curb. They are sometimes called slow points, nubs, bulbouts, knuckles or intersection narrowing. These traffic control measures reduce the width of a section of roadway in a gradual manner. They shorten crossing distances for pedestrians and draw attention to pedestrians via raised peninsulas. By tightening curb radii at the corner, the pedestrian crossing distances are reduced and the speeds of turning vehicles are reduced. The effect of this measure is to reduce speed and discourage nonlocal traffic. Motorists react to the measure with slower speed because of concern of limited path.</p> |
| <p>Roundabouts/traffic circles: These are raised circular structures constructed at a three- or four-way intersection. Their objectives are to slow speeding and reduce the number and severity of vehicular accidents. This measure is more suitable for wide intersections and may accommodate all sizes of vehicles by applying appropriate engineering designs.</p> |
| <p>Speed humps: These are raised pavement features constructed across the width of the street. The speed hump shall be 3 inches high and 12 feet long from the leading edge to the trailing edge. This feature discourages motorists from speeding and encourages them to obey the posted speed limit. When speed humps are constructed, advisory signs shall be installed to notify motorists of speed humps and an appropriate advisory travel speed.</p> |
| <p>Median Islands: These are raised, circular landscaped areas located within nonintersecting, midblock locations. Median islands channelize traffic and separate opposing flows. Traffic must slow down to maneuver around a median island. Median islands offer landscaping opportunities and maintenance responsibility. Median islands can be used to protect existing trees.</p> |

"T" Intersections: These are located at grade intersections where one of the intersecting street links is perpendicular to the other two. Traffic must slow down to negotiate the turning maneuvers in a "T" intersection. This roadway feature is very common. Motorists are familiar with "T" intersections.

ARTICLE 7

GROUP DEVELOPMENT

7-1 General

7-1.1 In order to prevent creation of traffic hazards, insure the provision of off-street parking and provision of necessary utilities, site plans for group developments such as shopping centers, industrial parks, mobile home parks, apartment complexes, and motels where the site is not subdivided into lots and public streets, but is retained in one ownership, the site plan shall be submitted to the Planning Commission for review and approval.

7-1.2 These regulations are considered minimum and may be superseded by more restrictive regulations such as the Zoning Ordinance.

7-1.3 Types of Group Developments

- A.** Group commercial or industrial developments consist of more than one commercial or industrial structure erected on a single lot.
- B.** Group housing developments consist of:
 - 1.** Any structure containing more than four dwelling units on the first floor level thereof or containing more than eight dwelling units throughout, except that high rise apartments are not considered to be group housing developments.
 - 2.** More than one structure containing dwelling units erected on a single lot.

7-2 Procedures for Group Development Approval

The following procedures shall be followed in the submission, review, and action upon all group development plats:

7-2.3 Site Plan

- A.** The developer shall submit at least seven (7) copies of a Site Plan to the Planning Commission for review. The staff shall recommend approval, disapproval, or approval with modification the Site Plan within thirty (30) days to the Planning Commission. The Planning Commission shall approve, disapprove, or approve with modification the site plan at its next regularly scheduled meeting. Pertinent comments and recommendations shall be noted by the Planning Commission.

B. If the Site Plan is disapproved by the Planning Commission or if the Planning Commission requires changes with which the developer does not concur, the developer may appeal to the Circuit Court within thirty (30) days of being notified of the Planning Commissions' decision.

C. If the Planning Commission fails to act within thirty (30) days after submission of the Site Plan, the Administrative Official must inform the developer of the date on which action shall be taken but such extension of time shall not exceed thirty (30) days. Failure of the Planning Commission to act within these time limits shall be deemed to constitute Site Plan approval and a certificate to that effect shall be issued by the Administrative Official upon demand.

7-2.4 Construction Drawings

- A.** The developer shall submit at least five (5) copies of the Construction Drawings along with the necessary supporting data to the Administrative Official.
- B.** Upon determination that the Construction Drawings conform to the approved Site Plan, the staff shall submit these plans to the following agencies (as appropriate) for review and approval.
 - 1.** City of Cayce Building Department
 - 2.** City of Cayce Public Works Department
 - 3.** Lexington County Public Works
- C.** Upon receipt of the reports from the above agencies, the Planning Commission shall approve, disapprove or approve with modifications the Construction Drawings within thirty (30) days after submission of the plans.
- D.** The developer shall obtain all required South Carolina DHEC approvals.
- E.** If the construction drawings are disapproved by the staff or if the staff requires changes with which the developer does not concur, the developer may submit the construction drawings to the Planning Commission. The Planning Commission shall review and approve, disapprove or approve with modifications the construction drawings at the next regular meeting at which it is presented. Pertinent comments and recommendations shall be noted by the Planning Commission.
- F.** If the Planning Commission fails to act within thirty (30) days after submission of the construction drawings, the plans shall be automatically approved and a certificate to that effect shall be issued by the

Administrative Official upon demand.

- G. The Planning Commission shall not act to override the requirements of other agencies. The commission may seek to bring agreement in cases of conflict between the various reviewing agencies and the developer.

7-2.5 Final Approval: Upon completion of all construction, no final approvals are required by the Planning Commission, but approvals may be required by other agencies.

7-3 General Plat Information

7-3.1 Site Plan

- A. Total acreage in the tract proposed for Group Development and a statement of total contiguous acreage owned by the developer.
- B. Tentative access and/or street layout.
- C. Approximate rights-of-ways of existing and proposed buildings and structures.
- D. Typical arrangement of existing and proposed buildings and structures.
- E. Existing and proposed uses of land throughout the tract.
- F. Existing uses of land and all existing street intersections surrounding the tract.
- G. The location and size of all proposed utilities and storm drainage easements.
- H. Topography in terms of mean sea level by contours at vertical intervals of not more than five (5) feet and extending at least one hundred (100) feet outside the tract (if access to adjoining land can be obtained).
- I. Name, date, north point, and graphic scale of not less than one hundred (100) feet to one (1) inch.
- F. A vicinity map at a scale of not less than one (1) inch equals one (1) mile showing the relationship of the proposed Group Development to surrounding development, especially schools, parks and shopping areas. The scale of the vicinity map should be shown on the Site Plan Drawing.
- K. A site evaluation shall be submitted with the Site Plan. For developments

exceeding five (5) acres in size, the elevation data for a one hundred (100) year flood shall be included.

- L. Certification (*see Section 4-3.3*).
- M. Such other information as the Planning Commission may deem necessary because of the physical characteristics peculiar to the particular development.

7-3.2 Construction Drawings

- A. A plat of the property drawn to a scale of at least one hundred (100) feet to one (1) inch, and shall include the name of the development, north point, graphic scale, and date.
- B. A location map at a scale of one (1) inch to one thousand (1000) feet showing the parcel of land, the location of all buildings, parking areas, and roadways, and all adjacent road rights-of-way. The scale of the location map should be shown on the construction drawings.
- C. The shape, dimensions and location of all buildings and property lines, existing and proposed, on said parcel.
- D. The nature (commercial, industrial, etc.) of the proposed uses of the buildings and/or land.
- E. Topography in terms of mean sea level by contours at vertical intervals of not more than five (5) feet.
- F. The location and dimensions of off-street parking and loading spaces and the means of ingress and egress to and from such space.
- G. The location and size of all proposed utilities and storm drainage facilities.
- H. A statement of variances requested from any section or subsection of Article 7-4 of these regulations.
- I. Such other information as the Planning Commission may deem necessary because of the physical characteristics peculiar to the particular development.
- J. Construction Drawing should be presented in a similar format to the accompanying sheet.

7-4.1 Requirements

Standards and requirements for parking, signage, setbacks, spacing between buildings, residential area requirements, screening, buffers, and landscaping for group developments shall be as specified in the City of Cayce Zoning Ordinance.

7-4.2 Water, Sewerage and Drainage

Adequate provisions for water supply, sanitary sewerage, and storm drainage shall be installed by the developer according to the plans and specifications approved by the proper authorities.

7-4.3 Access and Egress – shall conform to the Driveway Regulation of the South Carolina Department of Transportation and the Zoning Ordinance. When practical, parking lots for development within non-commercial zoning districts shall be interconnected in such a way to allow for the efficient flow of traffic between development without accessing the adjacent street or streets.

7-4.5 Enforcement - No building permits shall be issued and no connection to a public water system or public sewer system shall be made until the construction drawings for the group development are approved by the Planning Commission and so noted on prints of the development plan.

ARTICLE 8 PLANNED DEVELOPMENTS

8-1 Intent

The intent of Planned Developments are to better bridge the inherent difference between residential and nonresidential uses; and to better accommodate change within those areas of the City of Cayce where due to economics or other factors responsible for change, potentially incompatible development could compromise property values or adversely impact existing land use, transportation facilities, or infrastructure.

Through Planned Developments advocated by this Article, it is possible to ameliorate differences between potentially incompatible uses by exacting concessions and conditions as necessary to achieve "land use compatibility."

8-2 Minimum Site Requirements: Minimum area requirements for a Planned Development shall be 2 acres.

8-3 Permitted Principal Uses: Any use or combination of uses meeting the objectives of the section may be established in a PDD upon review and approval by the Planning Commission and amendatory action by City Council, where required. Once approved, the proposed use(s) and no other shall be permitted. Said uses shall be identified and listed on the basis of classification (i.e. retail office, wholesale, residential multi-family, residential single family detached, manufacturing, etc.). The list of approved uses shall be binding on the applicant and any successor in title, so long as the PDD zoning applies to the land, unless otherwise amended by action of the Planning Commission and City Council where required.

8-4 Density: Residential density, setbacks, impervious surface, ratios, floor area ratios and building heights shall be determined by the scale of the project in relation to its surroundings and its impact on existing and proposed support facilities (i.e. transportation, water and sewage systems, recreation facilities, etc).

8-5 Reserved

8-6 Overall Site Design: Overall site design shall be harmonious in terms of landscaping, enclosure of principle and accessory uses, size of structures, street patterns and use relationships, variety in building types, heights, facades setbacks and size of open spaces shall be encouraged.

8-7 Minimum Off-Street Parking and Loading Requirements: Off-street parking and loading requirements as set forth in the Zoning Ordinance shall be met for each specified use.

8-8 Signs: Signs permitted in Planned Developments only in accordance with provision of

the Sign Ordinance.

8-9 Landscaping and Buffer Yard Requirements: A minimum screen which meets the requirements of the Landscape Ordinance must be provided. The planning commission may require additional screening between uses and densities of development as a condition of plat approval.

8-10 RESERVED

8-11 Actions by Planning Commission and City Council

Actions by the Planning Commission and City Council shall be as provided for zoning amendments, generally. Said bodies may approve the application, may include specific modifications of the proposal or other applicable regulations or may deny the application.

If the amendment is granted, City council shall, in its amending action, approve the application as it may have been changed during earlier procedures, or indicate required modifications, and be binding on the applicant. If modifications are required, Council shall officially state its reasons for the record.

If the amendment is granted, the developer shall be required to proceed in accord with the approved Planned Development, as supplemented or modified by council in the particular case, and shall conform to any time or prior limitations established by council for initiation and/or completing the development in whole or in specific stages.

In taking action to amend the zoning map to establish the approved Planned Development, council shall pass upon the adequacy of the application, in form and substance relative to any agreements, contract, sureties, or other instruments involved, and before development may proceed, such instruments shall be approved by appropriate officers and agencies.

8-12 Preliminary Plats, Construction Plans, and Final Plats

The developer of a Planned Development is required to submit six (6) copies of a Preliminary Plat, Construction Plans, and Final Plat for each phase to be approved by the Planning Commission staff. Preliminary Plats, Construction Plans and Final Plats shall meet all requirements as defined in Article 4.

8-13 Administrative Action on Approved Planned Development

Once a Planned Development is established on the Official Zoning Map, no zoning or building permit shall be issued therein, unless it is in compliance with the general development plan and other documents approved by Council and approval of preliminary plat and construction drawings by the Planning Commission staff. Except as provided below, all plans and reports approved by Council shall be binding on the applicant and

any successors in title so long as the planned development district zoning is applicable.

8-14 Changes in Approved Plans

Changes in approved final plans and reports may be approved by the Planning Commission only upon findings that such changes will not increase the density of the project, amount of traffic generated, reduce screening or off-street parking requirements, or substantially alter the composition of the project. Any such change to the contrary shall be approved subject to further study by the Planning Commission and amendatory action by City Council in regards to zoning.

ARTICLE 9

RESERVED

ARTICLE 10

EXTRAORDINARY DEVELOPMENT

10-1 Purpose

With certain types of development, extraordinary safeguards may be necessary to protect the health, safety and general welfare of the citizens of the City of Cayce, developers are encouraged to work with the Planning Commission to avoid delays in project approvals.

10-2 Artificial Impoundments

Although aesthetically pleasing, the creation of artificial lakes or impoundments can result in significant water quality problems and dam safety issues.

10-2.1 Water Quality

A. Framework

Altering the natural flow of water can lead to eutrophication - a process by which a standing body of water becomes enriched with excess plant nutrients such as phosphorus and nitrogen, which results in excess algal production. This condition leads to lower dissolved oxygen (DO) levels which can have a detrimental effect on fish species and water quality. Artificial impoundments also lead to higher water temperatures and excess sedimentation, also harmful to aquatic species. Artificial lakes in the City of Cayce should be planned carefully with a view towards ecological consequences.

B. Recommendation

Developers should take appropriate steps to maintain good water quality in artificial lakes. Developing a long term strategy for maintaining water quality is recommended. This strategy may include the use of greater setbacks for principal structures and associated buildings with impermeable surfaces from the normal high water mark of the water body, vegetative buffers along the edge of the water body, or the installation of an aeration system to maintain a healthy level of DO in the water body.

10-2.2 Dams

A. Framework

A dam breach can be a significant threat to the safety of homeowners, and motorists (in the event that a road is constructed on a dam). For this reason, all dams must meet either requirements of the South Carolina Department of Dam Safety, the U.S. Corps of Engineers or Section 10-2.B.2 of this ordinance, whichever is applicable.

B. Requirements

Any dam construction not covered under the requirements of the South Carolina Department of Dam Safety and for the purpose of creating an artificial impoundment for the benefit of a residential subdivision, including subdivisions not yet proposed, shall conform to the following requirements:

1. The developer must provide dam construction drawings and plans *certified by a Professional Engineer* to the Planning Commission prior to beginning any site work.
2. Upon concurrence by the Planning Commission and Lexington County Public Works that the proposed dam construction will not cause unreasonable harm to the health, safety, and general welfare of the residents of the City, the developer may proceed with construction.
3. Dam construction shall be periodically inspected by the developer's engineer to ensure conformance with the approved drawings and plans. The developer shall be responsible for notifying the Planning Commission and Lexington County Public Works during a minimum of three (3) phases of dam construction (see below). Lexington County Public Works may inspect the construction at their discretion.

Phase 1 - Coring, backfilling and setting of invert.

Phase 2 - Mid-construction of fill.

Phase 3 - Top fill and grading.

4. Dams existing prior to the adoption of this ordinance must meet the requirements of this ordinance before a road is constructed on the dam.

10-3 Reserved

ARTICLE 11
LAND SURVEYING STANDARDS:
Connecting Surveys to State Plane Coordinate System

11-1 Purpose

The purpose of this section is to require certain land parcels, located within reasonable distance from monumented control points, to be referenced by field survey to geodetic control points which are defined by state plane coordinates. In cases where monumented control points are not within a reasonable distance as defined in this document the requirement will be to reference the survey to points which are identifiable on the county orthophoto maps. Property surveys affected by this section will be referenced to its accurate geographical locations, and therefore can be plotted in their correct position on the state plane coordinate based county mapping system. These positions can be reproduced to the same accuracy as the original determination, even if all physically platted corners or supporting evidence, or both have been destroyed.

This will greatly improve County land records by allowing ground surveys to be easily and accurately translated to county maps – hard-copy or electronic. In addition, land owners will benefit in that property corners tied directly to monumented geodetic control by field surveys are defined by mathematical references which cannot be destroyed; therefore in the future, missing or destroyed property corners can be more easily re-established with a high level of confidence.

This concept has existed for many years, but it has not been practical to apply on the county level until recent developments in technology allowed the cost-effective production of accurate mapping systems and the placement of closely-spaced geodetic control monuments defined by very accurate coordinates. In addition the recent development of the satellite based Global Positioning System (GPS) is revolutionizing control surveys.

11-2 Surveys Requiring Tie To Geodetic Control Monument

The following surveys require ties to geodetic control monuments:

1. Any subdivision of five (5) or more lots within a one mile traverse distance of geodetic control.
2. Any tract of five (5) or more acres within a one mile traverse distance of geodetic control.
3. Any subdivision of 25 or more lots or non-agricultural industrial/commercial development of 25 or more acres regardless of distance from geodetic control.

11-3 Surveys Exempt from Geodetic Control Monument Tie

It is considered very desirable for surveyors to tie all surveys, whenever possible, to the state plane coordinate system. Nothing in these exemptions is intended to discourage surveyors from tying surveys to the state plane coordinate system.

The following surveys are exempted from geodetic control monument tie:

1. Mortgage surveys of residential property in existing subdivisions.
2. Any survey not specified in Section 11-2.

11-4 Surveys Requiring Orthophoto Locator Tie

With the exception of mortgage surveys, all surveys not tied to geodetic control shall have a "locator tie". A locator tie is defined as a bearing and distance tie from a property corner to a point identifiable on the orthophoto map such as a building corner, a road intersection with a driveway or other point that can be accurately spotted on the orthophoto.

To support this requirement, the county will make copies of the county orthophoto maps available to licensed surveyors at a reasonable cost. Special pricing to surveyors will be contingent upon these maps being for the surveyors use only.

11-5 Survey Requirements

Survey requirements specified in this document are only for control survey connections between geodetic survey monuments and land parcels. Boundary surveys shall be performed in accordance with the State Minimum Standards published by the State Board of Registration for Professional Engineers and Land Surveyors unless requirements that are more stringent are specified herein. In so far as possible, Control surveys between geodetic monuments and property boundaries shall be extended from the nearest geodetic control monuments (s). County specifications for horizontal control are as follows:

11-6 Terrestrial Surveys:

If control is extended no more than 1/2 mile from control monument to property boundary third-order, class I (1/10,000) specifications shall be followed.

If control is extended more that 1/2 mile from the control monument to the property boundary second –order class II specifications shall be followed.

11-7 Global Positioning System (GPS) Surveys:

If GPS is used, procedures shall be followed to insure compatibility with the nearest geodetic control monuments to an accuracy of at least 5 cm + 2ppm. Only survey grade GPS receivers shall be used for boundary control.

11-8 Plat Requirements:

State plane coordinates shall be shown on the plat for at least two property corners. The geodetic monument(s) used for control will be noted on the plat with the grid distance and azimuth shown to at least one of the coordinated property corners.

Horizontal ground distances (not grid distance) will be shown on the plat for all segments of the boundary survey. A combined state plane coordinate – sea level reduction factor will be noted on the plat. Area will be based on horizontal ground distances.

All bearings will be referenced to state plane coordinate grid north.

Survey caps identifying the surveyor shall be placed on all new corners set on surveys covered by this ordinance.

11-9 Electronic Data Files

If the parcel or subdivision is generated with computer-aided drafting procedures, the City may request a copy of the electronic file to be copied on City-supplied medium.

ARTICLE 12
INTENT, AUTHORITY TO MODIFY, AND MAINTENANCE

- 12-1** **Intent** - These regulations do not intend to freeze new developments into any single type of design, but to insure that all new developments shall contribute to the building of economically sound and desirable living areas within the community with all necessary services and facilities.
- 12-2** **Authority to Modify Standards** - In order to provide the subdivider with maximum flexibility in the design and character of new residential developments, the Planning Commission is hereby authorized to modify the standards and requirements of these regulations in the case of a plan for an experimental subdivision or planned development, which in the judgment of the Planning Commission provides adequate public spaces for the circulation, recreation, light, air and service needs of the tract when fully developed and populated, and which also provides such covenants or other legal provisions as will assure conformity to and achievement of the plan.
- 12-3** **Maintenance of Spirit of Regulations** - Any Development or Subdivision approved under this section shall maintain the objectives, purposes and intent of these regulations and the comprehensive plan.

ARTICLE 13

SURETY IN LIEU OF COMPLETION OF IMPROVEMENTS

13-1 General

In lieu of completion of the physical development and installation of the required improvements previous to the approval of a Final Plat, the Cayce City Council may accept a bond, in an amount and with surety and conditions satisfactory to it, providing for and securing to the City of Cayce, the actual construction and installation of such improvements and utilities within a period specified and expressed in the bond.

13-2 Information

Necessary information to accompany the posing of a Bond:

13-2.1 Bond to equal one and a half (1 1/2) times face value of all improvements.

13-2.2 Improvements to be determined by the total cost of the following improvements where applicable:

- a. Water
- b. Sewer
- c. Paving of roads
- d. Storm drainage
- e. Sidewalks

13-2.3 **Contract bids** on above improvements of the development must be submitted with the Bond. These Bids or other positive assessments must be signed by a South Carolina registered engineer.

13-3 Procedures

13-3.1 The required information shall be submitted to the Administrative Official

- 13-3.2** The staff shall submit these materials to the City Attorney for review and comment.
- 13-3.3** The City Attorney shall submit the materials to the City Council for approval.
- 13-3.4** If the City Council approves the Bond, then the Preliminary Plat shall be given “BONDED PLAT APPROVAL” which authorizes the plat to be recorded by the Registrar of Deeds of Lexington County, S.C.
- 13-3.5** Upon completion of all requirements of these Land Development Regulations the subdivider shall submit the Final Plat (as- built drawings) as provided in Section 4-4.
- 13-3.6** After the subdivider fulfills his obligations as required by the Subdivision Regulations and Bond, the Administrative Official shall approve the Final Plat and the City Council shall release the Bond.

ARTICLE 14

APPLICATION OF REGULATIONS

From and after the adoption of these regulations and notification of the County Registrar of Deeds, the following shall apply:

- 14-1 Recording of Final Plat** - No subdivision plat shall be filed with or recorded by the County Registrar of Deeds until such Final Plat has received Final Approval or Final Approval under bond.
- 14-2 Streets** - No streets right-of-way shall be accepted, opened, or maintained in any subdivision established hereafter which does not meet the requirements of these regulations.
- 14-3 Permits** - No building or zoning permit shall be issued for any subdivision established hereafter unless a Final Plat of such subdivision is approved by the Planning Commission and/or a Bond of improvements is accepted by City Council.

ARTICLE 15

VIOLATION AND PENALTY

15-1 Violations

a. Misdemeanor; penalties: It shall be unlawful for any person to use property, or to construct, alter, enlarge or demolish any structure without a permit or permits required by these regulations. Conviction for violation of these regulations is punishable as a misdemeanor under the general penalty provisions of the City Code.

b. Withholdings permits: The Administrative Official shall deny a zoning permit for any use or work which fails to comply with these regulations. The Administrative Official shall withhold all other City permits for work which violates these regulations.

c. Complaints: A written complaint specifying facts showing a violation of these regulations filed by any person shall be investigated by the Administrative Official Upon determination that a violation has occurred, the Administrative Official shall take appropriate enforcement action authorized by these regulations.

d. Stop work orders. The Administrative Official is authorized to issue a stop work order pursuant to S.C. Code § 6-29-950(A) requiring work to cease until specific violations are corrected. Failure to comply with a stop work order of the Administrative Official is a misdemeanor punishable under the general provisions of the City Code. Issuance of a stop work may be appealed to the Board of Zoning Appeals.

e. Ordinance Summons: The Administrative Official is authorized to issue an ordinance summons pursuant to City Code provisions for violations of these regulations.

f. Arrest warrant: The Administrative Official, with concurrence of the City Attorney, is authorized to request the issuance of an arrest of warrant for violations of these regulations.

g. Injunction: The Administrative Official shall submit a request to the City Attorney for institution of a civil action seeking an injunction prohibiting violation of these regulations when appropriate.

15-2 Violation by Recording Official - The Lexington County official whose duty it is to accept and record plats of real estate shall not accept, file or record any subdivision plat in such office without the approval of the Planning Commission. If the recording official violates the provisions of this section, he shall in each instance be subject to the same

penalty as provided in the above section and the City Council shall have the same rights and remedies as to enforcement or collection as therein provided and may enjoin any violations thereof.

- 15-3** **Enforcement** - Whenever it shall come to the attention of the City Council that any provision of these regulations have been or is being violated, the City Council may immediately institute suit and prosecute the same to final judgment.

ARTICLE 16

LEGAL STATUS

- 16-1** **Conflict with Other Laws** - Whenever the provisions of these regulations impose more restrictive standards than are required in or under any other ordinance, the regulations herein contained shall prevail. Whenever the provisions of any other ordinance require more restrictive standards than are required herein the requirements of such regulations shall prevail.
- 16-2** **Repeal of Conflicting Regulations** - All ordinances and resolutions regulating the subdivision and development of land adopted prior to these regulations are hereby repealed.
- 16-3** **Separability Clause** - If any section, clause or portion of these regulations shall be held by a court of competent jurisdiction to be invalid or unconstitutional, such finding shall not have an effect on any other section, clause or portion of these regulations.
- 16-4** **Effective Date** - These regulations shall become effective and enforced after *enactment of the ordinance adopting these regulations*.
- 16-5** **Amendment** - These regulations may be amended after notice and public hearing in the same manner or prescribed by Law for their original adoption.