

ARTICLE VI. LAND DEVELOPMENT AND SUBDIVISION REGULATIONS¹

Words highlighted in blue are newly inserted words.

Sec. 32-211. General provisions.

- (a) *Short title.* This article shall be known and cited as the "Oconee County Land Development and Subdivision Regulations Ordinance."
- (b) *Authority.* These land development and subdivision regulations are adopted under authority granted by S.C. Code 1976, tit. VI, ch. 29, § 6-29-1120 et seq.
- (c) *Jurisdiction.* These regulations shall apply to the development and subdivision of land within the unincorporated areas of the county as now or hereafter established and any incorporated municipality which contracts with the county for these regulations to be administered within such municipality. Regulations contained within this article that apply to the construction and maintenance of roads shall apply to all roads and drainage structures, whether public or private, constructed within any unincorporated area of the county and municipalities contracted with the county for administration of these regulations. Regulations contained within this article that apply to the construction and maintenance of roads, appurtenances or drainage structures shall apply to all public and private roads, drives and driveways in the unincorporated areas of the county; also included shall be all municipalities contracted with the county to administer these regulations. These regulations shall not apply to those roads completed, under construction, or approved (accepted) by the county prior to adoption of this article by county council. In the event that a regulation in this article conflicts with any other county regulation, the more stringent standard shall apply.
- (d) *Purpose.* The purpose of this article is to protect and promote the public health, safety and general welfare of the citizens of the county, South Carolina, providing for the harmonious, progressive, and orderly development of land. These regulations are established for the following specific purposes, among others, as provided for in the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (S.C. Code 1976, § 6-29-1120, et seq.):
- (1) To encourage the development of an economically sound and stable county;
 - (2) To ensure assure the timely provision of required streets, utilities, and other facilities and services to new land developments where easements or right-of-way have been granted;
 - (3) To ensure assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments;
 - (4) To ensure assure the provision for of-needed public open spaces, easements, right-of-way and building sites, including any in new land developments through the dedication or reservation of land for

¹Editor's note(s)—Ord. No. 2008-20, adopted Dec. 16, 2008, repealed Ch. 32, Art. VI, Div. 1, §§ 32-211—32-234 and Div. 2, §§ 32-311—32-316, in its entirety. Arts. 1—16 of said ordinance enacted new provisions to read as herein set out. Prior to amendment, Art. VI pertained to subdivisions and land development and derived from Ord. No. 2002-05, §§ 6.1.1, 6.1.2, 6.2.1, 6.3—6.23, adopted May 7, 2002; Ord. No. 2004-14, adopted Jun. 15, 2004; Ord. No. 2006-07, §§ 7.1—7.4, adopted May 1, 2006 and Ord. No. 2006-20, §§ 1(6.3), 2(6.3), 3(6.5(6.5.13), 4(6.7(6.7.14), adopted Aug. 15, 2006 and Ord. No. 2008-19, adopted Dec. 16, 2008.

State law reference(s)—Authority to regulate subdivisions and land development, S.C. Code 1976, § 6-29-1110 et seq.

recreational, educational, transportation, and other public purposes; and if needed/required within and/or for new land development as determined by zoning or other state or local government regulation.

- (5) To ensure assure, in general, the wise and timely development of new areas, and redevelopment of previously developed areas in harmony with the county's comprehensive plan.

(Ord. No. 2008-20, Art. 1(1.1—1.4), 12-16-2008)

Sec. 32-212. Definitions.

When used in this article, the following words and terms shall have the meaning indicated. Words and terms not herein defined shall have their customary dictionary definitions. The term "shall" is mandatory. When not inconsistent with the content, words used in the singular number include the plural and those used in the plural number include the singular.

Affordable housing means a housing unit for which the total annual cost of a sale (including mortgage, amortization, taxes, insurance, and condominium and association fees) constitutes no more than 28 percent of the annual household income for a household earning no more than 80 percent of the area's median income, by household size, as reported by U.S. Housing and Urban Development (HUD); or for a rental housing unit, the total annual cost for rent and utilities can constitute no more than 30 percent of the annual household income for a household earning no more than 80 percent of the area median income, by household size, as reported by HUD.

Apartment complex means a building or portion thereof, other than a hotel, divided into more than two dwelling units which are arranged in such a manner as to be used for lodging by separate households.

Applicant means the developer or agent of the developer who applies for a subdivision review and is designated as the primary contact for said subdivision.

Average daily traffic means the number of trips made by vehicles that will be utilizing a road, intersection or other reference point in a 24-hour period.

Block means a parcel of land entirely surrounded by roads or highways, railroad rights-of-way, waterway, or combination thereof.

Building footprint means the area included within surrounding exterior walls, or exterior walls and fire walls, exclusive of courts courtyards. ???

Building line (also referred to as "building setback line") means a line beyond which no part of the structure of any building shall project, unless specifically permitted in this Code of Ordinances, with the exception of subsurface projection of footings, measured perpendicular to the property line. This includes, but is not limited to, the building, eaves, porches, decks, chimneys, bay windows, and fire escapes.

Building permit means a document or certificate issued by the county authorizing construction, enlargement, alteration, moving of, or demolition of a building or structure, or the placement of a mobile home (manufactured housing).

Cleared or grubbed areas means the area within the road right-of-way that is cleared of vegetation.

Comprehensive plan means any legally adopted part or element of the Comprehensive Plan of Oconee County, South Carolina. This plan may include, but is not limited to, the community facilities, population, economic development, land use, natural resources, and housing elements.

Condominium complex means a building or group of buildings containing dwelling units which are individually owned. The structure, common areas, and other facilities are owned by the developer and/or the owners of the individual units on a proportional or individual basis.

Why 10'.

Crosswalk means an area with a width of **ten or more feet** determined by developer dedicated for **public pedestrian** use, and intended for pedestrian access to adjacent land area.

Cul-de-sac means a local road (minor) with one end open to traffic and the other end terminated with a planned vehicular turnaround.

Density means the number of dwelling units or lots per acre of land developed or used for residential purposes.

- (1) **Low density:** Two or less dwelling units per acre.
- (2) **Medium density:** From 2.1 to 6.0 dwelling units per acre.
- (3) **High density:** Over six dwelling units per acre.

Developer means an individual, partnership or corporation (or agent therefore) that undertakes the activities covered by these regulations.

Development means any manmade change to improved or unimproved real estate including, but not limited to: new homes, building structures, dredging, filling, grading, paving, or excavation operations.

DHEC means the South Carolina Department of Health and Environmental Control. **New Name**

Dwelling means a building or portion of a building arranged and/or designed to provide living quarters for one or more families where each dwelling **unit** is provided with separate kitchen and bathroom facilities.

- (1) **Single-family dwelling** means a detached dwelling designed for or occupied exclusively by one family on a single **residential** lot.
- (2) **Duplex** means a building arranged or designed to be occupied by two families living independently of each other on a single **residential** lot.
- (3) **Group dwelling** means a group of two or more principal structures built on a single **residential** lot, parcel or tract of land and designed for occupancy by separate families.
- (4) **Multiple-family dwelling** means a building or series of buildings on the same parent parcel used or designed as a dwelling place for three or more families living independently of each other, with the number of families in residence not exceeding the number of dwelling units provided.

Dwelling unit means one or more rooms connected together and constituting a separate, independent housekeeping establishment, with provisions for cooking, eating, and sleeping, and physically set apart from any other **rooms or** dwelling units in the same structure.

Easement means a grant of one or more specific property rights by the property owner permitting a specific use or uses to the public, a corporation, or another person or entity.

Easement, private roadway means an easement that grants access for all **utility and** roadway construction and maintenance.

Flag lot means a lot shaped like a flag on a pole. The "flag" shaped area is situated behind another lot and is the portion of a flag lot where structures may be located. The "pole" shaped area is the portion of the lot by which vehicular access to the flag area from its adjoining road is located. (See chapter 38 for specific provisions addressing flag lots.)

Flood means a temporary overflowing of water onto land that is usually devoid of surface water.

Floodplain means land areas adjoining a river, stream or watercourse which are subject to a one percent or greater chance of flooding in any given year. These areas are specifically established by the Federal Emergency Management Agency, according to the Flood Insurance Study for the county.

Full pond level means full pond level is 660 feet above mean sea level on Lake Hartwell, 800 feet above mean sea level on Lake Keowee, and 1,110 feet above mean sea level on Lake Jocassee.

Half road means a road located so that a cross means section of its width lies on more than one parcel.

Lake means a considerable inland body of standing water.

Land development means the changing of land characteristics through redevelopment, construction, subdivision into parcels, condominium complexes, apartment complexes, commercial parks, shopping centers, industrial parks, mobile home parks, and similar developments for sale, lease, or any combination of owner and rental characteristics.

Lot means a single parcel or tract of contiguous land intended as a unit for transfer of ownership, or for building development, or both.

- (1) Corner lot means a lot with frontage on at least two intersecting roads located at the point of intersection.
- (2) Lot depth means the mean horizontal distance between the front and rear lot lines.
- (3) Double frontage lot means a parcel having frontage on two or more roads which is not located at any intersection of such roads.
- (4) Lot width, unless indicated otherwise by context, means the straight-line distance between the points where the front building line intersects the two side lot lines.

Minor subdivision means ~~a minor subdivision is~~ any subdivision of a parcel that is reviewed by the county that:

- (1) Results in a total of no more than ten residential lots; and
- (2) May or may not involve the construction of a private drive, private road, or public road.

Commented [MM1]: Search def.

~~*Midsize subdivision* means any subdivision of a parcel that is reviewed by the county, that:~~

- ~~(1) Results in a total of no more than one hundred residential lots; and~~
- ~~(2) May or may not involve the construction of a private drive, private road, or public road.~~

~~*Major subdivision* means any subdivision of a parcel that is reviewed by the county that:~~

- ~~(1) Results in a total of more than one hundred residential lots; and~~
- ~~(2) May or may not involve the construction of a private drive, private road, or public road.~~

Mobile home (manufactured housing unit) means a detached, single-family dwelling designed for long-term occupancy, designed to be transported on its own axle and wheels, arriving at the site in sections or a complete dwelling unit, usually including major appliances and furniture, and ready for occupancy. Removal of wheels and placement of a foundation does not change the mobile home classification. A travel trailer is not a mobile home.

Multi-family housing means a building or buildings designed to be occupied by two or more households living independently of each other, with the number of households in residence not exceeding the number of dwelling units provided. ??? look where Multi-family housing is used

Natural vegetative buffer means plants, trees, and vegetation that normally survive in the county without the need of for fertilizers, herbicides, or pesticides.

Oconee County road means any paved road, gravel road, dirt road or bridge that is owned and/or regularly maintained by the county and considered part of the county road system.

Open space site means a tract of land provided in residential subdivisions to meet the local recreational needs and desires of residents. Such tracts may include play areas, parks, natural woods, open fields and meadows and areas of scenic beauty.

Owner's engineer means an engineer registered and in good standing with the South Carolina Board of Registration for Professional Engineers and Land Surveyors who is the agent of the owner of the land proposed to be subdivided, or which is in the process of being subdivided.

Owner's land surveyor means a land surveyor registered and in good standing with the South Carolina Board of Registration for Professional Engineers and Land Surveyors who is the agent of the owner of the land proposed to be subdivided, or which is in the process of being subdivided.

Parking, off ~~street~~ the roadway means an area adequate for parking an automobile with room for safely opening doors on both sides, together with properly related access to a ~~public~~ roadway arranged so that no maneuvering incidental to parking shall occur on any roadway.

Perennial stream means any creek, river, or other watercourse that has flowing water year-round.

Person means any individual, corporation, company, partnership, organization, utility and/or municipality.

Planning commission means the county planning commission and planning staff specifically authorized to carry out certain functions on its behalf.

Plat means a map or drawing which is an accurate graphical representation of a subdivider's plan for a subdivision.

- (1) *Sketch plan* means a simple sketch of a proposed subdivision layout showing roads and other principal features. The sketch plan is preparatory to the preliminary and final plats and may enable the subdivider to save time and expense in reaching general agreement as to the form of the plat and the objectives of these regulations.
- (2) *Preliminary plan (plat)* means a drawing which shows the proposed layout of a subdivision in sufficient detail to indicate its working ability in all aspects.
- (3) *Final plat (plan)* means a drawing which shows the 'as built' layout of all road construction, public utilities, public facilities, and lots to be sold.

Potable water means water ~~used or treated by a water company or utility to be sold for human consumption.~~
also known as drinking water, comes from surface collection and/or ground sources and is treated to levels that meet state and federal standards for human consumption.

Move to chapter 26_Roads and Bridges

Private driveway means a driveway that provides vehicular access and road frontage to not more than three single-family ~~residences~~ residential lots.

Private drive means a privately owned and maintained right-of-way or an easement that specifically grants the right for ~~utilities and all~~ road work, that provides vehicular access and road frontage to not less than four and not more than ten single-family residential lots.

Private road means a privately-owned and maintained right-of-way that contains a roadway constructed in accordance with these regulations and provides vehicular access and road frontage to more than ten single-family residential lots.

Public road means roads, avenues, boulevards, highways, freeways, lanes, courts, thoroughfares, collectors, minor roads, cul-de-sacs and other ways including the entire right-of-way considered public and both dedicated to and accepted by the United States, the State of South Carolina, or the county.

- (1) *Arterial road* means a major road with access control, channelized intersections, restricted parking, and that collects and distributes traffic to and from minor arterials and from collector streets.
- (2) *Collector road* means a road that typically exceeds 800 ADTs and has the primary purpose of intersecting traffic from intersecting local road and handling movements to the nearest arterial road. A secondary function is to provide direct access to abutting properties. A road that connects local access roads to the highway systems major and high-speed arterial roads. The collector road provides both land access service and traffic service within residential subdivisions.
- (3) *Local road (major)* means a road in which the road typical number of average daily traffic (ADT) ranges from 401 to 800 and contains two or more access points. The primary purpose is to provide access to abutting properties and receiving traffic from minor local roads.
- (4) *Local road (minor)* means a road in which the typical number of average daily traffic (ADT) ranges from zero to 400 and has the primary purpose of providing access to abutting properties. This road normally terminates in a cul-de-sac, loop or other turnaround, with no more than two access points.

Public road right-of-way width means an easement within which utility installation, utility maintenance, roadway construction, and roadway maintenance shall occur according to the standards put forth in these regulations.

The following are the required road rights-of-way and minimum road widths allowable for **public roads**:

Arterial roads:

Right-of-way: 66 to 120 feet (as determined by the county engineer)

Road widths: 28 feet (as determined by the county engineer)

Collector roads:

Right-of-way: 66 feet

Road widths: 24 feet

Major local:

Right-of-way: 50 feet

Road widths: 22 feet

Minor local and/or service roads:

Right-of-way: 50 feet

Road widths: 20 feet

The above widths are driving surface widths and exclude widths added by curb and gutter and/or asphalt valleys.

Sanitary sewer means a constructed conduit connected with or as a sewer system for the carrying of liquids and solids other than stormwaters to a sanitary treatment facility.

Setback means the required minimum distance between every structure and the lot lines of the lot on which it is located (measured from the road right-of-way at the front of the lot if the road right-of-way projects over the property line, and measured from the property lines on the remaining portions of the property).

Setback line means the line indicating the minimum distance permitted between the property line or road right-of-way line, as applicable, and the building line.

Sketch plan See Plat (plan).

Storm sewer means a constructed conduit connected with or as a storm sewer system for the carrying of stormwaters to a ~~water source~~. ~~watercourse~~

Stream means a flow of water in a channel or bed, such as a brook, creek or river.

~~Street. See Public road. Need a new definition of street~~

~~Roadway~~

~~"Need definition of roadway. Replace street with Roadway." Roadway means that portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder or berm. S.C. Code 56-5~~

Subdivider means any person, firm, corporation owner, agent, developer, or other legal entity who directly or indirectly attempts to subdivide land within the jurisdiction of this article. See also "developer."

Subdivision means 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; including all division of land involving a new roadway or an alteration in an existing roadway. Also instances in which the further division, relocation of lot lines, or the rearrangement (including combinations of lots) of any lot or lots within a subdivision previously approved or recorded according to law. The alteration of any roadways or the establishment of any new roads within any subdivision previously approved or recorded according to law. A subdivision can include townhouses, condominium complexes, apartment complexes and multi-family housing.

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 subdivision:

- (1) 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 county;
- (2) 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 county planning commission which shall indicate that fact on the plats; and
- (3) The combination or recombination of entire lots of record where no new street or change in existing streets is involved.

Terrain classifications means classification of terrain by grade ranges as follows:

Townhouse means a building or group of buildings containing a dwelling unit or units constructed in a series or group of attached units with property lines separating such units.

Traditional septic systems means a waste disposal system designed for the treatment and disposal of domestic sewage by means of an onsite septic tank and soil absorption system utilizing a traditional drain field on a single lot. All such systems are subject to the review and approval of the South Carolina Department of Health and Environmental Control.

Transfer or sale of lots means any means by which the ownership of a property changes hands; including, but not limited to, the purchase of trade of a property subject to a mortgage, the assumption of a mortgage debt by the property purchaser, and any exchange of possession of the property under a land sales contract or any other land trust device.

Utilities means utilities shall consist of any and all utility services to a subdivision, including water, sewer, storm sewer, electricity, telephone, cable television, gas, and sanitary sewerage, whether such utilities are supplied by a private individual, private company, authority, or a governmental entity.

View lane means the portion of a natural buffer utilized and maintained by the property owner to enhance observation of the lake and surrounding landscapes. Typically, the vegetation in the view lane is lower in height and/or smaller in diameter than that found in the rest of the buffer.

Watercourse means any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows in a definite direction or course, either continuously or intermittently, and has a definite channel, bed, and banks and includes any area adjacent thereto subject to inundation by reason of overflow or floodwater.

Update in all areas used.

Yard means a space that lies between the principal building or buildings and the nearest lot line or road right-of-way, as applicable. The minimum required yard shall be **non-buildable area unoccupied and unobstructed from the ground upward**, except as may be expressly permitted **BZA**.

- (1) *Front yard* means a yard situated between the front building line and the front lot line or road right-of-way, as applicable, extending the full width of the lot.
- (2) *Rear yard* means a yard situated between the rear building line and the rear lot line extending the full width of the lot.
- (3) *Side yard* means a yard between the side building line and a side lot line that extends from the front yard to the rear yard.

(Ord. No. 2008-20, Art. 2, 12-16-2008; Ord. No. 2024-23, §§ 1, 2(Exh. A), 10-15-2024)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 32-213. Requirements and standards.

- (a) *Unapproved plat prohibition.* No plat of the subdivision of any land within the unincorporated areas of the county as now or hereafter established, and any incorporated municipality which contracts with the county for these regulations to be administered within such municipality, shall be filed with or recorded by the county register of deeds until such plat shall have been submitted to and approved by the county planning commission, planning director, or designee according to the procedures set forth in this article. No road or other way shall be accepted or maintained, nor shall any water line, sewerage, road lighting or similar improvements extended or connected, nor shall any permit be issued by any department of the county for any or other improvements in any subdivision established hereafter which has not been approved by the county planning department and met such requirements as prescribed by the county council.
- (b) *Survey standards.* Plats shall be prepared and survey data entered thereon in accordance with the most recent adopted version of the "Minimum Standards Manual of the Practice of Surveying in South Carolina" established by the South Carolina Board of Registration for Professional Engineers and Land Surveyors provided that all elevations information shall refer to Mean Sea Level Datum or other establish datum (a minimum of [Z] assumed elevation with two benchmarks).

(c) *Subdivision name.*

- (1) All subdivision names must be submitted to the addressing office. Names must be easy to read and pronounce. Proposed names may be rejected by the addressing office if in the opinion of emergency response officials, pronunciation may impair an efficient response.
- (2) Subdivision names that may be confused as homonyms (having the same or similar pronunciation) of existing subdivision names shall not be approved.
- (3) Names that are vulgar, ethnically offensive, or otherwise problematic shall not be approved.
- (4) Subdivision names spelled in an unconventional, complex, or potentially confusing manner shall not be approved.
- (5) A subdivision shall be designated by only one name.
- (6) Special characters, including numbers, are not allowed.
- (7) No duplicates of existing subdivision names are allowed.

- (d) *Utilities.* When utilizing a public road right-of-way, all utility lines shall be buried at a depth of at least 36 inches. Such lines shall be located a minimum of two feet outside the portion of the road to be surfaced to prevent having to cut into the paved surface or reconstruct drainage structures to serve abutting properties. In order to prevent future road cuts, utility stub-outs shall be added to all utility lines extending beyond the roadway to each property line.

Review Sec.56-5-450 & Sec. 56-5-6310

- (e) *Road signs on public roads.* Road name signs shall be installed at all intersections with a subdivision. All other signs shall be installed as required by State Code of Law, by and at the direction of the county engineer or his/her designee. All signage will be in accordance with the Manual of Uniform Traffic Control. The developer shall be responsible for all costs of road signage for private drives, private roads, and proposed county roads (at a cost determined by resolution of county council from time to time) prior to acceptance of road by the county. Any person who shall willfully or maliciously damage, deface, remove or otherwise tamper with a sign erected by a subdivider or the county designating the name of any county road shall be guilty of a misdemeanor. In addition, thereto, such person shall be liable to the county for the cost incurred by the county as a result of said criminal acts.

Ask Mr. Root does this include all family transfers of property?

- (f) *Family transfers.* When no consideration, other than a nominal monetary amount and love and affection, is paid to the grantor of a subdivisions resulting from family transfers as defined by this section of this article, the following shall apply:

- (1) Subdivision of parcels that results from the conveyance of parcels deeded by parents to children, children to parent, sibling to sibling, grandparents to grandchildren or grandchild to grandparent, and does not involve the construction or extension of any road, bridge, or drainage structure to provide

access to interior lots, and does not involve the creation of any new drainage easement, shall be received as information only and approved administratively by the planning director.

- (g) *Minor subdivision.* (Reserved).
- (h) *Compliance with road standards.* Road plans and supporting documentation needed to comply with all adopted the county road standards shall be included with the submission of subdivision plans. Approval of the subdivision shall not be granted unless all applicable road standards are met.

(Ord. No. 2008-20, Art. 3{3.1[a.], 3.1[b.], 3.2—3.7}, 12-16-2008; Ord. No. 2018-14, § 1(Att. A), 12-4-2018)

Sec. 32-214. Lot improvements.

- (a) *Lot arrangements.* All lots shall be arranged such that there will be no apparent difficulties in securing driveway encroachment permits or building permits for reasons of topography or other conditions and must have driveway access from an approved road. The developer shall be liable for all lots within a proposed subdivision.
- (b) *Lot dimensions.* Except where circumstances such as topography, watercourses, road alignment or existing site boundary configurations dictate otherwise, the following requirements shall apply:
 - (1) Dimensions of corner lots shall be large enough to allow for the erection of buildings observing the minimum yard setbacks from both streets, without encroaching into side and rear yard setbacks, established in the building line section of this chapter.
 - (2) Depth and width of properties reserved or laid out for business, commercial, or industrial purposes shall be adequate to provide for off-street parking and loading facilities required for that type of development, without encroaching into yard setbacks.
- (c) *Lot size.* Minimum lot size shall be determined by the underlying zoning district located in chapter 38. All required setbacks shall be met regardless of lot size. No part of a septic system shall be located within any road right-of-way.
- (d) *Building lines.* (See section 38-10.2 for all setback requirements in the control free district of the county.)
- (e) *Reserved.*
- (f) *Usable area.* All lots adjacent to floodplains, creeks, and wetlands should use these natural features as lot boundaries when possible. ~~Lots containing areas unsuitable for usage shall not use these areas in calculating minimum lot area.~~
- (g) *Septic system setback.*
 - (1) Traditional septic systems shall be constructed so that they comply with all regulations of the South Carolina Department of Health and Environmental Control (new name) (DHEC).
 - (2) The applicant shall provide the planning director a copy of all South Carolina Department of Health and Environmental Control (new name) (DHEC) permit drawings and an approved (new name) DHEC permit application for the proposed septic systems utilized within the development.
 - (3) ~~The developer must demonstrate to the planning director that the proposed development will not adversely affect the present water table and the existing water supplies; and also demonstrate that the proposed water supply system will not be adversely affected by existing septic systems.~~
- (h) *Lot drainage.* Lots shall be laid out so as to provide positive drainage away from all buildings, and individual lot drainage shall be coordinated with the general storm drainage pattern for the area. Drainage shall be designed so as to prevent concentration of stormwater from each lot to any adjacent property. Drainage

systems used to control water on one property shall not increase the water flow on adjacent properties without legal easements.

- (i) *Lakes and streams.* If a tract being subdivided contains a water body, or portion thereof, the ownership of and the responsibility for safe and environmentally compliant maintenance of the water body is to be placed so that it will not become a local government responsibility. The minimum area of a lot required under this article may not be satisfied by land that is under water. Where a watercourse other than storm drainage separates the lot's buildable area from the road providing access, an engineer's certified structure shall be provided linking the buildable area to the road. All watercourses shall remain free of obstructions and degradations.
- (j) *Easements.* Easements **having a minimum width of ten feet and** located along the side or rear lot lines shall be provided as required for utilities and drainage.
- (k) *Entrances.* One entrance is required for every 100 lots in a proposed subdivision, or a maximum of 100 lots on a dead-end road with a cul-de-sac. **This requirement may be waived by the planning director due to topography and feasibility. Every effort shall be made to not have an entrance directly onto an arterial road.**
- (l) *Reserved.*

(Ord. No. 2008-20, Art. 4(4.1—4.12), 12-16-2008; Ord. No. 2015-15, § 1(Att. A), 6-2-2015; Ord. No. 2018-26, § 1(Att. A), 10-2-2018)

Sec. 32-215. Blocks.

- (a) *Residential block length.* In order that there may be convenient access between various parts of a subdivision and in order to help prevent traffic congestion and undue inconvenience, the length of blocks hereafter established should not exceed 1,800 feet and shall not be less than 600 feet; provided, however, that such length may be modified when appropriate due to the topography or physical shape of the property being subdivided.
- (b) *Residential block width.* Blocks shall have sufficient width to allow two tiers of lots. Blocks may be one lot in depth at the boundary of the subdivision, or where single-tier lots are required to separate residential development from through vehicular traffic or nonresidential uses.

(Ord. No. 2008-20, Art. 5(5.1, 5.2), 12-16-2008)

Sec. 32-216. Drainage and stormwater.

- (a) *General requirements.* In most cases the land disturbance permit required by **(new name)** DHEC will have considered the information needed for compliance with this section. However, the county will review the information to ensure that all stormwater runoff will be removed from proposed developments in perpetually maintained drainage systems designed to avoid damage to personal property. The planning director shall not approve any plat of subdivision which fails to make adequate provision for storm or floodwater runoff channels or basins. Stormwater drainage systems shall be separate and independent of any sanitary sewer system. Inlets shall be provided so that surface water is not carried across or around any road intersection except where routing around of small volumes is approved in writing by the county engineer **or Owner's engineer.**
- (b) *Nature of stormwater facilities.* The applicant may be required by the planning department or county engineer to carry away by pipe or open ditch any spring or surface water that may exist either previously to, or as a result of the subdivision. Such drainage facilities shall be located in the road right-of-way where feasible, or in perpetual unobstructed easements of appropriate width, and shall be constructed in

accordance with accepted engineering standards and specifications as approved by the county engineer ~~or Owner's engineer~~. All swales, ditches, or other open drainage shall be constructed and established to minimize erosion as approved by the county engineer ~~or Owner's engineer~~.

- (c) *Accommodation of upstream drainage areas.* The owner's engineer shall determine, certify, and design drainage facilities that are large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision.
- (d) *Effect on downstream drainage areas.* The owner's engineer shall study and provide the planning director and county engineer with sufficient data proving that there are no adverse impacts on existing downstream drainage facilities outside the area of the subdivision. Where it is determined that the additional runoff incident to the development of the subdivision will overload an existing downstream drainage facility, the planning director may withhold approval of the subdivision until provision has been made for the improvement of said potential condition ~~or receive an approved appeal~~.
- (e) *Floodplain areas.* Floodplain areas shall be noted on all plans and plats for proposed development, and shall be preserved from any and all destruction or damage resulting from clearing, grading or dumping of earth, waste material, or stumps, unless explicitly permitted by ~~(new name)~~ DHEC or other appropriate state agency. All construction activity within a development shall comply with standards of the county floodplain ordinance.
 - (1) Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and construction or both as will be adequate for the purpose and to accommodate maintenance equipment and activities. Wherever possible, it is desirable that the drainage be maintained by an open channel with landscaped banks and adequate width for maximum potential volume of flow. The planning department will review the information required by the ~~(new name)~~ DHEC land disturbance permit to ensure the intentions of 6.12 are met.
 - (2) Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road right-of-way, perpetual unobstructed easements ~~at least 20 feet in width~~ for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be indicated on all plats. Drainage easements shall be carried from the road to a natural watercourse or to other approved or adequate drainage facilities.
 - (3) When a proposed drainage system will increase the maximum flow of water across private land outside the subdivision, appropriate drainage rights must be secured and indicated on the plat.
 - (4) ~~Low-lying lands along watercourses subject to flooding or overflowing during storm periods, included in areas for dedication, shall be preserved and retained in their natural state as drainage ways except where improvements such as grassing, walkways, and playground areas are specifically approved by the planning director.~~
 - (5) All rights-of-way shall contain a permanent drainage easement for all water runoff from the road right-of-way as deemed necessary by the county engineer. It shall be the responsibility of the owner/developer to acquire any necessary drainage easements from private landowners.

(Ord. No. 2008-20, Art. 6(6.1—6.5), 12-16-2008)

Sec. 32-217. Water facilities.

- (a) *General requirements.*
 - (1) ~~Where a public water main is within 1,000 feet of a subdivision boundary, the developer shall connect thereto and install adequate central water facilities.~~ Where the accessible public water main is six

inches or greater in diameter, distribution lines shall be at least six inches in diameter. In the event that the water supplier certifies the existence of insufficient water pressure to provide service to six-inch distribution lines to the site, the planning director shall permit appropriate reductions in the diameter of distribution lines. In cases along permanent cul-de-sacs or circles less than 1,000 feet in length, a minimum diameter of 2½ inches is permitted.

- (2) Water distribution systems shall be approved by the designated utility entity and the appropriate division of (new name) DHEC.
 - (3) The location and design of all water system improvements shall be shown on the preliminary plat, and the cost of installing same shall be included in any bond to be furnished by the developer.
 - (4) All Utility lines within public road right-of-way shall be located a minimum of two feet outside of the road surface areas at the edge of the rights-of-way and shall be buried at a depth of at least 36 inches. When the sewer line is located in a road right-of-way and it will be necessary to cut into the road surface to serve the abutting lots, a connection shall be stubbed out to the property line to serve each lot prior to surfacing the road.
- (b) *Individual wells and central water systems.* If a public water system is not available, wells may be used or a package central water system provided in such a manner that an adequate supply of potable water will be available to every lot in the subdivision. Central water systems shall be approved by the appropriate division of (new name) DHEC. Orders of approval shall be submitted to the planning department. Non-min
- (c) *Fire hydrants.* Fire hydrants shall be required for all subdivisions except minor subdivisions, family transfer subdivisions, or where individual wells are used or a water main of less than six-inch diameter is permitted, and shall be located as defined in the adopted fire code and shall be approved by the applicable fire protection entity. In the event no adequate water supply is available, alternative methods of fire protection may be approved by appropriate fire officials, provided such measures are provided for under adopted fire code. To avoid future road cutting, all underground utilities for fire hydrants, together with the fire hydrants themselves and all other supply improvements shall be installed and approved before any final paving of a road shown on the subdivision plat.
- (d) *Wastewater facilities.*
- (1) Where a public sanitary sewerage system is reasonably accessible and available, the applicant shall connect with same and provide sewers accessible to each lot in the subdivision. When the sewer line is located in a road right-of-way and it will be necessary to cut into the road surface to serve the abutting lots, a connection shall be stubbed out to the property line to serve each lot prior to surfacing the road.
 - (2) Sanitary sewer shall be designed and installed to the design standards and specifications of the city, county, or public service district into whose sewer system the subdivision is connecting and all design standards and specifications of the appropriate (new name) DHEC division.
 - (3) Where public sanitary sewerage systems are not desired by the subdivider reasonably accessible or available, package, central or individual waste collection/treatment systems may be provided. These systems must be approved by the appropriate division of (new name) DHEC prior to approval of any preliminary subdivision plan.

(Ord. No. 2008-20, Art. 7(7.1—7.4), 12-16-2008)

Sec. 32-218. Nonresidential subdivisions.

- (a) *General.* If a proposed subdivision includes land that is proposed for commercial, industrial or other nonresidential purposes, the layout of the subdivision shall incorporate such provisions and facilities as required by the standards set forth in subsection (b), below.

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- (b) *Standards.* In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the commission that the road, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:
- (1) Proposed nonresidential parcels shall be suitable in area and dimensions to the types of industrial/commercial development anticipated.
 - (2) Road rights-of-way ~~and pavement~~ shall be adequate to accommodate the type and volume of traffic anticipated to be generated.
 - (3) ~~Special requirements may be imposed by the county with respect to road, curb, gutter, and sidewalk design and construction.~~ *Move to chapter 26_Roads and Bridges and define if needed.*
 - (4) ~~Every effort shall be made to protect adjacent residential areas from potential nuisances from a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.~~ *Lot density needs to be restricted in the zoning of commercial properties.*
 - (5) Roads carrying nonresidential traffic, especially truck traffic, shall not ~~normally~~ be extended to the boundaries of adjacent existing or potential residential areas.

(Ord. No. 2008-20, Art. 8(8.1, 8.2), 12-16-2008)

Sec. 32-219. Security in lieu of completion of improvement.

In lieu of the completion of the physical development and installation of the required improvements prior to the final plat approval, the county may accept a financial guarantee in the form of cash, bond, or escrow letter of credit with an approved financial institution, in an amount and with conditions satisfactory to it, securing to the county the actual construction and installation of such improvements and utilities within a period specified by the county engineer.

- (1) If the subdivider wishes to have a final plat approved prior to the installation, inspection and approval of all required improvements he may file a performance of surety bond executed by a surety company licensed to do business in the State of South Carolina, in an amount equal to 125 percent of the owner's engineer (and verified by the county engineer) estimated cost to complete the improvements. The bond shall guarantee the completion of all improvements within a time prescribed by the planning director.
- (2) If the subdivider wishes to have a final plat approved prior to the installation, inspection and approval of all required improvements, he may establish an escrow account with the county into which the subdivider shall place, prior to the sale of any lot in the subdivision, an amount equal to 125 percent of the owner's engineer (verified by the county engineer) estimated cost to complete the improvements. Funds in such escrow account shall be returned to the subdivider following completion of all improvements within time limits prescribed by the county engineer. The final determination for returning the escrowed money to the developer shall be made by the county engineer.
- (3) In the event that required improvements are not completed, inspected and approved within the required time, the county may expend escrowed funds, securities, or performance bond funds to complete the required improvements. The planning director may also, at his discretion, withhold building permits or occupancy permits in such subdivision until such improvements are completed. In which case, it shall then be unlawful to sell any further lots in the subdivision until all improvements are completed. No occupancy permits shall be issued within the subdivision, unless street

improvements are at least adequate for vehicular access by the prospective occupant(s) and by the emergency vehicles and personnel.

- (4) No building permit shall be issued for the final ten percent of lots in a subdivision, or if ten percent be less than two, for the final two lots of a subdivision, until all public improvements required by the county engineer for the subdivision have been fully completed and the county has accepted all as-built drawings.
- (5) The developer shall be required to maintain all required public improvements on the individual subdivided lots, if required by the planning director, until acceptance of the improvements by the appropriate utility or government entity. If there are any certificates of occupancy on a street not dedicated to the county, the county may on 12 hours notice effect emergency repairs and charge those costs to the developer.
- (6) Surety bonds will be returned to the developer following delivery of all as-built drawings to the county engineer, and after acceptance of all improvements by the county.

(Ord. No. 2008-20, Art. 9, 12-16-2008)

Sec. 32-220. Plat requirements and review procedures.

- (a) *General.* No lot proposed to be created through the creation of a subdivision shall be sold until a final plat showing the subdivision has been approved by the planning director, and has been recorded with the county Register of Deeds.
- (b) *Application review.* The planning director ~~may~~ **shall** approve a minor or family transfer ~~exempt~~ subdivision, containing no new roads, after reviewing the final plan.
- (c) *Plat recordation.* The planning director's approval of a subdivision final plan is contingent on submission of four original copies of the plat to the county Register of Deeds, and recordation of the plat by the Register of Deeds. An authorized copy of the recorded plat shall be submitted to the planning director.
- (d) *Appeal of decision.* Any person aggrieved by the planning director's decision to approve or deny an application for subdivision approval may appeal the decision to the planning commission in writing within ten working days of said decision as outlined in [section 32-223((d))], of this article.

(Ord. No. 2008-20, Art. 10(10.1—10.4), 12-16-2008)

Sec. 32-221. Sketch plan.

- (a) *Sketch plan review conference.* All persons intending to subdivide or develop property are strongly encouraged to confer with the planning director prior to proceeding. Proposed developments consisting of ~~10~~ **20** new housing units shall schedule a sketch plan review prior to any formal application.
- (b) *Basic sketch plan (optional requirements for developments less than ~~20~~ **10 dwelling** units)*
 - (1) The sketch plan shall be drawn to show the approximate layout of the proposed subdivision and its relationship to the surrounding area.
 - (2) Sketch plans are informal, exploratory examinations of a proposed idea. The planning director will review the proposed layout and discuss any issues with the subdivider. ~~and may require a detailed sketch plan to be submitted.~~
- (c) *Detailed sketch plan (required for ~~20~~ **10** or more ~~dwelling~~ units)*

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- (1) The sketch plan shall be drawn at an approximate scale of not less than a scale of 200 feet to one inch and shall include a vicinity map at a scale of not less than two miles to one-inch showing the relationship of the proposed subdivision to the surrounding areas.
 - (2) All sketch plan submittals shall include the following in sketch or narrative form:
 - a. An accounting of total acreage in the tract to be divided and number of lots proposed;
 - b. Arrangement, shape, dimensions, and area of proposed lots;
 - c. Location of existing property lines, easements, road right-of-ways, buildings, or other public ways adjoining the tract to be subdivided;
 - d. Alignment, right-of-way width, and clarification of proposed roads;
 - e. Topography by contour at intervals of not more than 20 feet (as from USGS quad sheets);
 - f. Map scale, north arrow, and date;
 - g. Name/address/telephone number of legal owner or agent and the professional (surveyor or engineer) who will undertake detailed subdivision layout and improvements design;
 - h. Location of watercourses and land subject to flooding based on a 100-year frequency flood. Owner's surveyor shall indicate if property is or is not in a floodplain;
 - i. The existing and proposed uses of land throughout the subdivision;
 - j. Proposed method of water supply and wastewater treatment and other utility service;
 - k. The proposed name of the subdivision.

i. State if the road will be built to public road standards. ADD

- (3) A subdivider shall submit a sketch plan of the entire tract even if the subdivider's present plans call for the actual development of only a part of the property. All phases of the subdivision must be shown on the sketch plan and marked as future development.
- (4) Prior to sketch plan submittal, the subdivider is encouraged to interact with the county soil and water conservation district to obtain soil survey information and written site evaluation comments to be included as part of the sketch plan submittal.

(d) *Sketch plan review.*

- (1) A subdivider shall submit sketch plan copies and application forms in quantities specified by the planning director. The planning director shall obtain input from the county engineer and affected agencies and shall provide comments in the form of a composite list to the subdivider within 15 working days of sketch plan submitted.
- (2) If the subdivider disagrees with comments provided, the subdivider may request an informal review by the planning commission in accordance with the county planning commission rules of procedure.
- (3) In reviewing a sketch plan and sketch plan comments, the planning commission may affirm such comments or modify them to the extent as such modifications do not depart from the provisions of these adopted regulations.

(Ord. No. 2008-20, Art. 11(11.1—11.4), 12-16-2008)

Sec. 32-222. Preliminary plan and supporting data.

(a) *Submittal requirements.*

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- (1) Applications for preliminary approval of a subdivision shall be submitted to the planning director for review.
 - (2) The applicant shall submit all appropriate fees at the time of application.
 - (3) Applications shall include four copies of the proposed preliminary plan.
 - (4) The applicant shall submit all responses, amended plans, additional information, or any other necessary materials to satisfy all adopted the county regulations.
 - (5) An applicant may withdraw an application for subdivision approval at any time by submitting written notice to the planning director.
 - (6) It shall be unlawful for construction to commence prior to preliminary approval of the plan as defined in this article.
 - (7) Preliminary approval typically permits a developer to proceed with the construction of all roads, utilities, and public infrastructure.
 - (8) A copy of a preliminary letter of approval from the appropriate division of the South Carolina Department of Health and Environmental Control (**new name**) (DHEC) shall be required for subdivisions served in part of in whole by individual onsite septic systems.
 - (9) An electronic copy of the proposed development plan showing the layout of the subdivision in an approved format and file extension shall be required.
 - (10) Properties designed to access state roads shall submit to and receive conditional approval from the South Carolina Department of Transportation ("SCDOT") prior to receiving final approval from the Oconee County Planning Department. All SCDOT comments shall be incorporated in the plans submitted to the county.

(b) *Preliminary plan requirements.*

- (1) *General.* The preliminary plan shall include the following:
 - a. The preliminary plan shall be drawn at a scale of 200 feet to one-inch or greater, and shall include a vicinity sketch at a scale of not less than one-inch = two miles. Sheet sizes should be 8.5 inches x 11 inches, 8.5 inches x 14 inches, 11 inches x 17 inches, 18 inches x 24 inches, or 24 inches x 36 inches. This map and supporting data shall be prepared according to standards set forth in this article and shall contain the following sections: General, existing conditions, and proposed conditions.
 - b. The proposed name of the subdivision, name/address/telephone of owner and/or subdivider, and name/address/telephone of surveyor and/or engineer.
 - c. A graphic scale, north arrow and date (north arrow shall be identified as magnetic, true, or grid).
 - d. The acreage to be subdivided.
 - e. The boundaries of the tract to be subdivided with all bearings and distances indicated.
 - f. A SC (**new name**) DHEC approved stormwater pollution prevention plan (SWPPP).
 - g. The following statement:

"NO COUNTY BUILDING PERMITS SHALL BE ISSUED FOR PROJECTS ON INDIVIDUAL LOTS PRIOR TO THE RECORDING OF A FINAL PLAT IN THE OFFICE OF THE REGISTER OF DEEDS"
- (2) *Existing conditions.* The preliminary plan shall include the following:
 - a. Deed record names of adjoining property owners or subdivisions.

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- b. Location of watercourses and land subject to flooding based on a 100-year frequency flood. Owner's surveyor shall indicate if property is or is not located in a floodplain.
 - c. Location of adjoining property lines and existing building on the property to be subdivided.
 - d. Location and right-of-way of roads, railroads, and utility lines either on or adjoining the property to be subdivided.
 - e. Size and location of existing sewers, water mains, drains, culverts, or other underground facilities within the site and adjoining the tract.
 - f. The acreage of each drainage area affecting the proposed subdivision.
 - g. Topography by contour at intervals of not more than 20 feet (as from USGS Quad maps).
 - h. Elevations shall refer to sea level or assumed elevation with a minimum of 2 bench mark near the site.
 - i. Location of city and county line, if applicable, and a statement identifying the location of the nearest central water and sewer lines and fire department and the distance from same to the tract being subdivided.

(3) *Proposed conditions.* The preliminary plan shall include the following:

- a. Total number of lots, total acreage, total length of new roads.
- b. Layout of roads including all right-of-way, **public** crosswalks, road names or designations, grades, and cross sections.
- c. Profile of proposed roads showing natural and finished grades.
- d. Layout of all lots, including area; building setback lines, scaled dimensions of lots; lot and block numbers, utility easements with width and use.
- e. Construction plan of sanitary sewers (if applicable) with grade, pipe size, and location and permit to construct from **(new name)** DHEC and approval of the appropriate utility provider.
- f. Storm sewers shall be sized to accommodate runoff based upon the ten-year design storm except road crossings shall be a minimum of 25-year design storm.
- g. Construction plan for water supply system (if applicable) with pipe size and location of hydrants and valves and permit to construct from **(new name)** DHEC and, where applicable, approval of the appropriate utility provider.
- h. Designation of all land to be reserved or dedicated for public **or community** use.
- i. Designation of proposed use of all lots.
- j. Proposed major contour changes in areas where substantial cut and/or fill is to be done.

Note: Refer to survey requirements.

(c) *Preliminary review procedure.*

- (1) The planning director shall notify all appropriate review agencies for comments. These may include, but are not limited to, the following:
 - a. Appropriate division of **(new name)** DHEC.
 - b. Soil and water conservation office.
 - c. Appropriate public service district or city as applicable.

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- d. County public works department.
 - e. Appropriate fire protection entity.
 - f. County engineer.
 - g. Oconee County Sewer Commission.
 - h. Oconee County School District.
- (2) Agencies and departments shall provide written comments to the planning director within 15 working days of the date of the preliminary plan application.
 - (3) The planning director shall render a decision within 25 working days of the date of preliminary plan application. The planning director's action and reasons therefore shall be transmitted in writing to the subdivider.
 - (4) Agencies and departments shall provide written comments to the planning director within 15 working days of the date of the preliminary plan application.
 - (5) Once the submitted plans are deemed to be in compliance with all applicable the county ordinances, the applicant shall be notified in writing that the plans have been preliminarily approved.
 - (6) The planning director may grant conditional preliminary approval to ~~ensure~~ ~~insure~~ compliance with all county ordinances. All such conditions shall be met prior to final approval.
 - (7) If a plan is approved subject to conditions, the subdivider shall submit plan exhibits amended to incorporate such conditions within 20 working days of such approval. Preliminary plat approval shall be effective for one-year provided the commission may extend same for up to one additional year upon written request from the subdivider.
 - (8) A subdivider, or other party materially affected by the planning director's decision, may appeal for review by the planning commission. Such appeal shall detail the reasons therefore, and be made in writing within ten working days of the planning director's action. Affected parties shall be notified in writing of the planning commission's determination. The planning commission's decision may be appealed to the circuit court within 30 days after the actual notice of the commission's decision.
 - (9) Variances shall be considered by the planning commission pursuant to Section 1-5.5(3) of the United Performance Standards Ordinance and conducted in a manner consistent with standards put forth in the Oconee County Planning Commission Rules of Procedure.

(Ord. No. 2008-20, Art. 12(12.1—12.3), 12-16-2008; Ord. No. 2022-22, § 1, 12-6-2022; Ord. No. 2023-09, § 1, 6-6-2023)

Sec. 32-223. Final plan.

- (a) *Submittal requirements.*
 - (1) A person seeking final approval of a subdivision shall submit an application to the planning director for review of this article.
 - (2) The applicant shall also submit all appropriate fees at the time of application.
 - (3) Where the improvements required by this article and the preliminary plan have not been completed prior to the submission of the final plan for approval, approval of the plan shall be subject to the owner filing a performance guarantee in the form of cash and/or surety with the county according to the provision set forth in this article.

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- (4) Upon 90 percent completion of the construction of road and utilities of a preliminarily approved subdivision, a final "as built" plan shall be submitted to the planning director noting any changes from the preliminarily approved plans.
 - (5) The planning director's approval of a final plan is contingent on submission of four original stamped copies of the plat to the county Register of Deeds.
 - (6) A copy of the recorded plat authorized by the Register of Deeds shall be submitted to the planning director.
 - (7) Where individual septic waste disposal is proposed, the developer shall provide a letter of final subdivision approval from the appropriate division of (new name) DHEC identifying each lot for which individual waste disposal is approved.
- (b) *Final plan requirements.* The final plan shall include the following:
- (1) If the final plan is drawn in two or more sections, each section shall be accompanied by a key map showing the location of the several sections. Final plans shall be drawn at a scale of no less than 100 feet to one inch; shall be drawn on sheets 8.5 inches x 11 inches, 8.5 inches x 14 inches, 11 inches x 17 inches, 18 inches x 24 inches, or 24 inches x 36 inches; shall be prepared according to the standards set forth in this article.
 - (2) Name of owner of record.
 - (3) Name of subdivision and identification number assigned, date, north arrow, and graphic scale.
 - (4) Name, registration number, and seal of registered surveyor.
 - (5) Sufficient surveying data to determine readily and reproduce accurately on the ground the location, bearing, and length of every road line, lot line, easement, boundary line, and building line whether curved or straight. Curve boundaries will be defined by curve data to include the radius, delta angle, total area, length and the long chord by bearing and distance and shall also be defined as a traverse of chords around the curve using bearings and distance.
 - (6) Names of owners of record of all adjoining land, all property boundaries, watercourses, roads, easements, utilities and other such improvements, which cross or form a boundary line of the tract being subdivided.
 - (7) Exact boundaries of the tract of land being subdivided as noted in the survey article of this article.
 - (8) Roads, rights-of-way, percent of grades and road names. Steel or iron rods at least 20 inches long and one half inch in diameter shall be placed at all lot corners and at all other survey points not marked by permanent monuments. Property lines extending to road centerlines shall be marked by an iron stake on all offset with location clearly shown on the plat and selected so corners lie on a line of survey or a prolongation of such lines.
 - (9) Rights-of-way or easement; location, widths, and purposes.
 - (10) Lot lines, minimum building setback lines, and lot and block indicators.
 - (11) Any parks, school sites, ~~or~~ other public ~~or~~ community spaces.
 - (12) All dimensions shall be to the nearest 1/100 of a foot and angles to the nearest 20 seconds.
 - (13) Accurate description of the location of all monuments and markers.
 - (14) Utility easements, showing the widths of the following:
 - a. Water;
 - b. Gas;

- c. Sanitary sewer;
- d. Storm drainage; and
- e. Electrical line.

(15) Where individual septic waste disposal is proposed, a letter of final subdivision approval from the appropriate division of (new name) DHEC identifying each lot for which individual waste disposal is approved. Areas or lots not so approved shall not be included on the final plat unless restricted to prohibit construction of building space thereon by such notation as "reserved exclusively for open space", etc.

(c) *Final plat certificates.*

The following certificates shall appear on the final plat which is submitted to the planning commission by the subdivider:

Certificate of Accuracy (signed when submitted)

I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy required by the Oconee County Land Development and Subdivision Regulations and the monuments shown have been placed to the specifications set forth in said regulations.

_____, 20__

Registration No. Registered Land Surveyor

Certificate of Ownership and Dedication (signed when submitted)

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 roads, alleys, walks, parks, and other sites to public or private use as noted.

Date Owner

Owner

Certificate of Maintenance for Private Roads (when applicable)

The road right-of-way shown on this plat shall be private drives not owned, maintained, or supervised by Oconee County, and were or were not constructed pursuant to any plan for future acceptance by Oconee County. Road right-of-ways shown upon the plat shall not be accepted for maintenance by Oconee County at any time in the future unless constructed in accordance with and verified by non-destructive testing to ensure compliance with the adopted Oconee County regulations. Maintenance of the right-of-way shall be the responsibility of _____. Update

Date Owner/Developer

Certificate of Security in Lieu of Completion (when applicable)

The developer of this subdivision has filed the appropriate security of lieu of completion prior to recording the final plat.

Date Planning Director

Strikethrough the
inapplicable
statement

Certificates of Construction (one or both as applicable/signed when submitted)

I hereby certify that the roads and drainage system, in _____ Subdivision as shown on Plat dated _____, prepared by _____ have been installed substantially in accordance with the Preliminary Plan (Construction Drawings) approved _____.

SEAL

Registered Engineer or Surveyor

I hereby certify that central () water () sewer systems in _____ Subdivision as shown on Plat dated _____, prepared by _____, have been installed in accordance with Preliminary Plat (Constructed drawings) approved _____.

SEAL

Registered Engineer or Surveyor

Certificate of Approval (to be signed upon approval)

The subdivision plat hereon has been found to comply with the Oconee County Land Development Regulations and has been approved for recording. I certify that this plat creates a subdivision subject to and approved in accordance with the ordinances of Oconee County.

Date Planning Director

(d) Final plan review procedure.

- (1) Final approval of the submitted plans shall be granted to the applicant after a review by the planning director.
- (2) Final plan application shall include all of or phases of a subdivision for which preliminary approval was granted, and shall contain documentation that all required improvements have been installed and certified.
- (3) Final plan applications may be considered, at the discretion of the planning director, if accompanied by the required security in lieu of completion of improvement.
- (4) Upon a determination that the final plan application is completed; the planning director shall render a written approval or rejection. Said decision shall be made within 30 working days of application submittal.

A subdivider or any party materially affected by the planning director's decision may appeal to the planning commission in writing within ten working days of said decision. The commission shall schedule a hearing, conduct said hearing, and render a decision within 60 days of the date of appeal. The decision of the commission is final. The decision of the commission may be appealed to the circuit court within 30 days after the actual notice of the commission's decision.

(Ord. No. 2008-20, Art. 13(13.1, 13.2, 13.4, 13.5), 12-16-2008)

Sec. 32-224. Appeal of decision.

Any person aggrieved by the planning director's decision to approve or deny an application for **minor** subdivision record plat approval may appeal the decision to the planning commission in writing within ten working days of said decision as outlined in [section 32-223((d))], of this article.

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(Supp. No. 52)

(Ord. No. 2008-20, Art. 14, 12-16-2008)

Sec. 32-225. Violations and penalties.

- (a) Any violation of these regulations shall be a misdemeanor and, upon conviction, is punishable as provided by law.
- (b) Unapproved subdivision and subsequent transfer or sale of lots. Any such agreement, negotiated before such plat has been approved by the county planning commission and recorded by the county Register of Deeds shall be considered a violation of this article and punishable as provided herein. The description of metes and bounds in the instrument of transfer or other documents used in the process of selling or transfer shall not exempt the transaction from these penalties. Oconee County may enjoin such transfer or sale or agreement by appropriate action.

(Ord. No. 2008-20, Art. 15, 12-16-2008)

Sec. 32-226. Legal provisions.

The regulations expressed in this document shall be considered as the minimum provisions for the protection of the health, safety, economy, good order, appearance, convenience, and welfare of the general public.

- (1) *Conflict with other laws, ordinances, or regulations.* Whenever the requirements made under authority of these regulations impose higher standards than are required in any statute or local ordinance or regulation, provisions of these regulations shall govern. Whenever the provisions of any other statute or local ordinance or regulation impose higher standards than are required by these regulations, the provisions of such statute or local ordinance or regulations shall apply.
- (2) *Severability.* Should any section or provision of this article be declared by the courts to be unconstitutional or invalid, such declaration shall not affect the ordinance as a whole, or any other part thereof, other than the part so declared to be unconstitutional or invalid.
- (3) *Repeal of conflicting ordinances.* All ordinances or parts of ordinances in conflict with any of the provisions of this article are hereby repealed.
- (4) *Amendments.* The planning commission shall hold a public hearing on any proposed amendment to these regulations; notice of time and place shall be given at least 30 days prior to the hearing date. The notice shall be placed in a newspaper of general circulation. Amendments may be adopted by vote of the county council.

(Ord. No. 2008-20, Art. 16(16.1—16.4), 12-16-2008)

Secs. 32-227—32-414. Reserved.