

LAND DEVELOPMENT REGULATIONS

For

THE CITY OF SPARTANBURG SOUTH CAROLINA

AUGUST 2017



**Prepared
for
The Spartanburg City Planning Commission
And The Spartanburg City Council**



**By
Development Services Staff**

THE CITY OF SPARTANBURG

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August, 2017

F O R W A R D

The regulation of land subdivision for residential and other uses is widely accepted as a function of municipal and county government in the United States. It has become widely recognized as a method of insuring sound community growth and the safeguarding of the interests of the home owner, the sub-divider, and the local government. The business of building a city, and this includes its environs, requires the safeguarding of these interests and the assurance that residential land subdivision will provide permanent assets to the locality.

Land Development Regulations should prevent excessive governmental operating costs. At the same time, they should assure to the maximum degree possible the means whereby land can be developed for the highest possible use with all of the necessary protections against deterioration and obsolescence.

Regulations for control of land subdivision are instrumental of local government which require the greatest amount of cooperation between the land owner who wishes to subdivide and the municipality within which such subdivision is to take place. The Land Development Regulations contained herein are intended to provide common grounds of understanding officials interested in and responsible for sound community development and for the land owner who intends to subdivide for whatever purpose.

The subdivision of land is a technical and business venture which not only affects the immediate return to the investor in land and the value of the land on which he may wish to build, but it also involves local government specific items of cost and income for the years to come which must be weighed at the time that a subdivision is under consideration.

It is the sincere hope of both the City Planning Commission and the City Council which respectively adopted and approved these Regulations that they will prove to be helpful to all concerned – the land owner or developer, the investor, the home owner, and the governments' interests.

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LAND DEVELOPMENT REGULATIONS

for

THE CITY OF SPARTANBURG

REGULATIONS CONTROLLING THE SUBDIVISION OF LAND; THE OPENING OR EXTENDING OF ANY STREETS OR ROADS; PROVIDING FOR REVIEW BY THE PLANNING COMMISSION OF THE PLANS AND SPECIFICATIONS WITH REGARD TO THEIR NATURE AND PURPOSE; THE WIDTH, CHARACTER, AND LOCATION OF SUCH STREETS, ALLEYS, AND ROADS IN SUCH SUBDIVISIONS; THE MANNER OF LAYING OF WATER MAINS, SEWER LINES, AND OTHER UTILITY LINES; REQUIRING THAT BEFORE STREETS, ALLEYS, ROADS, OR SUBDIVISIONS SHALL BE LAID OUT AS AFORESAID, THEY SHALL HAVE THE APPROVAL OF THE PLANNING COMMISSION.

SECTION 1. AUTHORITY, PURPOSE AND JURISDICTION

1.1 Authority and Purpose

These regulations are adopted pursuant to the authority conferred by Title 6, Chapter 29, Article 7, 1994 Supplement, Sections 6-29-1110 – 6-29-1200 and for the purpose of providing harmonious development in the City of Spartanburg. The public health, safety, economy, good order, appearance, convenience, morals, and general welfare require the harmonious, orderly, and progressive development of land within the municipalities of the State.

These regulations provide for the harmonious development of the city, for coordination of streets within subdivision and other types of land developments with their existing or planned streets; for the size of blocks and lots; for the dedication or reservation of land for streets, school sites and recreation areas and of easements for utilities and other public services and facilities; and for the distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience, appearance, prosperity or the general welfare.

No land development plan, including subdivision plats, will be approved unless all land intended for use as building sites can be used safely for building purposes, without danger from flood or other inundation or from other menaces to health, safety, or public welfare.

These regulations include requirements as to the extent to which and the manner in which streets must be graded, surfaced, and improved, and water, sewers, septic tanks, and other utility mains, piping, connections, or other facilities must be installed as a condition precedent to the approval of the plan.

In furtherance of this general intent, the regulation of land development by municipalities is authorized for the following purposes, among others:

- 1) to encourage the development of economically sound and stable municipalities and counties;
- 2) to assure the timely provision of required streets, utilities, and other facilities and services to new land developments;
- 3) to assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments;
- 4) 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
- 5) to assure, in general, the wise and timely development of new areas, and redevelopment of previously developed areas in harmony with the comprehensive plans of municipalities and counties.

1.2 Short Title

These regulations shall be known as and cited as “The Land Development Regulations of Spartanburg, South Carolina”.

1.3 Jurisdiction

The following rules and regulations affect all land within the corporate limits of the City of Spartanburg.

SECTION 2. DEFINITIONS

2.1 For the purpose of these regulations, terms used herein are defined:

2.11 Building Setback Lines

Shall mean the line indicated by the minimum permitted horizontal distance between the street right-of-way line and buildings or any projections thereof, other than steps, eaves, chimneys, bay windows and fire escapes.

2.12 Crosswalks

Shall mean a right-of-way, publicly owned, ten (10) feet or more in width, which cuts across a block for the purpose of improving pedestrian access to adjacent streets or properties.

2.13 Easement

Shall mean a grant by a property owner for the use, for a specific purpose, of a strip or a parcel of land to the general public, a corporation, or a certain person or persons. No construction of any kind is permitted upon easements except that required in connection with the designated use.

2.14 Land Development

2.141 '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.

2.15 Lots

2.151 Lot Area

Lot area shall mean the total area of the lot including easements.

2.152 Corner Lot

A corner lot is a lot with frontage on two or more streets at their intersection.

2.153 Lot Depth

Lot depth is the mean horizontal distance between the front and rear lot lines.

2.154 Double Frontage

Shall mean a lot, the opposite end of which both abut on streets.

2.155 Lot

A parcel of land occupied or intended to be occupied by a principal building together with its accessory buildings and open spaces.

2.156 Width

The horizontal distance between the side lot lines at the front building line measured parallel with the front lot line.

***2.157 Pipe Stem or Flag Lots**

lot A residential lot that complies with the minimum requirements for lot area, width, lot depth, and building placement in the City of Spartanburg Zoning Ordinance and Land Development Regulations, and that has a narrower “stem” portion, which does not meet the frontage or width requirement but provides access to a larger and buildable “pipe” or “flag” portion of the lot.

2.16 Streets and Alleys

2.161 Alley

Alleys are a public or private thoroughfare which affords only a secondary means of access to abutting property. Alleys must be private and maintained by the Neighborhood Association.

2.162 Collector

Shall mean those streets that are neither major streets nor local residential streets. Their location and design are such that they are of exceptional continuity, serve as routes passing through residential areas, serve as means of access to schools or other traffic generators, or serve as routes collecting traffic from local residential streets and feeding into major streets.

2.163 Cul-de-sac Street

A cul-de-sac street shall mean a short minor street having but one end open for motor traffic, the other end being terminated with a permanent turn-around.

2.164 Dead End Street

A dead end street shall mean a street not intersecting with other streets at both ends, distinguished from a cul-de-sac by not being terminated by a vehicular turn-around.

2.165 Laying Out New Streets

Laying out new streets shall mean the alignment, width and profile of new street.

2.166 Local Residential

Shall mean streets that provide only access to adjacent properties and by nature of their layout do not serve vehicles passing through the area with neither origin nor destination within the area.

2.167 Major

Shall mean a street of exceptional continuity, either existing or proposed, that is intended to carry the greater portion of through traffic from one area of the City to another; and shall include all streets existing and proposed as designated on the major street plan of the master plan of the City of Spartanburg.

2.168 Right of Way Width

Right of way width shall mean the shortest distance between the lines delineating the rights of way of a street.

2.17 Subdivider

Subdivider shall mean the owner of the property being subdivided, or a person acting upon a written consent of the owner. Where developer is used in this Regulation it shall have the same meaning as subdivider.

2.18 Subdivision

2.181 '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, 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.

2.182 It includes the dedication of a road, highway, or street through a tract of land regardless of area.

2.183 It does not include the creation of lots along an existing right-of-way, however the subdivision of existing road frontage land shall comply with Section 78.6 Access Management and the subdivider shall submit a plan for approval by the Planning Commission in accordance with these regulations.

2.19 Zoning Ordinance

2.191 Shall mean the existing Zoning Ordinance of Spartanburg, South Carolina.

SECTION 3. APPLICATIONS

3.1 Responsibility

All requests for permits and approvals required by this Regulation, and legislative change or relief from the terms of this Regulation shall be in the form of an application. The provisions of this Section shall govern the basic requirements for processing the applications from initiation to final action and issuance of approval.

It shall be the responsibility of the City of Spartanburg City Manager or his/her designee to administer the requirements for processing applications and issuing approvals in accord with the provisions of this Regulation.

It shall be the responsibility of an applicant to provide the required information to process an application, secure or renew an approval, and present facts about circumstances which would justify a proposed change or modification to the terms and/or application of this Regulation.

3.11 Application Procedures

The procedure for processing applications is outlined by the following Application Procedural Chart.

The process is initiated by filing a complete application including all information and fees required and assignment of the application to the proper staff member for review and processing outlined in Section 4. Fees shall be assessed in accordance with the current Site Plan Review Checklist requirements. Appendix A shows the application form.

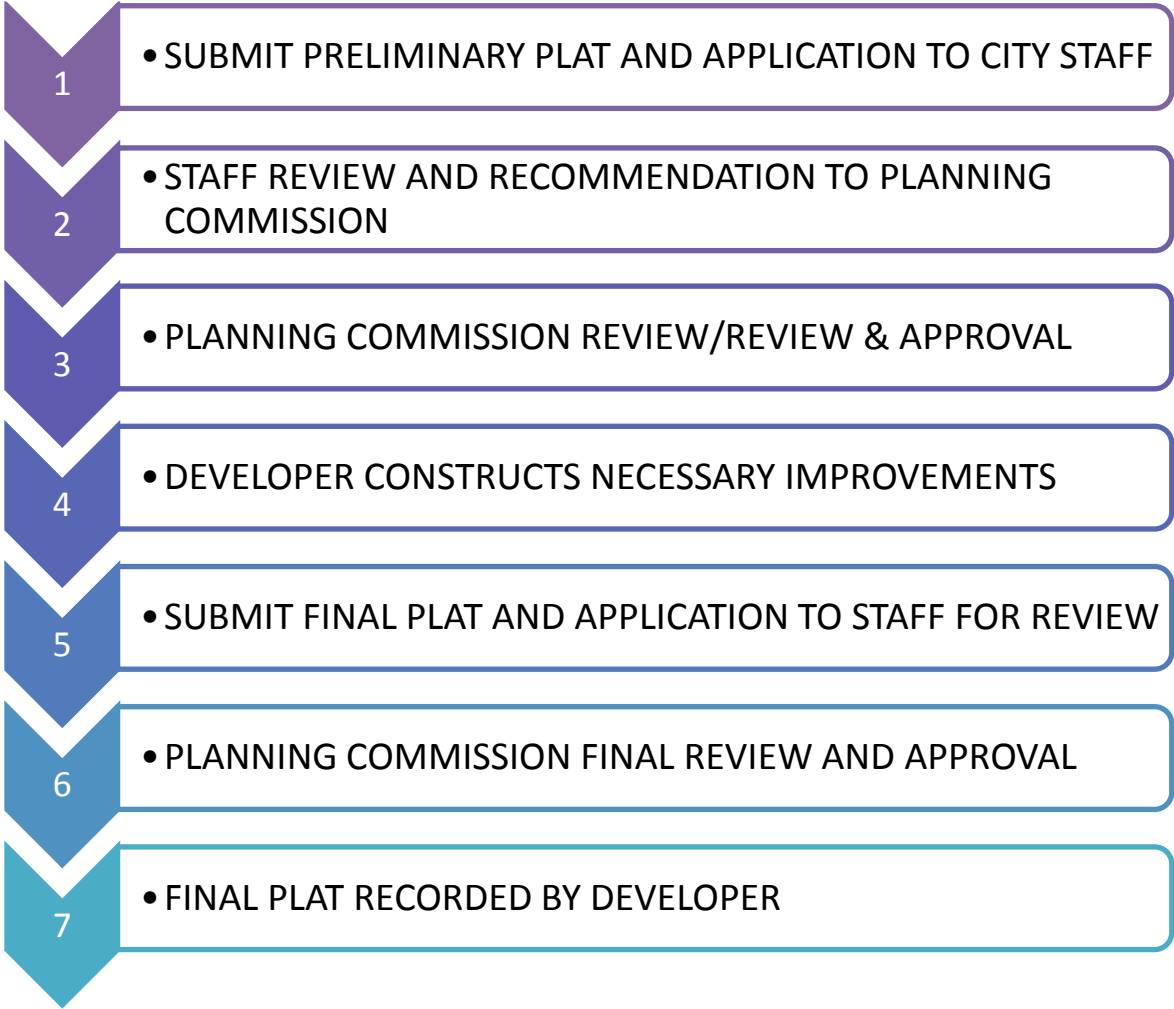
Public notice where required by this Regulation shall be announced in a newspaper of general circulation in Spartanburg County at least 15 days but not more than 30 days prior to the time the application is scheduled for a public hearing. The notice shall state the nature of the application and the time, date and place of the hearing.

In addition to public notice in a newspaper, notice of an application for a variance shall be posted by City of Spartanburg Planning Department staff on or adjacent to the property affected, with at least one such notice being visible from each public thoroughfare that abuts the property. Notification shall be made by Staff via Certified Mail to contiguous land owners, which shall include those separated by a paved road.

If public hearing is delayed; party responsible for delay is to pay for re- advertising, re-notification, additional fees, etc.

Appeals shall be taken within 10 days of the date of the action filing notice of appeal with the City.

SUBDIVISION PROCEDURE CHART



SECTION 4. PROCEDURE

- 4.1** The following is an outline of the procedure to be followed by the person or firm subdividing land within the territorial jurisdiction of this Regulation.
- 4.11** Consult with the Development Services Department concerning any questions relative to these regulations, the land being subdivided, or to land subdivision practices.
- 4.12** Prepare a tentative sketch of the proposed layout of the subdivision showing its position relative to the surrounding streets and properties.
- 4.13** Consult with the Duke Power Company and the Spartanburg Water Works to determine the availability of power and water.
- 4.14** Consult with the Development Services Department concerning the classification of the proposed streets and the necessary easements. The overall design is reviewed at this time for possible improvement.
- 4.15** Check with the County Health Department or the City Plumbing Inspector, as the case may be, to determine if there are any lots in the proposed subdivision on which septic tanks will not function properly. Building on any such lots will not be permitted until these adverse conditions are corrected.
- 4.16** Complete the application form, preliminary plan and file 8 copies along with the required accompanying documents and plans, as specified in Section 4, with the Development Services Department. The preliminary plat must be filed in acceptable form 21 calendar days before the Planning Commission meeting at which the plat will be acted upon.
- 4.17** Specifications
- 3.171 If the area being subdivided is within the City of Spartanburg, obtain specifications for the required improvements from the office of the City Manager's Designee.
- 4.18** Approval of the preliminary plat does not constitute an approval of the plat in final form. It is merely the expression of approval of the layout submitted. The preliminary plat approval will become void after twelve months unless a final plat of a section of the whole subdivision is submitted for approval, or provided that an extension of time is requested and granted in writing, and a review of the preliminary plat is made by the Planning Commission.
- 4.19** After approval of the preliminary plat by the Commission, a stamp indicating such approval shall be affixed to each plat and signed by the executive secretary on

behalf of the Commission. One copy of the approved plat and any conditions of approval are then returned to the sub-divider.

4.20 Preliminary Plat Approval shall confer upon the applicant the following rights for 12 months, unless extended by the Planning Commission, from the date of approval:

1. To proceed under the supervision of the City, with the installation of site improvements; and
2. To proceed with the preparation of a Final Plat.
(Preliminary Plat Approval shall not authorize the applicant to sell or otherwise transfer lots or parcels within the platted subdivision.)
3. The Planning Department staff will notify the developer in writing before the 12-month period lapses.

4.21 The sub-divider should then determine what portion of the subdivision is to be placed on the market.

4.22 The sub-divider should then proceed to grade the streets in conformance with the approved preliminary plat and the required roadway width and to place the required street monuments. Upon completion of the grading and monumentation, the sub-divider should inform the office of the City Manager's Designee and request an inspection. The grading is then inspected by the appropriate official, and if the grade and alignment conform to the approved preliminary plat and profiles, a Certificate of Compliance (see Appendix "B") is issued by the inspecting official to the subdivider. This certificate states that the grade and alignment of the streets are correct and approved.

4.23 If public water is available to the subdivision, the subdivider should take a copy of the approved preliminary plat and the Certificate of Compliance approving the street grade and alignment to the office of the Spartanburg Water Works.

4.30 Construction Methods:

4.31 Construction by Sub-divider

After approval of the grading and alignment of the streets, the subdivider shall prepare and submit plans and specifications for the required improvements to the City Manager's Designee. Said plans and specifications shall then be examined by the City Manager's Designee and approved if satisfactory. The sub-divider shall then proceed to complete the required improvements according to the approved plans and specifications for same, under the continued supervision and inspection of the City Manager's Designee. Upon completion of the improvements, an inspection should be requested of the City Manager's Designee; and if the improvements are found to be satisfactory, a certificate to this effect shall be issued the sub-divider by the City Manager's Designee. This certificate shall later be filed with the Commission along with the final plat.

4.32 Letter-of-Credit to Complete Improvements

An applicant/developer who wishes to acquire building permits or sell lots before Final Plat Approval may do so through an Irrevocable Letter-of-Credit or Performance Bond Agreement. However, occupancy of a dwelling or building may not occur until all required improvements covered by the Letter-of-Credit are in place and approved by the City.

To secure a Letter-of-Credit or Performance Bond the developer must provide the City with an itemized estimate of the improvements in the subdivision (i.e. roads, water, sewer, if sewer is available). If part of the improvements have been installed, the itemized estimate will be for the improvements from that point to completion of the Subdivision.

When these estimates are approved by the City, the Developer then presents the City with the letter of credit or performance bond for the total cost of the improvements plus twenty-five percent. The Bond or Irrevocable Letter-of-Credit shall bear the number, the name of applicant with address, expiration date, the amount and the beneficiary, which shall be the City of Spartanburg, Administrative Office, 145 S. Broad Street, Spartanburg, SC 29303.

A notarized statement, shown below, must show on the Irrevocable Letter of Credit or Performance Bond:

“A notarized statement with draft by an authorized representative of the City of Spartanburg stating (developer) has failed to comply with the provisions of the agreement dated (the same as the issuance date of the letter of credit or performance bond) between (developer) and the City of Spartanburg concerning (put in the improvements the letter of credit/bond is covering) and that as a consequence, the City of Spartanburg is entitled to the sum in the amount not to exceed(the amount of the letter of credit/bond)drawn hereunder”. Special Provision should be: Multiple Draw Downs Prohibited (see letter of credit/bond agreement Appendix D)

4.33 Performance Bond

A performance bond guaranteeing the completion of the improvements required in Section 9 below in lieu of actual completion or prepayment shall be:

The filing by the subdivider with the Commission of a performance bond with acceptable surety, conditioned to the City of Spartanburg the actual construction of the required improvements within the subdivision in accordance with the preliminary plat and the plans, specifications and cost

estimates as approved by the City Manager's Designee, therefore, within a period of not to exceed one (1) year from the date of filing of said bond. Such bond shall be in an amount equal to the estimated cost of such improvements and engineering fees plus 25%, as approved by the City Manager's Designee.

In the event that any or all of the required improvements are not completed within the time specified in said bond, the City of Spartanburg may let or re-let the contract and the subdivider and performance bond will be severally and jointly liable for the costs thereof to the amount specified for such improvement or improvements within said bond. The bond may provide for extension of time under conditions approved by the City Manager's Designee and Commission, and for the termination of the bond upon vacation or reversion of said subdivision to acreage. The developer will be required to enter into a Performance Bond Agreement shown in Appendix D.

- 4.40** The sub-divider should then prepare the final plat according to the specifications under Section 6. The final plat and the required accompanying documents and certificates are then filed with the Development Services Department. The plat must be filed in acceptable form 21 calendar days before the meeting of the Commission at which the plat is to be acted upon. The Planning Commission shall act to approve or disapprove the final plat within thirty (30) days from the date that the plat is properly filed with the Commission.
- 4.50** Before the final plat is acted upon by the Commission, it shall be submitted by the Commission to the City Manager's Designee for examination. The City Manager's Designee shall examine the plat for accuracy and adequacy of engineering data and scale, and for accurate and adequate provisions for surface water drainage. Upon finding the plat acceptable, the City Manager's Designee shall certify same upon each copy of the plat. If inadequacies or errors are found by the City Manager's Designee, same shall be corrected by the subdivider before the plat may be approved by the Commission. A rejection by the City Manager's Designee because of any of the aforesaid discrepancies shall constitute a disapproval of the plat insofar as it's being properly filed with the Commission and the thirty (30) day period within which the Commission is required to act shall cease running upon a rejection by the City Manager's Designee. When the plat is corrected in compliance with the reasons for rejection, it is to be resubmitted by the subdivider to the Commission, and the thirty (30) day period within which the Commission shall act, shall commence upon the date of resubmission. Resubmitted plats shall be filed in acceptable form with the Development Services Department 21 calendar days before the meeting of the Commission at which the plat is acted upon.
- 4.60** Approval of the final plat shall be based upon the acceptability of the plat itself and the satisfaction of the completion of the required improvements in either of the following methods:
1. Construction by Sub-divider
 2. Performance bond
 3. Irrevocable Letter of Credit

After approval of the final plat by the Planning Commission, such approval shall be shown on each copy of the plat by the signature of the executive secretary of the Planning Commission. Two (2) copies of the plat will be returned to the subdivider or owners whose name and address appear upon the plat. These copies of the plats shall be recorded in the Spartanburg RMC Office by the Sub-divider.

4.70 If the plat is disapproved, the grounds of disapproval shall be stated in the minutes of the Commission and shall be transmitted to the subdivider. If a plat is disapproved by reasons of incompleteness, failure to comply with the preliminary plat, inadequacy of documentation, or other reasons relative to the plat itself, the sub-divider may make such required corrections and resubmit the final plat. A corrected final plat shall be filed within ninety (90) days from the date of disapproval or it shall become void. The resubmitted final plat, if corrected as required by the Commission, may then be designated as approved by the signature of the executive secretary of the Planning Commission without necessitating a new hearing on the plat before the Commission.

4.80 If the plat was disapproved because of failure to comply with the required improvements, but was satisfactory in every other respect, the required improvements may be completed to the satisfaction of the City Manager's Designee. Evidence of the satisfactory completion of the improvements may then be submitted to the office of the Development Services Department. The final plat may then be certified as approved by the signature of the executive secretary of the Planning Commission without a new hearing by the Planning Commission.

4.90 Final Plat Approval shall confer upon the applicant the following rights:

1. To record the plat with the Register of Deeds, which recordation shall include within 90 days of approval the entire plat or phase approved for development.

After this time, such approval shall be void. Recordation of the Final Plat shall constitute an irrevocable offer of dedication of the right-of-way for public streets and roads, and upon completion of such streets and roads in accordance with these regulations, the same shall be considered accepted by the City for public purposes upon final approval by the Planning Commission.

Upon such final approval, right-of-way for public streets and roads shall be in affect vested in fee simple to the City for public purposes.

2. To proceed with the development of land development projects, and/or sale or transfer of lots and parcels in accord with the approved and recorded plat. No subdivision plat, portion, or phase thereof shall be accepted for filing until it has been approved by the City of Spartanburg Planning Department, and so indicated on the plat by the signature of the authorized agent. No such signature shall be affixed to the plat until the developer has completed all required improvements or has posted a Letter of- Credit or Performance Bond.

SECTION 5. PRELIMINARY PLAT SPECIFICATIONS

- 5.1** The preliminary plat of a subdivision is the plan which is intended to be used by the Planning Commission and other agencies for the purpose of determining the subdivision's conformance with city zoning regulations, subdivision design standards, other applicable city development regulations and acceptance from the standpoint of public interest.
- 5.2** The following specifications are instructions for the preparation of the preliminary plat:
- 5.21** Scale - - Not less than 1 inch = 20 feet and
Not more than 1 inch = 100 feet
 - 5.22** Sheet size - - No requirements.
 - 5.23** Existing items to be shown on plat:
 - 5.231** Boundaries of the proposed subdivision.
 - 5.232** Location, width, and names of all existing rights-of-way or prior platted streets, roads, highways, or lanes that pass through, or are contiguous to, the area to be subdivided.
 - 5.233** Any lines of incorporated areas, within or adjacent to the area to be subdivided.
 - 5.234** Any water courses within or adjacent to the area to be subdivided.
 - 5.235** The center line of any dry or alive ravine, branch, or other possible course for surface water run-off within or adjacent to the tract.
 - 5.236** Existing sanitary and storm sewers, water mains and fire hydrants within or adjacent to the area to be subdivided with sizes of each.
 - 5.237** The location of any existing buildings or structures within the area to be subdivided.
 - 5.238** Contours at an interval of not more than five feet. Contour maps shall be accurate so that ninety (90) percent of the contours shall fall within one-third of a contour interval of their true location, and all contours shall fall within one-half of a contour interval of their true location.
 - 5.239** Existing culverts.

5.2310 Existing railroad and utility rights-of-way, easements, parks, and other public open spaces within or adjacent to the tract.

5.2311 Owner names, tax map numbers and boundaries of adjoining parcels of unsubdivided land.

5.24 Items pertaining to title that are to be shown on the plat:

5.241 Proposed name of subdivision. The name shall not duplicate or too closely approximate, phonetically or otherwise, the name of any other subdivision within five (5) miles of Spartanburg.

5.242 Scale of plan.

5.243 North point.

5.244 Date.

5.245 The distance and bearing of one of the corners of the boundary of the subdivision to the nearest intersection of existing streets or roads.

5.246 Names and addresses of developers, and of the engineer or other technical who prepared the preliminary plat.

5.247 List of any recorded restrictions or covenants that might affect development of the property.

5.25 Proposed items that are to be shown on the plat:

5.251 Layout of streets, including names, and width of right-of-way, and width of roadway.

5.252 Layout of alleys, crosswalks, and easements including widths of same.

5.253 Layout, numbers and approximate dimensions of lots.

5.254 Building setback lines, along all streets, with dimensions.

5.255 Curve data for all curves within the center lines of all streets which shall include the delta angle, the tangent distance and the degree of curve. The P.C. and P.T. shall be identified. At the intersection of rights-of-way radii shall be given for the rounded corners.

5.256 Shape and dimensions of parcels of land, other than streets, that are intended to be dedicated for public use. A typewritten copy of the condition of such dedication is to be attached to the plans.

5.257 Profile of streets showing proposed grades, cuts, and fills.

- 5.258 Location , materials, type and size of proposed culverts, catch basins, pipe and easements for utility and drainage purposes.
- 5.259 Proposed street cross section showing road subbase, aggregate base course, and pavement type and thickness, curb and gutter type, shoulder width, side slopes, sidewalks.
- 5.260 Driveway apron types and locations.
- 5.261 Intersection sight distances and sight triangles

5.3 Submission of preliminary plat.

- 5.31** Preliminary plats shall be filed with the office of the Development Services Department 21 calendar days before the meeting of the Commission, at which time the plat is to be acted upon.
- 5.32** The following shall be filed with the Development Services Department:
 - 5.321 Eight (8) paper copies of the preliminary plat to a scale of not less than 1"=20' or more than 1"=100' and one (1) 8 1/2" X 11' paper copy. Two digital copies of the plat: (1) in .dwg format and (1) in .pdf format (via email or disc).
 - 5.322 Three (3) copies of profiles and grades of proposed streets.
 - 5.323 A location plan of the subdivision showing adjacent roads with sanitary sewer and drainage areas in which the subdivision is located.
 - 5.324 A preliminary plat processing fee in the amount of \$50.00, made payable to the City of Spartanburg in check form.
 - 5.325 Storm water permitting package in accordance with the City of Spartanburg Storm Water Ordinance and checklist
 - 5.326 Preliminary subdivision plat checklist as shown in the next three (3) pages with required supporting documentation.
 - 5.327 Location of 100 year flood plain or notification that none exists on the property to be developed.

LAND DEVELOPMENT REGULATIONS
CITY OF SPARTANBURG, SC
440 S. Church St, Suite A, Spartanburg, SC 29306 Phone
864-596-2071 Fax 864-596-2360

SUBDIVISION CHECKLIST PRELIMINARY PLAT

Land Development Regulation
City of Spartanburg Planning Commission

This checklist is to be used as a guide only and may not be inclusive of all the requirements of the Land Development Regulations, the Land Development regulations may be found at @ <http://www.cityofspartanburg.org>.

Project Name: Date:

Reviewed by:

I. INFORMATION REQUIRED TO BE SUBMITTED TO
CITY OF SPARTANBURG PLANNING DEPARTMENT:

- 1. Subdivision Application
- 2. Processing Fee (See Fee Schedule). Check is to be made out to "City of Spartanburg".
- 3. Proof of ownership Documentation
 - RECORDED DEED = Need this for new owners who have recently acquired property (not showing as the current owner). SALES CONTRACT (Recorded) = Between Current Owner and New Owner, if no DEED is recorded yet.
 - LLC or CORPORATION RESOLUTION OR ARTICLE = Legal Document which shows the names of the legally authorized persons.
- 4. Agent authorization form: Required in order to give a person permission to act on the owner's behalf, if applicable. Must be signed by owner.
- 5. Eight (8) paper copies of plat to scale of not less than 1"=20" or not more than 1"=100" and one (1) 8 1/2" x 11" paper copy.
- 6. Two (2) digital copies of plat: (1) in .dwg or .pdf format and (1) in .pdf format. (via email or disc).
- 7. Submitted for review by the agenda deadline date for the next Planning Commission Meeting (see "Calendar of Public Meetings" for the agenda deadline schedule on the City website).
- 8. If the access is to come off a State road, a copy of the **SCDOT encroachment permit application is required upon submittal.**

II. INFORMATION REQUIRED ON PLAT:

- 1. Bearings and distances shall be shown for all lines on the plat. Bearings in degrees and minutes, distances in feet and decimals thereof.
- 2. Lot numbers: Project shall have lots numbered in consecutive order. If the project has multiple phases, lot numbers must not be duplicated.
- 3. Setback lines: Front, Side and Rear (Refer to the City Zoning Ordinance for requirements).
- 4. Proposed lot lines, approximate dimensions and lot size in acres or fraction thereof.
- 5. Lot Frontage
- 6. If any flag lots are used, they must meet requirements in Section 8.86
- 7. Existing street name and right-of-way for all streets appearing on the plat.
- 8. Deed reference(s) showing where sub-divider acquired title to the property.
- 9. Easements for water mains and sanitary sewers not located in public streets and serving more than one user. Such easements shall show location, width, conditions and size if known.
- 10. Existing easements or rights-of-way locations with special conditions crossing the property and located in the right-of way of a public road or street.
- 11. Statement clarifying whether the property line is in the center of the stream or creek or the traverse line on lots abutting a stream or creek.
- 12. Reservations, public access, monuments or sites for use other than residential, with explanation of purpose.
- 13. Land uses of abutting properties, names of owners and tax map numbers.
- 14. Location map showing subdivision and surrounding area and north arrow.
(Legible)
- 15. Approved addresses should be placed on each lot in a box, if available.
- 16. Title Block which shall contain the following information:
 - Project name. (Approved by staff) Type of plat (Preliminary Plat)
 - Type of development. (Patio Home, Single Family, etc.) Name and Address of owner/developer.
 - Seal, registration number, name and address, and signature of engineer or surveyor registered in South Carolina.
 - Date plan was made /
 - Revised dates. Number of acres.
 - Number of miles
 - of new road.
 - Number of lots and/or units.
 - Open Space required and provided (acres)
 - Scale (not less than 1 in. = 100 ft. and not more than 1 in. = 20 ft.).
 - Tax Map parcel number(s), in accordance with the County block maps for the boundary prior to subdivision.

Community and Zip Code

17. Certificate of Accurate Survey. (minimum accuracy 1:7500/Class B).
18. Private Road Notation on plat if roads not dedicated to the county for maintenance, printed in all capital letters, which shall read: ***"The road right-of-way easements shown on this plat shall be private roads, not owned, maintained or supervised by City of Spartanburg"***.
19. Re-subdivision of land shall indicate both prior and present design and/or shall clearly reference the name of the subdivision and lot number(s) being re-subdivided.
The prior design shall be in broken lines, while the re-subdivision shall be drafted in solid lines.
20. Double frontage lots and Corner lots require access note.
21. School district lines; if more than one district on the site.
22. Flood Plain notation; if applicable.
23. Show all existing and new fire hydrants pertinent to the project (Refer to IF Codes)
24. No more than two (2) streets shall intersect at any one point.
25. When an off-set in alignment of a street occurs, a distance of at least 125' shall separate opposing streets from centerline to centerline on a City road, if a State road refer to SCDOT design criteria
26. Dead-end streets are not permitted. Cul-de-sac streets shall not exceed 800 feet in length.
27. Solid line drawn across right-of-way where phase or section is to be extended in the future. Place notation "tie line" where line is drawn. Solid line drawn across the road where the pavement stops. Place notation "end of pavement" where line is drawn.
28. Note that the Common Areas cannot be subdivided or used for any other purpose.
29. Provide a Legend for symbols appearing on the plat.
30. All additional information specified by Section 5 on the LDR not specified herein.

III. OTHER INFORMATION NEEDED:

1. If wells or septic systems are to be used, the proper form must be directly delivered by the applicant to the South Carolina Department of Health and Environmental Control (**DHEC**), along with one (1) copy of the plat. DHEC will determine the fee.
2. The Planning Department sends the submitted plat / plan to other agencies for their approvals: Water & Sewer companies, DHEC, Addressing/911, Fire Marshal and City of Spartanburg Engineering Department.
3. New Road and Storm Water information: a) An Application for land grading disturbance (NOI),
b) A road centerline profile for each new street with a complete road construction plan shown thereon,

- c) A Master Storm Water and Sediment Control Plan, submitted by a professional Engineer, showing the location of proposed storm water and sediment controls for the entire area being developed,
- d) Storm water calculations,
- e) Contour maps with contour intervals of five feet. Plans are to be submitted to the City of **Spartanburg Engineering Department**.

SECTION 6. FINAL PLAT SPECIFICATIONS

6.1 After the required improvements have been completed and a certificate of compliance obtained or security in the form of an irrevocable letter-of-credit or performance bond posted in lieu thereof, the final plat may be submitted for approval. The final plat is intended for recording and must necessarily be in correct form as follows:

6.11 Scale Not less than 1 inch = 20 feet and
 Not more than 1 inch = 100 feet

6.12 Sheet size – As specified by the Spartanburg County RMC Office.

6.13 Material - As specified by the Spartanburg County RMC Office

6.14 Items pertaining to the title that are to be shown:

6.141 A title stating the name of the subdivision and that the plan is a final plat.

6.142 Points of compass.

6.143 Scale.

6.144 Date.

6.145 One corner of the boundary of the subdivision tied by distance and bearing to the nearest intersection of existing streets or roads.

6.146 Certification of the surveyor or engineer preparing the plat. Plats shall be prepared in accordance with the Minimum Standards Manual for the Practice of Land Surveying in South Carolina.

6.147 Name and address of subdivider or owner.

6.15 Items pertaining to the drawing of the plat:

6.151 The length of all courses shall be shown to the nearest 1/100 foot.

6.152 All bearings and angles shall be shown to the nearest minute.

6.153 Plat boundaries.

6.154 Boundary lines of incorporated areas and other legally established districts within or adjoining the subdivision.

6.155 Location and material of all monuments.

- 6.156 Outlines of any areas to be dedicated for public use with the purpose indicated thereon.
- 6.157 Location and width of all streets, alleys, crosswalks, within and adjoining the plat, including dedicated and undedicated.
- 6.158 Names of all streets within and adjoining the plat.
- 6.159 All sanitary and storm sewers and water mains, including individual stub-outs and sizes of each, within the area subdivided shall be indicated. In addition, the location and width of all easements for rights-of-way provided for utilities, drainage purposes, or public services, and any limitations on such easements shall be indicated.
- 6.1510 All lot lines; lot numbers; and lot dimensions; and bearings or angles of lot line to street, alley, or crosswalk lines.
- 6.1511 Building setback lines with dimensions.
- 6.1512 The following should be printed upon the tracing of the plat in accordance with the appendices:
 - 6.15121 Certificate of survey as appears in Appendix B.
 - 6.15122 Reference to any protective covenants that may be a part of land and to be recorded with the final plat.
 - 6.15123 Certification of placement of monuments as appears in Appendix B.

6.2 Submission of final plat:

- 6.21 Final plats shall be filed, accompanied by \$5.00 filing fee, 21 calendar days before the meeting of the Commission at which the plat is to be acted upon.
- 6.22 The following shall be filed with the Development Services Department:
 - 6.221 The Final Plat Checklist as shown in the next three pages with Processing Fee and all required supporting documentation.
 - 6.222 Eight (8) paper copies of plat to scale not less than 1"=20' or more than 1"=100' (two of which to be upon material specified by the Spartanburg County RMC Office for recording purposes) and one (1) 8 1/2"x11" paper copy. Two (2) digital copies of plat: (1) in .dwg format and (1) in .pdf format. (Via email or disc).
 - 6.223 Deeds for all parks and other public grounds to be accepted by the City of Spartanburg.

- 6.224 Letter from the Spartanburg Water system and the Spartanburg Sanitary Sewer District that they have accepted the water and sanitary sewer systems for maintenance.
- 6.225 Certificate of Compliance by the City Manager's Designee that the required improvements have been satisfactorily completed or that an Irrevocable Letter of Credit or Performance Bond has been provided by the sub-divider as security that the required improvements will be completed. See Appendix C.

LAND DEVELOPMENT REGULATIONS
CITY OF SPARTANBURG SC
440 S. Church St, Suite A, Spartanburg, SC 29306 Phone
864-596-2071 Fax 864-596-2360

SUBDIVISION

CHECKLIST

Land Development Regulations
Planning commission

FINAL PLAT

City of Spartanburg

This checklist is to be used as a guide only and may not be inclusive of all the requirements of the Land Development Regulations. The Land Development Regulations can be found @ THE CITY OF <http://www.cityofspartanburg.org>.

Project Name:

Date:

Reviewed by:

I. INFORMATION REQUIRED TO BE SUBMITTED TO THE CITY OF SPARTANBURG PLANNING DEPARTMENT:

- 1. Subdivision Application
- 2. Processing Fee (\$150.00). Check is to be made out to "City of Spartanburg".
- 3. Proof of ownership

RECORDED DEED = Need this for new owners who have recently acquired property (not showing as the current owner). SALES CONTRACT (Recorded) = Between Current Owner and New Owner, if no DEED is recorded yet.
LLC or CORPORATION RESOLUTION OR ARTICLE = Legal Document which shows the names of the legally authorized persons.

- 4. Agent authorization form: Required in order to give a person permission to act on the owner's behalf, if applicable. Must be signed by owner.
- 5. Eight (8) paper copies of plat to scale of not less than 1"=20" or not more than 1"=100" and one (1) 8 1/2" x 11" paper copy.
- 6. Two (2) digital copies of plat: (1) in .dwg or .pdf format and (1) in .pdf format. (Via email or disc).
- 7. Covenants and Restrictions for HOAs, private common areas, detention, road maintenance, etc. (To be recorded with final plat).
- 8. Submitted within 12 months after the approval of the preliminary plat.
- 9. SCDOT Encroachment permit application, if applicable.

II. INFORMATION REQUIRED ON PLAT:

- 1. Bearings and distances shall be shown for all lines on the plat. Bearings in degrees and minutes, distances in feet and

decimals thereof.

- 2. Lot numbers: Project shall have lots numbered in consecutive order. If the project has multiple phases, lot numbers must not be duplicated.
- 3. Setback lines: Front, Side and Rear (Refer to the appropriate section of the Zoning Ordinance for requirements).
- 4. Lot size in acres to the nearest 1/100 of an acre.
- 5. Lot Frontage: (refer to the appropriate section of the Zoning Ordinance for requirements)
- 6. If any flag lots are used; the pole must meet length requirements in the Zoning Ordinance.
- 7. Existing street name and right-of-way for all streets appearing on the plat.
- 8. Deed reference(s) showing where sub-divider acquired title to the property.
- 9 "As built" locations of storm sewer to include catch basins, sizes and lengths of pipes and widths of easements.
- 10. Easements for water mains and sanitary sewers not located in public streets and serving more than one user. Such easements shall show location, width, conditions and size if known.
- 11. Existing easements or rights-of-way locations with special conditions crossing the property and not located in the right-of way of a public road or street.
- 12. Statement clarifying whether the property line is in the center of the stream or creek or the traverse line on lots abutting a stream or creek.
- 13. Reservations, public access, monuments or sites for use other than residential, with explanation of purpose.
- 14. Land uses of abutting properties, names of owners and tax map numbers.
- 15. Location map showing subdivision and surrounding area and north arrow.
- 16. Approved addresses should be placed on each lot in a box.
- 17. Title Block which shall contain the following information:

- Project name.
- (Approved by
- staff) Type of plat
- (Final Plat)
- Type of development.
- (Patio Home, etc.) Name
- and Address of
- owner/developer.
- Seal, registration number, name and address, and
- signature of engineer or surveyor registered in South
- Carolina.
- Date plan was made /
- Revised dates. Number of
- acres.
- Number of miles of new road.
- Open Space required and provided (acres)
- Number of lots and/or units.
- Scale (not less than 1 in. = 100 ft. and not more than 1 in. = 20 ft.).

Tax Map parcel number(s), in accordance with the County block maps for the boundary prior to subdivision.

Community and Zip Code

- 18. Certificate of Accurate Survey. (minimum accuracy 1:7500/Class B).
- 19. City Manager's Designees Certificate of Approval (as per Appendix C).
- 20.
- 21. Certificate of Ownership, Dedication and Grant. (if applicable)
- 22. Private Road Notation on plat, if roads not dedicated to the city for maintenance, printed in all capital letters, which shall read: **"The road right-of-way easements shown on this plat shall be private roads, not owned, maintained or supervised by Spartanburg County"**.
- 23. Re-subdivision of land shall indicate both prior and present design and/or shall clearly reference the name of the subdivision and lot number(s) being re-subdivided.
The prior design shall be in broken lines, while the re-subdivision shall be drafted in solid lines.
- 24. Double frontage lots and Corner lots require access note.
- 25. School district lines; if more than one district on the site.
- 26. Flood Plain notation
- 27. Show all existing and new fire hydrants pertinent to the project (Refer to IF Codes).
- 28. No more than two (2) streets shall intersect at any one point.
- 29. When an off-set in alignment of a street occurs, a distance of at least 125' shall separate opposing streets from centerline to centerline on a County road, if a State road refer to SCDOT standards.
- 30. No dead-end streets shall be permitted. Cul-de-sac streets may not be allowed to extend beyond 800 feet.
- 31. Solid line drawn across right-of-way where phase or section is to be extended in the future. Place notation "tie line" where line is drawn. Solid line drawn across the road where the pavement stops. Place notation "end of pavement" where line is drawn.
- 32. Sight distances for street intersections shall include a sight easement of ten (10) feet as shown on
intersection diagrams and shall be reserved by the developer and dedicated to the City of Spartanburg y with the recording of the Final Plat. The sight easement shall be sketched on the Final Plat before it is recorded.
Show Common Areas / Open Space as required.
- 33. Note that the Common Areas cannot be subdivided or used for any other purpose.
- 34. Provide a Legend for symbols appearing on the plat.
- 35. All additional information specified by Section 6 of the LDR not specified herein.

III. OTHER INFORMATION NEEDED:

- 1. One-Year Road Warranty Agreement signed by owner/developer at time of Final Plat Recordation. (Planning staff will type). For an example, see the

Land Development Ordinance , Appendix E. (Not applicable if roads remain PRIVATE). For Privately Maintained Roads, street name signs and stop signs must be purchased from a sign manufacturer and installed by the developer or property owner. All signs must conform to the “Manual on Uniform Traffic Control Devices for Streets and Highways”. (Federally–mandated minimum sign reflectivity standards went into effect on January 22, 2008).

- 2. The Planning Department sends the submitted plat / plan to other agencies for their approvals: Water & Sewer companies, DHEC, Addressing/911, Fire Marshal and the City of Spartanburg Engineering Department.

- 3. The Developer is responsible for ensuring that the water flow to the property is adequate for the Building(s) AND Fire Protection. Please let your water company know if you will need to have a Sprinkler System installed for any of your building(s) so they can design appropriately. You may obtain this information from the Building Codes Department.

- 4. If the Common Area/Open Space will incorporate a Clubhouse, Cabana, Pool, etc, a separate SITE PLAN will be required to be submitted in addition to the overall project plat.

SECTION 7. VACATIONS AND REPLATS

- 7.1** The procedure for replats when a new street, alley, or crosswalk is proposed, is the same as that for a new plat. Areas that have been vacated should be clearly shown with reference to the record of vacation. The title of the replat should also include the title and description of the area that is re-platted. The date of recording and title of the original plat shall be shown.

SECTION 8. DESIGN STANDARDS

8.1 The design or layout of a subdivision is the greatest factor in determining the degree of service that the subdivision is to the community and the degree of success that the subdivision is to the developer. The subdivision standards herein contained are presented as a guide to the developer and are minimum requirements.

8.2 Streets

8.21 General

8.211 Conform to major street plan.

If the area to be subdivided is so located that it would contain one or more designated major streets, then the developer shall acknowledge the continuation of the streets and dedicate same for public use.

Proposed streets shall be coordinated with the street system in the surrounding area and where possible shall provide for the continuation of existing streets abutting the development. Said streets shall be extended at the same or greater width, but shall be not less than the minimum required width.

8.212 Subdivision circulation.

The proposed street pattern shall provide convenient access to adjoining major streets. The pattern should be such that there is ease of circulation within the subdivision.

The street system shall be designed to permit the safe, efficient, and orderly movement of traffic; to have a simple and logical pattern; to respect natural features and topography; to present an attractive streetscape.

Sidewalks shall be required.

8.213 Street names.

Names shall not be the same as, or similar to, phonetically or by spelling, any other street name within Spartanburg County. The names of streets that are in existence or recorded, which are in alignment with the proposed street, shall be given to the proposed street unless it is considered impractical by the Planning Commission because of the distance separating them. The names of new streets shall be subject to the approval

of the Planning Commission and the City of Spartanburg Planning Department.

8.214 Topography.

Streets shall acknowledge and conform to the topography of the area being Subdivided. In the event of sites of unusual natural beauty, it is recommended that these be preserved and dedicated for recreation areas.

8.215 Street Intersection.

All streets, exclusive of cul-de-sac streets, shall connect or intersect to an improved, dedicated and accepted public street. Streets shall intersect as nearly at right angles as possible. No more than two (2) streets shall intersect at one point.

8.216 Half Streets.

Where there exists a street or easement of less than the required minimum width dedicated adjacent to, or within the land to be subdivided, the subdivider shall complete the street or easement and dedicate the portion necessary to increase the width to the allowable minimum. Half streets shall not be permitted.

8.218 Subdivisions contiguous to highways, parkways, and thoroughfares:

8.2181 Residential.

In this type of design, each property owner creates in his private driveway a new intersection and traffic hazard. The homes may become unsatisfactory because of the noise, lights, and traffic hazard incurred by the adjacent major route; therefore, areas that are to be subdivided for residential use that abut upon or lie adjacent to highways, parkways, and thoroughfares, shall provide either lots of an additional twenty (20) foot depth facing on the major route, or a twenty (20) foot wide planting screen adjacent to the major route with the lots facing internal streets.

8.2182 Business or industrial.

Subdivisions that are intended for business or industrial usage, that abut upon or lie adjacent to highways, shall provide a secondary road for entrance to and exit from the establishment, and, when practical, acceleration or deceleration lanes should also be provided.

8.219 Subdivision contiguous to railroads.

The incompatibility existing between railroads and residential areas

requires that certain precautions be made through design so that the value of the subdivision is protected. These are as follows:

7.2191 Back all lots on the railroad with an area between the rear lot lines and the railroad to act as a buffer.

7.2192 If it is apparent that business or industry may be located on the railroad, sufficient land shall be retained as a buffer strip between the business or industry and the residences.

8.2110 Dead end streets.

Dead end streets are not permitted. If because of peculiar arrangements or topography, continuous streets are impossible, cul-de-sacs shall be used.

8.2111 Relation to adjacent subdivisions.

The street system in new subdivisions, as far as practicable, shall relate to the street system of existing adjacent subdivisions. The City encourages the practice of implementing Smart Growth principles, including multiple entry and access points, and may require cross access connections depending on the conditions of the development.

8.22 Dimensions and design standards.

8.221 Cul-de-sacs.

8.2211 In general, shall not exceed eight hundred (800) feet in length.

8.2212 They shall be terminated with a vehicular turn-around having a minimum radius of forty (40) feet from the center to the outside edge of the right-of-way. The minimum allowable pavement width of the turn-around roadway is twenty-four (24) feet. The minimum radius from the center to the outside edge of the roadway is thirty-seven (37) feet.

8.2213 No cul-de-sac will be required on a reserved right-of-way strip fifty
* (50) feet or more in width intended for a future street to the external property line. The length of said reserved strip would be equal to one lot in depth. All such right-of-way reserved strips shall be developed and/or completed (actually built) as a part of the final plat and the streets and reserve right-of-way strips shall not be accepted by the City until said improvements are completed according to the design standards of this Ordinance.

*8.222 Classification.

Before the preliminary plat is filed, the subdivider should consult with the Development Services Department to determine the classification of the proposed street for the purpose of required right-of-way & pavement width. By nature of their location and layout, streets may be classified as "Local Residential or Cul-de-sac Streets," "Collector Streets," or "Major Streets." (See definitions.) Right-of-way and pavement width will vary according to the classification of the street. All rights-of-way shall have no portion thereof reserved between said rights-of-way and external property lines. The centerline of the road shall be located in the center of rights-of-way.

*

**8.2221 Local Residential or Cul-de-sac Streets:

Right-of-way width – Local Street	50 feet
Right-of-way width – Cul-de-sac	50 feet
Pavement width	
Local Residential Streets	24 feet
Pavement width	
Cul-de-sac	24 feet
Sidewalk width.	5 feet
	(minimum)

***8.2222 Collector Streets:

Right-of-way width -	
Collector Street	50 feet
Street width.	36 feet
Sidewalk width	
(optional)	5 feet
	(minimum)

8.2223 Major Streets:

Minimum dimensions shall conform to the designations of the SCDOT Access and Road Management Standards. If the area to be subdivided contains all of or a portion of a major street, the subdivider should consult with the public officials having jurisdiction to determine what public expenditures may be made available for construction.

*(Amended by Resolution 7/10/78)
**(Further Amended by Resolution 3/4/85)
*** (Further Amended by Ordinance 8/23/93)

8.23 Grades

Maximum allowable:

8.231 Cul-de-sacs, local residential streets and collector streets 10%

8.232 Major streets 7%

8.233 Vertical curves - - All changes in street grade shall be connected by vertical curves of a minimum length of 100 feet or the equivalent of fifteen (15) times the algebraic difference in the rate of grade, whichever is greater.

Minimum allowable:

8.234 All streets.....1/2 %

8.24 Vertical (Crest-Sag) Curves

All changes in vertical grade shall be connected by vertical (crest- sag) curves of minimum length equal to 15 times the algebraic differences in rates of grade for marginal access or minor streets and 35 times the algebraic grade difference for arterial and collector streets.

8.25 Horizontal Curves

Where a deflection angle of more than ten (10) degrees in the alignment of the street occurs, the right-of-way shall be curved. The minimum horizontal radius of the curvature at the centerline of a proposed street right-of-way shall not be less than the following:

Arterial Highways	800 feet
Industrial/Commercial Streets	450 feet
Collector Streets	300 feet
Minor Streets	150 feet

8.26 Reverse Curves

Where practical, a tangent of at least the following dimensions shall be provided between reverse curves in opposite directions:

Arterial Highways	200 feet
Industrial/Commercial Collector Streets	150 feet

8.26 Traffic Control and Street Signs

All traffic control and street signs erected in the right-of-way of streets maintained by the City of Spartanburg must conform to the "South Carolina Manual on Uniform Traffic Control Devices for Streets and Highways".

8.28 Street Improvements

Construction of all streets shall comply with the SCDOT specifications and standard drawings for road construction and Engineering Standards for the City of Spartanburg; and shall be completed to the satisfaction of the City Manager's Designee. The developer shall be responsible for the cost of constructing the road improvements.

If, however, the soils upon which the street is to be constructed pose constraints to street development, the City Manager's Designee will require a Geotechnical Engineer to evaluate the soils and prepare a recommendation as to what would be required to ensure that the subbase would be adequate. If the Geotechnical Engineer determines that the existing conditions are adequate, then the City will pay the costs of testing and if the conditions are required to be modified, then the costs will be incurred by the developer or contractor.

8.29 Street Warranty

As a condition of receiving Final Plat Approval, the developer or other responsible party shall enter into an agreement with the City of Spartanburg to repair, upon written notification by the City and at his own expense any and all defects in materials and workmanship which occur in any streets or drainage systems pursuant to the granting of Final Plat Approval for a period of one year from the date such work is accepted by the city of Spartanburg.

8.30 Streets along water courses.

Streets shall be located on the side of and generally parallel to ravines, streams, lakes, or major water courses unless the topography of the areas makes such layout impractical. It is suggested that the area between such streets and the water courses be dedicated for park or drainage purposes.

*8.31 Intersections.

At the intersection of two streets, the curb and gutter of the roadway shall have a radius to accommodate the design vehicle using the roadway in accordance with SCDOT design standards but no less than fifteen (15) feet. Greater radii may be necessary because of the angle of intersection or width of street. Property line corners shall be provided with sight triangles set back with a diagonal or chord, with the related tangents at least ten (10) feet. Sight distances for street intersections shall include a sight easement of 10 feet as shown on intersection diagrams (Appendix F) and shall be reserved by the developer and dedicated to the City of Spartanburg with the recording of the final plat. The sight easement shall be shown on the final plat before it is recorded. No planting shall be placed or maintained and no fence, building, wall or structure shall be constructed at any

point between a height of two and a half (2 1/2) feet above the upper face of the nearest curb or street center line and within the sight easement area. However poles and support structures less than 12" in diameter may be permitted in such area.

8.32 Intersection Design

Intersections shall be in substantial conformity with the design illustrations in this Section (see Appendix F) for the type of intersection proposed. No more than two (2) streets shall intersect at any one point. All streets shall intersect as nearly as possible at 90-degree right angles. Streets entering upon opposite sides of a given street shall be in conformity with standards promulgated by the South Carolina DOT, Access and Roadside Management Standards, Section 3-D. When an offset in alignment of a street occurs, a distance of at least one hundred and twenty-five (125) feet shall separate opposing streets from centerline to centerline.

8.33 Alleys.

Private alleys will be permitted in a residential subdivision where approved by the Planning Commission. Maintenance of alleys shall be vested in the abutting property owners by stipulation on the final plat and the deeds for the abutting parcels. Alleys shall have a minimum right of way width of 20 feet and shall be constructed in accordance with Appendix F.

8.4 Crosswalks.

8.341 Crosswalks are required in blocks exceeding 1000 feet in length. They are necessary to allow pedestrian access to nearby major streets or other areas of attraction.

8.342 Dimensions.

10 feet right-of-way minimum
5 feet sidewalk minimum
4-inch thick concrete

8.5 Street trees.

If trees are planted by either the developer or the homeowner, they shall be planted on the lot side of the sidewalk; not within the strip between the sidewalk and the roadway.

8.6 Easements.

8.61 Utility easements.

The necessary easements for utilities shall be provided. In industrial or commercial subdivisions, the utility easement shall be along the right-of-way of the alley. Utility easements shall be provided in all subdivisions in such a manner that future water and gas installations will be closed systems. When possible, easements for power

shall be provided along rear and side lot lines. No easement shall be less than twenty (20) feet in width. Electric power and communications lines and cables shall be placed underground.

8.62 Easements along streams, lakes, branches, ravines, and other natural courses for surface water drainage, both dry and alive.

If the area to be subdivided contains any stream, lake, branch, ravine, or other natural course for surface water drainage, whether dry or alive, the subdivider shall dedicate an easement along the sides of the water or drainage course for the purpose of drainage, widening, and improving. The required width of the easement shall be specified by the City Manager's Designee.

8.7 Blocks

8.71 Residential developments:

8.711 Length of block – 1500 feet maximum (topography or extreme conditions may make longer blocks necessary) - 500 feet minimum.

8.712 Depth of block - 300 feet minimum.

8.713 In blocks longer than 1,000 feet, a pedestrian crosswalk is required near the center of the block.

8.72 Business and Industrial.

There are no particular standards for blocks intended for business or industrial use. The block shall be designed so as to adequately satisfy the requirements of their usage.

8.8 Lots.

The lot size, width, depth, shape, grade, and orientation shall be in proper relation to street and block design, to existing and proposed topographical conditions, and for the type of development and use contemplated and shall conform to the City of Spartanburg Zoning Ordinance.

8.81 Side lot lines.

All side lot lines shall be as nearly as possible at right angles to straight street lines or radial to curved street lines. Residential lots on cul-de-sacs may have less than the minimum street frontage required but not less than the minimum width required at the setback line.

8.82 Lot width, depth, and area.

8.821 Lots within the City of Spartanburg shall conform to the requirements set forth in the Zoning Ordinance of the City of Spartanburg for the district in which located.

7.8211 Yards and building setback lines:

Where any required yard abuts a street upon which an official building setback line has been established by the City of Spartanburg, such building setback line shall be considered the property line for the purpose of measuring the depth of required yards.

8.822 Lots within the City of Spartanburg and within business or industrial zoning districts:

Minimum dimensions of lots within commercial or industrial zoning districts shall, in the case of each subdivision, be at the discretion of the Commission.

8.823 Lots subdivided on existing streets upon which these regulations have no control:

Although these regulations do not require the approval of a plat of a subdivision of lots upon an existing street, no building permit will be issued for construction upon such lots unless they comply with the minimum requirements of size and area as set forth in the preceding. These requirements are also a part of the "Zoning Ordinance, Spartanburg, South Carolina".

8.824 Lots within the City of Spartanburg upon which septic tanks are to be used: If septic tanks are to be used and soil conditions are such that greater than the minimum lot sizes will be necessary for adequate drainage fields, the necessary increase in lot sizes will be required by the Planning Commission.

8.83 Access to Improved Streets:

Every lot shall abut upon and have access to an improved public street. In the event of large developments that are to be retained upon a single ownership of land and proper design warrants private drives and other arrangements, the street abutment requirement may be waived by the Planning Commission. In no case shall an alley be considered as adequate access.

All lots having ingress-egress, commonly called "curb cuts" from and along S.C. State maintained roads shall be regulated by SCDOT access management regulations.

8.84 Corner lots:

Corner lots shall be given extra width in an amount equal to the minimum lot width

plus 15 feet.

8.85 Double frontage:

Double frontage lots shall not be acceptable unless warranted by extreme conditions. Double frontage lots can be accessed from only one street

***8.86 Pipe Stem or Flag Lots**

Residential lots meeting the definition of pipe stem lots above may be approved by the Planning Commission, provided that such lots:

- a. Have a minimum frontage for ingress, egress and utility installation of not less than fifteen (15) feet; as long as a minimum clear width of twelve (12) feet for emergency vehicle access is provided. The Planning Commission may require a width greater than fifteen (15) feet in order to ensure that adequate space is provided for landscaping, appropriate driveway spacing, or other reasons necessary to ensure compatibility with the existing neighborhood;
- b. Meet the City of Spartanburg' s access standards for driveway placement along the public right of way;
- c. Shall be in fee simple ownership, including the stem portion connecting to the public right of way (lots where, prior to the approval of this Section, an easement has been recorded that provides for access to the public right of way may be approved by the Planning Commission subject to meeting all other requirements of this Section);
- d. Do not include the stem portion of the lot to calculate the minimum lot area, and the front lot line shall be considered the closest line parallel to the public right of way excluding the stem;
- e. Have a developable portion which allows for the siting of a residence that is compatible with the placement and spacing of existing residences on neighboring lots. In order to ensure this, the Planning Commission may require setbacks and yards greater than the minimum required in the District, up to twice the setback and yard requirements of the District. In determining whether a proposed pipe stem lot (or a new subdivision containing pipe stem lots) allows for development compatible with an existing neighborhood, the Planning Commission is not limited solely to the determination of setback and yard dimensions but may also consider other aspects of the proposed lot (or new subdivision), including but not limited to: lot size, placement relative to other existing lots (or in the case of new subdivisions, the number of pipe stem lots proposed relative to standard lots and their layout).

8.87 Access Management:

8.871 Vision Clearance

For the safety of the traveling and pedestrian public, all intersections will maintain a vision clearance triangle. These triangles must be kept clear of all vegetation, walls, or structures between a height of 2½ feet and 10 feet to provide

for safer movement of motorists and pedestrians. Depending on the location, intersections must meet one of the following criteria:

- a. Intersections with stop signs must provide vision clearance by meeting intersection sight distances and sight triangles as described for driveways in the SCDOT Access Management Regulations.
- b. Intersections that either presently contain automated traffic control signals, or have the potential to become thus signalized in the future, shall be designed with a vision clearance triangle as described here. This vision clearance triangle is applied in addition to any sight distance requirements. Vision clearance at these intersections shall be determined by the designation of a triangular area formed by the intersection of the road right-of-way lines and a distance of 40 feet along said lines, connected by a straight line at the points thus determined.

8.872 Corner Clearance

Driveways shall be located to comply with the following minimum corner clearances based on the road classification on which it is located and measured from the intersection of the road right-of-way lines:

Arterial	50 feet
Collector	45 feet
Local	40 feet

Residential Detached activities locating on Local Roads are exempt from this corner clearance requirement.

8.873 Driveway Location

There shall be only one driveway per road frontage allowed for each development parcel of land unless additional driveways are required to meet the following criteria:

- c. The driveway is to be aligned with the other opposing roads or driveways unless such an alignment violates other provisions of this Ordinance.
- d. Driveway installation requires a favorable approval of an encroachment permit application to the South Carolina Department of Transportation or City of Spartanburg Development Services Department, depending on which agency has maintenance responsibility for the road being accessed.
- e. For developments with expected high average daily traffic counts, the South Carolina Department of Transportation or the City of Spartanburg Development Services Department may require a more detailed access plan to be developed and implemented. Such a plan would be required to address the installation of improvements such as deceleration/acceleration lanes, traffic control devices, turn lanes, additional driveways, etc. The developer of the property may choose to prepare a traffic impact study to demonstrate the viability of various access improvements. If such a study is done, it must meet the criteria of the Institute of Transportation Engineers and shall be conducted by a qualified engineer.

Access must be by defined driveways. Continuous access along the road frontage is not allowed.

Residential projects having more than 100 dwelling units shall have two separate access roads at least 24 feet wide. The second access point could be unpaved and accessible only by emergency vehicles.

8.874 Sight Distance

In an effort to provide the safest environment possible for the traveling public, new roadways and driveways will be located at a point which provides optimum sight distance along the roadway. Depending on the location, driveways must meet one of the following criteria:

- f. Access on Arterial, Collector, and Local roads not in a residential subdivision shall be located in a manner to allow at least 100 feet of sight distance for each 10 miles per hour of the speed limit. Sight distance shall be measured from a seeing height of 3½ feet to an object 4¼ feet in height. Sight triangles are then obtained by measuring from a point 15 feet from the edge of the pavement of the road being accessed to the points providing the minimum intersection sight distance in each direction. These triangles must be kept clear of all vegetation, walls, or structures between a height of 2½ and 10 feet to provide for safe movement of motorists and pedestrians.
- g. Roads within residential subdivisions will be considered to have met road design standards for safe stopping sight distances, therefore providing safe driveway locations. This is measured from a seeing height of 3½ feet to an object 6 inches in height. However, where the road design does not meet these standards the Zoning Administrator shall have the authority to require that driveways be located at a point that provides the optimum sight distance along the road way.

8.875 Lots Subject to Flooding

If a lot, or any part thereof, is located within the boundary of designated Flood Plain, as delineated on FEMA Maps for Spartanburg County, panels No. 450176-0001-0275, a notation shall be placed on all Plats stating that the lot, or portion of lot, is located within the boundary of a designated Flood Plain.

8.9 Variances:

Whenever the proposed subdivision is of unusual character, such as a neighborhood unit development or because of extreme topography, variations in the standards, other than minimum dimensional requirements, may be necessary. Such variances will be at the discretion of the Planning Commission.

SECTION 9. IMPROVEMENTS

9.1 The satisfactory completion of the improvements listed below shall be a requisite to the approval of the final plat by the Planning Commission. The required improvements need not be installed within the entire subdivision as represented upon the preliminary plat. The improvements must be installed in any section of the subdivision for which a final plat may be approved for recording. The owner shall not sell or lease or offer for sale or lease, any lots except those within the improved section of the subdivision of which a final plat has been approved and recorded.

9.11 Survey and Markings

All land subdivisions within the jurisdiction of this Ordinance shall be surveyed, platted, and marked in accord with the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, as promulgated by the Code of Laws of South Carolina, 1976, Title 40, Chapter 21. This Manual is hereby adopted by reference and is as much a part of this Ordinance as if contained herein

9.12 Improvements required in subdivisions situated within the City of Spartanburg:

All road improvements constructed in new subdivisions within the jurisdiction of these Regulations shall be done in accordance with the South Carolina Department of Transportation 2007 Standard Specifications for Highway Construction or latest adopted revisions and the SCDOT Standard Drawings for Road Construction. These specifications and standard drawings are available on the SCDOT webpage at www.scdot.org.

9.13 The following requirements shall be met before the final plat is approved by the Planning Commission:

9.131 Grading:

All streets and public ways shall be satisfactorily graded to the grade, alignment, and right-of-way width, as approved on the preliminary plat. In order to avoid steep banks and erosion, the grading of roads shall be carried onto the lots fronting thereon. (See Typical Cross Section in Appendix F for detailed requirements in regard to the maximum slope and grading.) Necessary catch basins, storm drains and culverts crossing under roadways shall be installed.

Engineer is to be informed and an inspection requested by the developer. If any of the work is found to be unsatisfactory, it is to be corrected as specified by the City Manager's Designee. When the required grading is approved by the City Manager's Designee, a certificate approving the alignment and grade of the streets is issued by the City Manager's Designee to the sub-divider. This certificate approving the preliminary plat should be taken by the sub-divider to the office of

the Spartanburg Water Works. Water lines and services shall be installed at this time before further street improvements are made.

9.132 Water Lines:

All subdivisions shall be provided with water supplies and systems conforming to the requirements, rules, and policies of the South Carolina Department of Health and Environmental Control (DHEC), and approved by said agency.

The water supply system shall be adequate to handle domestic demand including fire flow, based on complete development.

9.133 Fire Hydrants:

At the time the water lines are installed fire hydrants shall be installed sufficiently to provide adequate fire protection as specified by the National Board of Fire Underwriters and as approved by the City Fire Marshall. The water supply and distribution system and appurtenances shall be design and constructed in accordance with specifications and standards of the Spartanburg Water System.

9.134 Sewer, drainage and street surfacing:

After approval of the street grading and the installation of water lines and fire hydrants, the sub-divider shall complete the sanitary sewerage system. The sanitary sewer system shall be designed and constructed to standards and specifications of the Spartanburg Sanitary Sewer District. They shall be inspected and approved by the SSSD. Sewer service lines, power and gas lines and services, curb and gutter and storm drainage shall be installed satisfactorily to the City Manager's Designee prior to the approval of the final plat.

9.135 Concrete curb and gutter, concrete sidewalk, concrete driveway:

The work specified in this section consists of the construction of concrete curb and gutter, cement concrete sidewalk, and concrete driveway aprons, on the prepared subgrade in accordance with these specifications and conforming to the dimensions, typical cross section and notes shown on the plans, and to the lines and grades shown on the approved plans.

All concrete shall reach a compressive strength of 3000 psi after 28 days. See the Appendix for driveway, sidewalk and curb and gutter details. Sidewalks are required and shall be a minimum of four (4) feet wide and four (4) inches thick except at points of vehicular crossings, where they shall be designed to handle the loads imposed but will be a minimum of six (6) inches thick.

The design of sidewalks at driveways shall be in accordance with the SCDOT Standard Drawings numbered 720-5 and 720-5A. Sidewalk curb

ramps will be required and shall be designed in accordance with SCDOT Standard Drawing 720-6. See Appendix F.

The sidewalks shall be constructed in accordance with Section 720 of the S.C.D.O.T Standard Specifications for Highway Construction the materials shall be in accordance with Section 701 of the S.C.D.O.T Standard Specifications for Highway Construction.

9.136 Standards for Storm Water Management and Sediment Reduction

All soils disturbing activities created by the subdivision of land shall conform to the City of Spartanburg Storm Water Management Ordinance and a Storm Water Permit must be obtained as a requirement of the subdivision approval by the Planning Commission.

9.137 Clearing and grubbing, subgrade, aggregate base course, asphaltic pavement:

All vegetation, debris, stumps and obstructions shall be cleared from the road right-of-way, utility easements and drainage ditches. Disposal of the debris may be done on site so long as it is done in conformance with Ordinance No. C-47, the Dumping and Filling Ordinance and is not placed in the roadbed or over utility easements.

9.138 Subgrade Preparation

This work consists of the construction and preparation of the subgrade on that part of the roadway intended to receive this pavement, sidewalk, curb, curb and gutter, base course, and shoulders.

After all earthwork has been substantially completed and all drains and structures have been completed and backfilled, the subgrade, when compacted to the satisfaction of the City Manager's Designee, shall conform to the lines, grades, and cross section shown on the plans. Topsoil shall be stripped from the area as to allow only clean dirt in street and utility areas. Topsoil is to be replaced on embankments of street outside curbs and paved areas. All fills to be placed in accordance with SCDOT specifications Sections 205 and 206. Compaction shall be not less than 95% maximum density using suitable construction procedures while the material is at suitable moisture content.

The developer shall request the City Manager's Designee to inspect the subgrade and shall successfully proof roll the subgrade in accordance with SCDOT Standard Specification Section 211 prior to placing the aggregate base course.

If the subgrade is questionable, the Engineer may require the contractor to have compaction tests made by an independent laboratory before the aggregate base course is put down.

9.139 Graded Aggregate Base Course

The graded aggregate base course shall be constructed in accordance with SCDOT Specification Section 305 and shall be six (6) inches thick and placed and rolled to the grades shown on the approved plans. It shall be proof rolled to the approval of the City Manager's Designee prior to the placement of the asphaltic surface course.

9.141 Pavement Surface Course

The pavement surface course shall be mineral aggregate and asphalt cement mixed in a SCDOT approved plant and placed on the aggregate base course in accordance with SCDOT Specification Section 403, and in conformity to the lines, grades and typical sections in the approved subdivision plans. It shall have a minimum compacted thickness of one and one-half inches unless otherwise required by a pavement design required by poor soil conditions and/or extra heavy traffic loading. Surface course Type C shall be used unless otherwise approved by the City Manager's Designee.

9.142 Drainage and Utility Easements

All necessary and required easements for drainage and utilities shall be conveyed by the developer to the city or utility provider by easement agreements in a form acceptable to the easement grantee.

9.143 Sewers, septic tanks and sewer easements

Sanitary sewers are required in all subdivisions located within the City of Spartanburg except in cases where City Council, upon recommendation of the City Manager's Designee, determines that it is impracticable to provide sewer service to the subdivision.

If public sanitary sewers are not accessible to the subdivision, septic tanks may be installed, provided that the South Carolina State Health Department and/or Spartanburg County Health Department approve such installations. Easement shall be provided for future sanitary sewers along the rear and side lot lines to facilitate future sewer construction and connection.

9.3 City Acceptance of the Subdivision improvements

- 9.31** Upon completion of the required improvements, they shall be inspected by the City Engineer; and if satisfactory, a certificate of compliance is issued by the City Manager's Designee.
(see Appendix C)

SECTION 10. VARIANCES, AMENDMENTS & VALIDITY

10.1 Variances and Exceptions:

Whenever the tract to be subdivided is of such size or shape, or is surrounded by such development or unusual conditions that the strict enforcement of the regulations would entail practical difficulties or unnecessary hardships, the Commission may vary or modify them in such a way that the subdivider is allowed to develop his property in a reasonable manner but, at the same time, the public welfare and interests of the City are protected and the general intent and spirit of the Land Development Regulations preserved.

10.2 Amendments:

The Planning Commission may recommend amendments to these rules and regulations, provided that there shall be a public hearing on any proposed amendment by City Council, notice of which shall be given by publication at least once in a local newspaper thirty (30) days prior to the date of the public hearing by City Council and approval of same by City Council. All such amendments shall be adopted by ordinance.

10.3 Validity:

If any section, subsection, sentence, clause, or phrase of these regulations is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of the regulations.

10.4 Penalty Provisions:

Transfer of property in subdivisions prior to approval of plats is not permitted. 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 a plat of a subdivision, before such plat has been approved by the Planning Commission and recorded in the office of the Register of Mesne Conveyance for Spartanburg County where deeds are required to be recorded, shall forfeit and pay a penalty of one hundred dollars (\$100) to the City of Spartanburg, for each lot or parcel 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 of Spartanburg may enjoin such transfer, sale or agreement by action for injunction brought in any court of competent jurisdiction and may also recover such penalty by civil action in any court of competent jurisdiction. The plats referred to in this section mean only such plats as shall designate and establish new streets in a subdivision which is presently to be developed in the City of Spartanburg.

10.5 Appeals. (*)

(A)(1) An appeal from the decision of the Planning Commission must be taken to the circuit court within thirty days after actual notice of the decision.

(2) A property owner whose land is the subject of a decision of the Planning Commission may appeal by filing a notice of appeal with the Circuit Court accompanied by a request for pre-litigation mediation in accordance with Section 6-29-1155.

(B) A notice of appeal and request for pre-litigation mediation must be filed within thirty days after the decision of the board is mailed.

10.6 Request For Mediation. (*)

(A.) If a property owner files a notice of appeal with a request for pre-litigation mediation, the request for mediation must be granted, and the mediation must be conducted in accordance with South Carolina Circuit Court Alternative Dispute Resolution Rules and this section. A person who is not the owner of the property may petition to intervene as a party, and this motion must be granted if the person has a substantial interest in the decision of the planning commission.

(B.) The property owner or his representative, any other person claiming an ownership interest in the property or his representative, and any other person who has been granted leave to intervene pursuant to subsection (A) or his representative must be notified and have the opportunity to attend the mediation. The governmental entity must be represented by at least one person for purposes of mediation.

(C.) Within five working days of a successful mediation, the mediator must provide the parties with a signed copy of the written mediation agreement.

(D.) Before the terms of a mediation settlement may take effect, the mediation settlement must be approved by:

(1) City Council; and

(2) The Circuit Court as provided in subsection (G).

(E.) Any land use or other change agreed to in mediation which affects existing law is effective only as to the real property which is the subject of the mediation, and a settlement agreement sets no precedent as to other parcels of real property.

(F.) If mediation is not successful or if the mediated settlement is not approved by City Council, a property owner may appeal by filing a petition in writing setting forth plainly, fully, and distinctly why the decision is contrary to law. The petition must be filed with the circuit court within thirty days of:

* (Adopted by Ordinance (2/9/04))

- (1) The report of an impasse as provided in the South Carolina Circuit Court Alternative Dispute Resolution Rules; or
- (2) The failure to approve the settlement by City Council of the City of Spartanburg.

(G.) The Circuit Court Judge must approve the settlement if the settlement has a rational basis in accordance with the standards of this chapter. If the mediated settlement is not approved by the court, the judge must schedule a hearing for the parties to present evidence and must issue a written opinion containing findings of law and fact. A party may appeal from the decision:

- (1) In the same manner as provided by law for appeals from other judgments of the circuit court; or
- (2) By filing an appeal pursuant to subsection (F).”

SECTION 11. APPENDICES

- A. SUBDIVISION APPLICATION FORM**
- B. SURVEYOR'S CERTIFICATION**
- C. CITY MANAGER'S DESIGNEE'S CERTIFICATION**
- D. LETTER OF CREDIT/PERFORMANCE BOND AGREEMENT**
- E. ONE YEAR WARRANTY AGREEMENT**
- F. STANDARD DETAILS**

Number of Bldgs: _____ Total Acreage: _____ Miles of New Rd: _____ Maintenance: Public _____ Private _____

Contact Information:

Owner: _____ Phone: _____
_____ Mobile: _____
Fax: _____

CONTACT INFORMATION

Address: _____
City: _____ State: _____ Zip: _____
Email: _____

Developer: _____ Phone: _____
Mobile: _____ Fax: _____
Address: _____
City: _____ State: _____ Zip: _____
Email: _____

Surveyor: _____ Phone _____
Mobile: _____ Fax: _____
Address: _____ City: _____
State: _____ Zip: _____
Email: _____

Engineer: _____ Phone: _____
Mobile: _____ Fax: _____
Address: _____
City: _____ State: _____ Zip: _____
Email: _____

Water District _____ Sewer District _____
Fire District _____

Health Department: _____ (DHEC forms must be taken directly
Census Tract _____
0 Septic 0 Wells _____ to the health department and fee paid)
Council District _____

Contact Person/Agent: _____ Phone: _____
_____ Fax: _____

Address: _____ Email: _____
_____ Date: _____

I hereby certify and agree that I am authorized to make this application and that the above information is true and correct. I hereby authorize the staff of the Planning & Development Dept. to inspect the premises of the above-described property.

APPLICANT OR AGENT FOR APPLICANT SIGNATURE
DATE

APPENDIX "B"

The following inscriptions are to appear upon
all copies of the Final Plat

CERTIFICATE OF SURVEY

I hereby certify that this is an accurate map of an actual survey completed by me on _____, 20____. I hereby state that to my best knowledge, information and belief , the survey shown herein was made in accordance with the requirements of the Minimum Standards Manual for the Practice of land Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein; also there are no visible encroachments or projections other than shown. I also certify that all monuments and property corners have been installed in accordance with Section 8 of the above sighted Minimum Standards.

signature
Registered S. C. Land Surveyor (Engineer)
Professional Title or Number _____

APPENDIX "C"

CITY MANAGER'S DESIGNEE'S CERTIFICATE OF COMPLIANCE

(To be completed in triplicate)

I, _____, City Manager's Designee, City of Spartanburg, South Carolina certify that the improvements for this subdivision have been constructed and completed in accordance with the approved preliminary plat and approved plans and specifications therefore and in conformance with the requirements of the subdivision ordinance of the City of Spartanburg, known as **Land Development Regulations for The city of Spartanburg, South Carolina**

Name _____ of
Subdivision _____

Name _____ of _____ Subdivider

Address _____ of
subdivider _____

Dated this _____ day of _____ A.D.,
19_____

(Sign)

(Official _____ Title)

APPENDIX D
LETTER OF CREDIT AGREEMENT

STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG

This agreement made and entered into this _____ day of _____, 20____, by and between _____ and the City of Spartanburg Planning Commission, hereafter referred to as "Commission".

WITNESSETH

WHEREAS, _____ is the Developer of a residential Subdivision know as _____, located in Spartanburg, South Carolina for which _____ has submitted to and received approval from the Commission of a preliminary plat, and

WHEREAS, the construction and development of _____ is subject to The rules and regulations of the Commission, which rules and regulations require that all improvements be executed together with suitable assurance to the Commission, prior to final plat approval to sell lots, and

WHEREAS, the Developer has petitioned the Commission for permission to enter into an agreement and post suitable assurances for improvements in order to be authorized by the Commission to build upon and/or sell _____ of the Subdivision prior to final plat approval, and

WHEREAS, _____ has procured an irrevocable documentary Letter-of-Credit in the amount of _____ payable to the City of Spartanburg, which assurance has been accepted by the Commission.

NOW THEREFORE, for and in consideration of the premises and the herein after contained warranties, covenants and agreements, the parties agree as follows:

I. The Commission hereby authorizes _____ to build on or sell lots _____ in the subdivision prior to final plat approval.

II. _____ warrants and agrees to and with the Commission:

1. _____ will complete the construction and installation of all improvements on or before _____, and during such period the aforementioned Letter-of-Credit will be maintained in full force and effect.

Upon written request from the Developer, the Commission may grant up to one (1) 90 day extension.

2. _____ has adequate funds and or borrowing power to fully discharge the financial obligations required to complete all improvements in the subdivision and will complete the same in accordance with the standards established by the Commission.

3. _____ will furnish to the Commission such progress reports concerning the construction and installation of the improvements as the Commission may from time to time request, as well as any information and reports as may be requested by the Commission.

4. _____ agrees and acknowledges that houses on lots _____ in this subdivision shall not be occupied until all improvements are installed as required in the City of Spartanburg Land Development Regulations and approved by the appropriate agencies.

5. In the event the Developer has not completed the construction and installation of the aforementioned improvements on or before _____, the Commission, on its own initiative, shall have the right upon notice in writing to _____, to complete the construction and installation of the improvements as submitted, including but not limited to,

- a. employment of such contractors, subcontractors, engineers and surveyors as the Commission, in its sole discretion, deems advisable.
- b. expend such funds as the Commission, in its sole discretion deems advisable.
- c. pay any and all debts for material, labor and equipment arising and accruing in connection with the planning, designing and installation of the improvements completed prior to the time the Commission assumed the completion.
- d. use such materials as the Commission, in its sole discretion, deems advisable.
- e. do and perform such acts and things as the Commission, in its sole discretion, deems advisable.

6. Notwithstanding the aforementioned Letter-of Credit,
 _____ agrees to
 reimburse the Commission for all funds expended by the City of Spartanburg, in the event the City of Spartanburg at any time assumes the completion of improvements, and agrees to indemnify and hold the Commission harmless from any and all claims, demands and causes of action arising out of or in any manner connected with the Commission's completion of the improvements, even if the costs of the same exceed and overrun the amount of the Letter-of-Credit.
7. Failure by the Commission to so notify _____ or to exercise any of its rights hereunder shall not be deemed or construed as a waiver by the Commission to thereafter notify _____ and to invoke any and all of the other provisions hereof.
8. _____ further agrees to properly maintain all roads and other improvements in the subdivision until such time as they are accepted by the City of Spartanburg and to include in all future sales contracts for each lot a statement describing Developer's responsibilities under this agreement and a statement to the effect that the final plat approval for the subdivision has not yet been obtained from the Commission and is contingent upon Developer's completion of improvements in accordance with the City of Spartanburg Land Development Regulations.
9. This agreement has been prepared for the sole benefit of _____ and the parties hereto agree that it will construed liberally in favor of the Commission and all ambiguities shall be resolved in the favor of the Commission.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals on the date above written.

Attested: _____ BY: _____

DEVELOPER

 CITY OF SPARTANBURG PLANNING
 COMMISSION

BY: _____
CHAIRMAN

Attested:

APPENDIX E ONE-YEAR WARRANTY AGREEMENT

STATE OF SOUTH CAROLINA)
AGREEMENT)
COUNTY OF SPARTANBURG)

This agreement entered into this _____ day of _____, 20___, between the City of Spartanburg Planning Commission, hereinafter referred to as Commission, and _____, Herein referred to as Developer.

WITNESSETH:

WHEREAS, _____ is the Developer of record for a project known as _____ located on _____ Road/Street; Tax Map No. _____; and

WHEREAS, the City of Spartanburg Land Development Regulations requires that all improvements, including grading, drainage and paving of roads, in such developments be completed and properly certified by the appropriate agencies as a condition of receiving Final Plat Approval; and

WHEREAS, all grading, drainage and roads in such development have been inspected by the City of Spartanburg City Manager's Designee staff and have been certified as meeting all City of Spartanburg construction and engineering standards; and

WHEREAS, the Developer has applied to the Planning commission for Final Plat Approval of such development and offered _____ road(s) between lot numbers _____ for dedication; and

WHEREAS, the City of Spartanburg Land Development Regulations further requires as a condition of Final Plat Approval that the Developer enter into an agreement with the Commission to repair, upon written notice by the City of Spartanburg at the Developer's expense, all defects in materials and

workmanship which may occur in any grading, drainage or roads accepted by the City of Spartanburg pursuant to the granting of such Final Plat Approval for a period of (1) one year from the date such work is accepted by and dedicated to the City of Spartanburg.

NOW, THEREFORE, for and in consideration of the terms and conditions herein set forth, the parties agree as follows:

1. The Commission grants Final Plat Approval to the above referenced project (known as _____ located on _____ road/street; Tax map No. _____).

2. The Developer agrees to promptly repair, upon written notice by the City of Spartanburg at the Developer's expense, all defects in materials and workmanship which occur in any grading, drainage or roads accepted by the City of Spartanburg pursuant to the granting of Final Plat Approval to the project described in Paragraph 1. above for a period of one (1) year from the date such Final Plat is recorded in the Register of Deeds Office of Spartanburg County evidencing the dedication to the City of Spartanburg of such improvements. Such repairs shall commence within thirty (30) days of receipt of written notice by the Developer provided however, that such length of time may be extended by the City of Spartanburg for good cause shown. If the Developer fails to correct any defects pursuant to these provisions, The City of Spartanburg shall be free to pursue all other available remedies provided for by law.

3. Written notification by the City of Spartanburg may be given and shall be deemed to have been duly given if delivered personally or mailed in any general or branch post office enclosed in a certified or registered postpaid envelope containing the below stated address:

To Developer at: _____

The Developer may at any time change the addresses for the notices by delivering or mailing an aforesaid notice at least five (5) days prior to such change and setting forth the change.

4. This contract cannot be assigned without the prior written approval of the Commission and such written approval shall not be unreasonably withheld.

5. This document contains the entire agreement between the parties and no statement or representation not contained herein shall be valid.

CITY OF SPARTANBURG PLANNING COMMISSION

By: _____

Title: _____

ATTESTED:

DEVELOPER

by: _____

Its Officer or Agent duly authorized to execute this Contract

ATTESTED:

APPENDIX F

ENGINEERING STANDARD DRAWINGS

The City of Spartanburg has adopted the South Carolina Department of Transportation Standard Construction Drawings. These drawings may be downloaded from the SCDOT web page at www.SCDOT.org. The attached drawings are provided as further clarification of the City standards and for handy reference. The Engineering Standards for The City of Spartanburg provide additional design guidelines.

1. Typical Street Cross Sections
2. 18" Barrier Curb and Gutter
3. 24" Barrier Curb and Gutter
4. 18" Roll Curb and Gutter
5. 24" Roll curb and Gutter
6. Standard Concrete Sidewalk
7. Driveway Apron With Grass Strip
8. ADA Sidewalk Curb Ramps
9. Alley Typical Section

10. Type 9 Catch Basin

11. Type 16 Catch Basin

12. Type 17 Catch Basin

13. Type 18 Catch Basin

14. Cul-de-Sac Details

15. Typical Intersection Details