



MINUTES
LAURENS COUNTY PLANNING COMMISSION
SEPTEMBER 21, 2021 – 5:30 P.M.
HISTORIC COURTHOUSE – COUNTY COUNCIL CHAMBERS

Jim Royer, Chairman and Ed Burns, Vice Chairman;
Commission Members - George Austin, Sylvester Grant,
Casey Robinson, Bobby Smith and Abney Smith

COMMISSIONERS PRESENT: Chairman Jim Royer; Vice-Chairman Ed Burns; Commission Members, Casey Robinson, Bobby Smith and Abney Smith.

COMMISSIONERS ABSENT: Commission Members George Austin and Sylvester Grant.

ADMINISTRATIVE STAFF: Dale Satterfield, Director of Public Works, Chuck Bobo, Codes Official and Betty C. Walsh, Clerk to Council.

AGENDA ITEMS : 1.) Call to Order – Chairman Royer; 2.) Invocation; 3.) Pledge of Allegiance; 4.) Approval of Agenda – September 21, 2021; 5.) Approval of Minutes August 16, 2021; 6.) New Business: a.) Grady Hudson Subdivide Parcel #214-00-00-048; b.) James Addy – Construction of Warehouses and water run off and permitting; 7.) Old Business: a.) Clear Creek RV Park - Approval to Develop Park; b.) Bull Hill RV Park - Approval to Develop Park; c.) Review of Subdivision Ordinance Updates; 8.) Public Comments; 9.) Planning Commission Comments; 10.) Adjournment.

CALL TO ORDER – Chairman Royer called the meeting to order at 5:30 P.M.

INVOCATION – Commissioner Bobby Smith led the invocation.

PLEDGE OF ALLEGIANCE – Chairman Jim Royer led the Pledge of Allegiance.

APPROVAL OF AGENDA – SEPTEMBER 21, 2021 – Chairman Royer stated that Public Comments would be moved up on the agenda and that new and old business discussions would be reversed from the order on the agenda.

COMMISSIONER BOBBY SMITH made the MOTION to approve with COMMISSIONER CASEY ROBINSON SECONDDING; VOTE 5-0.

APPROVAL OF MINUTES – AUGUST 16, 2021 – VICE CHAIRMAN ED BURNS made the MOTION to approve with COMMISSIONER ABNER SMITH SECONDDING; VOTE 5-0.

PUBLIC COMMENTS – Chairman Royer opened the floor for public comments at 5:38 P.M.

1.) Barry Woods – Mr. Woods approached the Planning Commission about property he owns on Highway #101 and that he wants to place power outlets – twelve or thirteen – for use by vendors for a couple of events a year. The average stay would be four nights. I am asking for a variance from to allow for the power poles.

Chairman Royer asked if this was for vendor stands only or did it include rv's. Mr. Wood stated that it would be twelve to fifteen poles with meters. Chairman Royer stated that for vendors is one thing and rv's is another. Mr. Wood stated that this area would not be open all the time and it is not an rv park.

Chairman Royer stated that a decision on this matter could not be upheld this afternoon but he will assign Mr. Satterfield and Mr. Bobo to look into the matter and to bring back to the next Planning Commission.

2.) Jenny Petenna – Mrs. Peteanna spoke of the proposed Clear Creek RV Park and how she was committed to support the protection of the land.... “Several years ago, my husband and I contacted the Upstate Forever Land Preservation to follow their guidelines in making our lands a sanctuary for wildlife and the land. There are many migratory species in the area and development will drive them away. The area being used by RVs will encourage those staying there to look for recreation as entertainment and use of the river and hunting. The existing community members will now be afraid to venture into the area with an rv situations near by. Fires, ATV;s and motorcycles will now enter into the picture. Our loss of safety and wildlife concerns us all”.

3.) Resident of Van Patton Community said, “We all are depending on the Planning Commission to help us protect. We welcome Mr. Berrious into the community but have major concerns with a proposed rv park. In this community, the homes are mostly high end homes and to put an rv park in to a residential area is insane. Rv Parks usually bring on transient workers, increased crime”.

4.) George Calwell – “I live just off of the 127 ByPass and have a situation where a I need to sale some land”. Chairman Royer asked if staff was aware of this. Both Mr. Satterfield and Mr. Bobo said that they were not aware of this request. Chairman Royer stated that this is not a workable situation and we can not just take on and approve certain things just off the cuff. Things of this nature need to go to the Codes Office and speak with Mr. Bobo. Mr. Calwell stated that he did go by the office and was told that the Planning Commission would need to approve first.

Mr. Calwell stated that he had another matter of concern that he wished to address where trees were cut and a four inch gas line was place on my property when no one came to me about utilities running through property that I own.

5.) Michael Morgan – “I live in the van Patton Community, just opposite of the proposed rv park and I oppose the placement of the rv park in this location largely due to safety hazards. There are many elevation changes as well as blind curves to deal with here. Accidents do happen here and pulling an rv will only compound the dangers. If allowed this is certainly an accident waiting to happen. Also, all have been misled as to the number of sites proposed. The website even declares different classes of campsite”.

6.) Kevin Williams – “The Van Patton community looks after each other and I live directly across from the proposed park”.

7.) Terry Savetco – “There is a four to six mile stretch of road that poses difficult navigation. Also, allowing this rv park will put the type of growth in this area in a bad situation. We ask for the County Council and the Planning Commission to help us with this unwillful development”.

8.) Grady Hudson – “My property backs up to this property and the creek. The creek is actually on my land and will certainly allow for trespassing of the rv park occupants. This is not good for the Van Patton community”.

9.) Dole Arnold – “Ive lived in this area for over twenty years. This is a heavy traffic area and is the worst place in the world to put an rv park. Property values will be affected and the highway would need modifications”.

Chairman Royer closed the public comments at 6:10 P.M.

OLD BUSINESS:

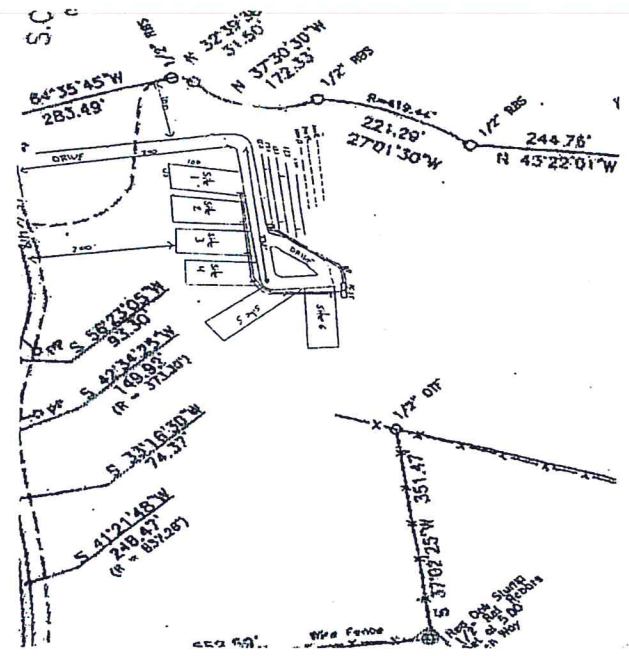
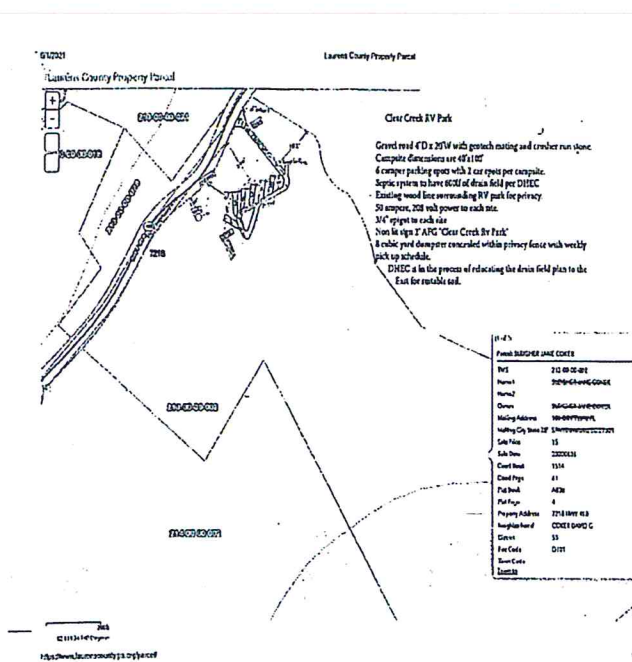
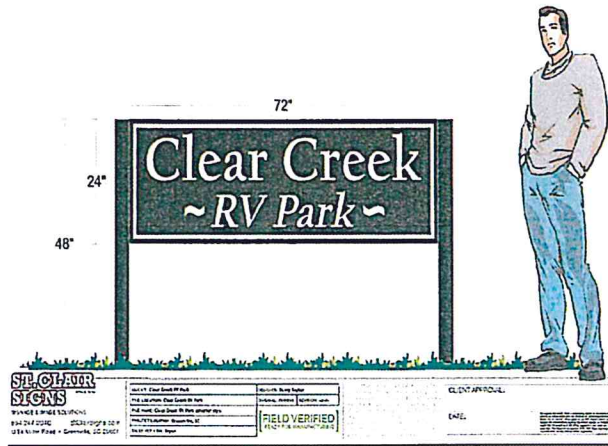
CLEAR CREEK RV PARK - APPROVAL TO DEVELOP PARK – Representing Attorney, Ken Dare, for Clear Creek RV Park approached the Commission saying, “You now have signage and landscape plan for this Park, does the Commission need anything else in order to proceed. This is for a six unit RV Park and is not, and does not have anything to do with the website that his son developed”?

Chairman Royer said, “I have a problem with this presentation tonight. All you are seeking is what is on the plan

EXTERIOR SIGN

Quantity (1) 24”H x 72”W x .75” thick MDO weatherply, double sided sign with black background and white copy

Quantity (2) primed and painted 4” x 4” x 8’ posts with 4’ out of the ground and 2’ direct burial



Codes Official bobo said, “I’ve heard all the comments concerning a possible encroachment permit with the SCDOT and that is a very curvy road and permission needs to be obtained for any county or state road”. Attorney Dare said, “That is understood and we are not trying to do something that may be dangerous and not trying to avoid doing what needs to be done. – There is nothing in a Laurens County Ordinand, “nce that does not allow an RV park to be located there. There is nothing in the ordinance to deny us this use of this property”.

Steve Berrious said, “I have two guys there now that work Evans Construction Company that have said to save us two spots. These guys make one hundred fifty thousand dollars a year. Their mobile homes and travel trailers costs thousands of dollars”.

Chairman Royer asked Mr, Bobo that with seeing now that an encroachment permit is require, would there be any reason in it not being approved.” Mr. Bobo replied that with the traffic speeds in the area and the site radius, the plat does not show much room to move. I think it to be a serious contention”.

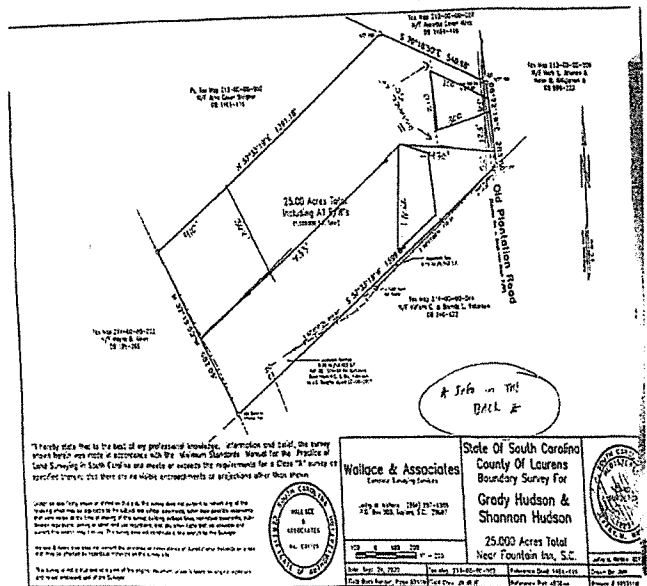
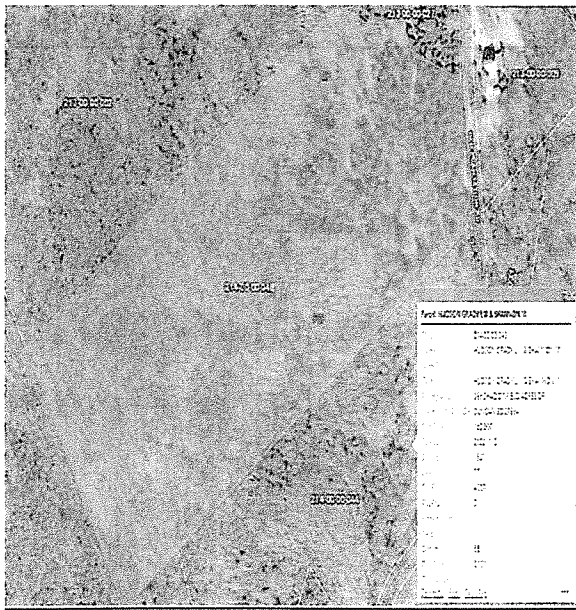
Chairman Royer declared that no decision would be made tonight until something is heard back from the SCDOT concerning encroachment permitting.

BULL HILL RV PARK - APPROVAL TO DEVELOP PARK – This was not discussed among the Planning Commission due to no one being available to address it.

NEW BUSINESS:

GRADY HUDSON SUBDIVIDE PARCEL #214-00-00-048 – Mr. Hudson approached the Planning Commission asking for a variance for property for a forty foot road frontage for his son to be able to acquire fourteen areas on the backside of his twenty five acres on Old Plantation Road in Fountain Inn.

Commissioner Bobby Smith stated that there should be no problems created for the neighbors and future land owners.



COMMISSIONER BOBBY SMITH made the MOTION to approve the variance to 39'-60'-50' with COMMISSIONER ROBINSON SECONDING for discussion.

Amending the motion VICE CHAIRMAN BURNS made the MOTION for the variance to be 39' to 50' with CHAIRMAN ROYER SECONDING; VOTE 2-3 with Commissioners Robinson, Bobby Smith and Abner Smith in opposition.

The original motion VOTES were 3-2 with Commissioners Royer and Burns in opposition.

JAMES ADDY – CONSTRUCTION OF WAREHOUSES AND WATER RUN OFF AND PERMITTING – Mr. Addy approached the Planning Commission with concerns of a project being constructed near his home and other neighbors. Mr. Addy said, "First of all, I do not have a problem with the business being placed there but I do have concerns with the necessary permitting being changed from what was initially approved by DHEC as it relates to runoff."

Continuing Mr. Addy said, “The grading has changed from the initial DHEC certificate as to having two retention ponds to one. There is at least a twenty foot drop to the adjoining homes. We all have tried to terrace the lands due to the present conditions of the area. I ask for help from the Planning Commission with the concerns of runoff and to help with our property rights. Another concern is that I understand there will be stone and gravel placed now with paving later. Gravel is ok now and will allow the ground to absorb but with paving, it will be nothing but runoff”.

Commissioner Abner Smith asked if any of the properties were slopping away from the intended construction. Mr. Addy replied that it all slopes to my property.

Mr. Addy asked for consideration of a proposal to adhere to what the DHEC had already approved with a retention pond on the front end as well – two retention ponds as approved by DHEC.

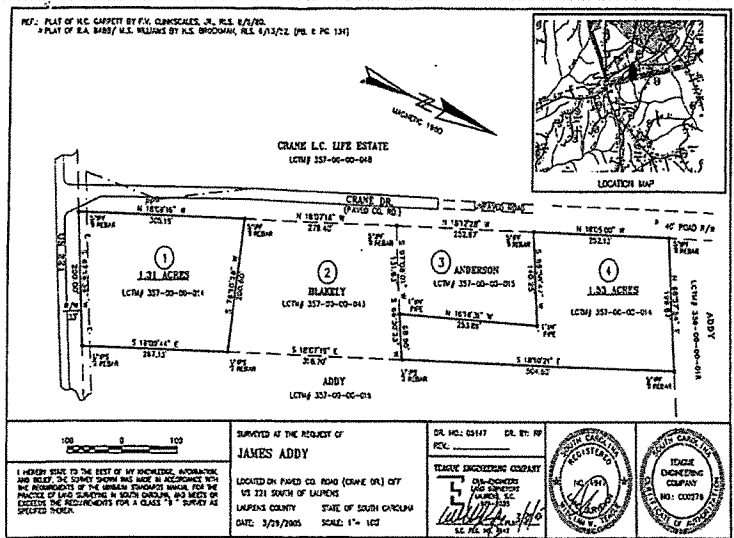
Chairman Royer spoke of the ditches to catch the run off. Mr. Addy replied that the ditches need to be cleaned out by the County with culverts attended to. Mr. Bobo said that Crain Road is a private road. Mr. Addy stated, “It is not; as it is a County road that the County needs to maintain. If I had not spoken up now, there were to be problems later. My cattle drink the water from the creeks that this runoff goes to”.

SUBJECT: PROPOSED STORAGE BUILDING CONSTRUCTION INTERSECTION OF
 HIGHWAY #221 SOUTH AND CRANE TRAILER PARK ROAD

DATE: SEPTEMBER 15, 2021

I wish to be placed on the agenda of the next Planning Commission meeting – September 21, 2021. My intent is to bring my concerns to the Planning Commission of the proposed storage building that is being built next to my personal home and pasture lands as well as other home fronts. I have spoken directly to the property owner of my concerns and that I was not against his project but only wanting to protect my property. He stated that DHEC had already approved the plan. With that said, I made several calls to sources I thought would be able to help. I called DHEC inquiring, and they indicated to me that no plans have changed since the original concept of two retention ponds – front and back. I have also spoken with the Supervisor of the Roads and Bridges Department because of it being a County road. I also spoke with the County Codes Office, because of construction permitting, and was told that they cannot help with the redirection of this project. With DHEC saying that no plans have been changed and no permitting from the County Codes Office has been placed, I am coming to the Planning Commission for help. I am prepared to hire legal services if this cannot be entertained and resolved by the Planning Commission. The points that are of great concern of this construction is as follows:

- 1.) Wastewater is/will be directed to culvert under the road;
- 2.) Only rip-rap stone is in place to slow water to culvert;
- 3.) All wastewater on front of site directed to culvert;
- 4.) Culvert is not capable of the amount of runoff;
- 5.) Wastewater will impact pasture land where terraces are at lower levels
- 6.) Wastewater will then pool in my backyard and eventually cause severe erosion;
- 7.) Wastewater will continue to runoff, impacting the Garrett property next door;
- 8.) Wastewater will runoff into our pastures and invade a creek which is a water source for cattle;
- 9.) Entrance to storage building site will be below site grade and will allow more runoff;
- 10.) DHEC has been contacted concerning permit change from retention pond to rip-rap culvert combo and they have not changed the permit
- 11.) The present design includes gravel. Per developer, paving will come later which will create more runoff;
- 12.) I am not against the proposed storage building but am concerned that the planning, approved by DHEC, are not being followed;
- 13.) Roadway was planned as access to the trailer park previously on the property. Will the existing roadway stand up to the commercial traffic? This roadway provides easement access to my property.



REVIEW OF SUBDIVISION ORDINANCE UPDATES – Chairman royer identified the changes made. A copy is attached and is to be considered as part of these minutes.

CHAIRMAN ROYER made the MOTION to approve as amended and to send on to the County Council. COMMISSIONER BOB VY SMITH SECONDING; VOTE 5-0.

COMMISSION MEMBER COMMENTS:

Commissioner Bobby Smith said, “This Planning Commission hears all the likes and dislikes of the people and property disputes all the while with no guidance to formulate a sound opinion because of no zoning. I would like to see this County come together with a common sense comprehensive land planning and move forward”.

Chairman Royer replied that tuff decision are forced to be made with no zoning. I have lived with and without zoning. Zoning is not as bad as what some people think. It helps to control junkyards and landfills”.

ADJOURNMENT – CHAIRMAN ROYER made the MOTION to adjourn at 7:17 P.M. with VICE CHAIRMAN BURNS SECONDING; VOTE 5-0.

Respectfully Submitted,



Betty C. Walsh
Laurens County Clerk to Council

ORDINANCE #831

STATE OF SOUTH CAROLINA)

COUNTY OF LAURENS)
LAURENS COUNTY

RESIDENTIAL SUBDIVISION ORDINANCE

AN ORDINANCE TO REGULATE THE PLANNING, DESIGN AND CONSTRUCTION OF RESIDENTIAL SUBDIVISIONS IN LAURENS COUNTY, SOUTH CAROLINA. SUCH REGULATION IS IN PURSUANCE OF THE GENERAL WELFARE, MORALS AND SAFETY OF THE CITIZENS OF LAURENS COUNTY.

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SECTION 1 PURPOSE, AUTHORITY AND JURISDICTION

- 1.1 Purpose
- a) The process of converting raw land into building sites is one of the most important factors in the growth of Laurens County. There are few activities that have a more lasting effect upon our community's environment and appearance. Once land is developed, streets and buildings constructed, the basic character of this addition to the County has become firmly established. It is then virtually impossible to change its character without substantial expense, such as encountered in redevelopment projects.
- b) The people of the County, as a whole, have a legitimate interest in the development of subdivisions and these regulations should provide an instrument of control. The ultimate purpose of subdivision regulations is the same as that of all planning regulations, namely, the creation of better communities for its people. Specific objectives of these subdivision regulations are as follows:
- 1.) To encourage well planned subdivisions by establishing adequate standards for construction and design;
 - 2.) To discourage inferior developments which might adversely affect the local tax base.
 - 3.) To secure the rights for the public with respect to streets and utilities;
 - 4.) To improve land records by establishing standards for surveys and plats;
 - 5.) To provide common grounds of understanding between the developer and local government agencies;
 - 6.) To safeguard the interests of the homeowners, the public, the Developer and the various local government agencies.
- 1.2 Authority
- a.) This regulation is enacted pursuant to the authority granted to the county under Title 4 and Title 6 of the South Carolina Code of Laws, 1976 as amended.
 - b.) Hereafter, no plats of a subdivision of land within the area described herein shall be filed or recorded until submitted to and approved by the Laurens County Planning Commission or its Designated Official, and such approval is entered in writing on the plat.
 - c.) Any existing subdivision plat not recorded in the Laurens County Clerk of Court Office at the time of the adoption of these regulations and containing undivided land whose owners desire to subdivide or re-subdivide must comply with these regulations unless specific variance is granted by the Laurens County Planning Commission.
- 1.3 Jurisdiction
- The regulations herein shall apply to all of the unincorporated areas within Laurens County, and to the corporate limits of such municipalities in the County as may designate the County Planning Commission as the official planning commission of such municipality by the agreement specified in 6-29-320, Code of Laws of South Carolina 1976 as amended.

SECTION 2 **DEFINITIONS**

The following words are used throughout these regulations:

Block - The distance as measured along a street between intersecting streets from centerline to centerline; and, where context requires, it also means the enclosed area within the perimeter of the street or property line enclosing it.

Commission - The Laurens County Planning Commission

Designated Official - Employee of Laurens County designated by the Laurens County Administrator to perform certain duties on behalf of the Commission.

Drainage Course - A water course or indenture (ditch) for draining of surface water.

Easement - An easement is a grant by a property owner for the use of a strip of land for access to a parcel of land or for the purpose of constructing and maintaining certain public utilities. These can include, but are not limited to sanitary sewers, water mains, electric lines, telephone lines and cables, storm sewers or storm drainage courses and gas lines.

Engineer-Registered Professional - A person who is registered by the State of South Carolina, pursuant to Chapter 22, Title 40, Code of Laws of South Carolina, 1976, as amended.

Flag Lot - A lot which is connected by a private drive to a public, county, or private road, typically situated behind another lot that abuts the same public, county, or private road.

Individual Waste Disposal System - A system which will treat and dispose of domestic sewage from a single house or residence without creating a nuisance or a potential health hazard.

Lot - A portion of a subdivision or other parcel of land (fronting on or having access to a public road) that is intended as or may become a unit for transfer of ownership or for development or both. The word "lot" includes the words "tract" and "parcel".

Manufactured or Mobile Home Park - Any parcel of land where three or more mobile and/or manufactured homes are placed for a period of time exceeding 30 days, or where three or more lots are set aside for rental or lease basis and which may include buildings, structures, vehicles or enclosures used or intended for use as part of such Manufactured or Mobile Home Park.

Map - A drawing graphically indicating the location of one or more parcels of land.

Parcel Landlocked - Any tract of land that does not border on a street.

Plan - A map showing a plan for the subdivision of land which is submitted for approval and is entered in final form for recording.

Recreational Vehicle - A motor vehicle designed for recreational use and/or temporary residence by an individual or family.

Re-subdivision - A combination or re-combination of previously recorded lots or tracts of contiguous land for the purpose of increasing or decreasing building sites.

Set back - Set back is the building set back line of distance measured from the nearest street or road, right-of-way, [redacted] or water shore line.

Shall - Throughout this text, the word "shall" will be interpreted as mandatory, not directory.

Street - A public way set aside for vehicular traffic affording primary access to abutting property. This excludes private drives serving only one parcel of land.

Street Arterial - A street designed to carry through traffic or to carry intra-county traffic. Arterials are characterized as having access control, channelized intersections, restricted parking and signalization. The concept of service to abutting land is subordinate to the provision of travel service.

Street Collector - A public way designed primarily to connect arterials or to provide access from residential areas to major destination points such as shopping or employment centers and which may be expected to carry a significant volume of traffic having neither origin nor destination on the street, and which is designed as a collector street.

Street Residential - A public or private way set aside for vehicular traffic affording primary access to abutting property. This excludes private drives serving only one parcel of land.

Surveyor Registered Land - A person who is registered by the State of South Carolina as a registered Land Surveyor, pursuant to Chapter 22, Title 40, Code of Laws of South Carolina, as amended 1976.

Subdivider - Any person, firm, corporation or other legal entity subdividing land within the jurisdiction of this Ordinance.

Subdivision Minor - All division of a tract or parcel of land into two (2) or more but less than ten (10) lots, building sites, or other division for the purpose, whether immediate or future, of sale, lease or building development, and does not involve a new street or a change in existing streets.

Subdivision Major - All division of a tract or parcel of land into ten (10) or more lots, building sites, or other division for the purpose, whether immediate or future, of sale, lease or building development, or any division of a tract or parcel of land involving a new street or a change in existing streets. Provided, however, that if within a period of five (5) years from the date of recording the plat, any adjoining and/or contiguous property is developed pursuant to a general scheme and plan of improvement which is intended to enhance the value of each lot, such shall constitute a "major subdivision" under these regulations, notwithstanding the fact that the lots are sold by reference to individual plats.

Tiny Homes - are defined as single family units that have a maximum size of 400 square feet. They must be on a permanent foundations and not attached to a frame/chassis and shall meet the requirements and lot size as outlined in this ordinance.

SECTION 3 GENERAL SUBDIVISION REQUIREMENTS

- 3.1 **Survey Requirements**
All subdivision of a tract or parcel of land into two (2) or more lots, building sites, or other division for the purpose, whether immediate or future, of sale, lease or building development, must have a survey performed by a Registered Land Surveyor and the resultant plat submitted to the Designated Official. Plats should meet the minimum "Standards of Practice Manual for Surveying in South Carolina" as approved by the S.C. Department of Labor, Licensing and Regulation.
- 3.2 **Recording Requirement**
Once approved, a plat shall be recorded by the subdivider in the office of the Clerk of Court for Laurens County within a period of twelve (12) months from the date that approval is granted. After the expiration of twelve (12) months, said approval shall be void.
- 3.3 **Access Requirement**
All newly created parcels of land must be situated on or have direct access to a road meeting the provisions of the current Laurens County Road Standards Ordinance.

a.) **Private Access**
Any flag lot created shall be at a minimum 20 feet of continuous width. The provisions of the 50 foot access shall not be required in the case of a residential subdivision.

b.) **Spacing**
No more than two road access points will be allowed within 200 feet.

- 3.4 **Subdivision Names**
Proposed subdivision names shall not be similar, phonetically or by spelling to any existing subdivision, nor historic homes, monuments or sites as listed on the State and National Historic Register.
- 3.5 **Inspection**
All new land developments are subject to periodic inspection to ensure that the minimum design standards in these regulations are complied with. Inspection personnel shall be employed or retained by the County.

3.6 - Sidewalk & Driveway
Sidewalks will be required on any subdivision with 10 lots or more or where the Planning Commission deems required for safety, i.e. safety of pedestrians, access from residential areas to recreational and educational facilities. In areas where alternative pedestrian systems are provided or subdivisions with large tracts/Lots and road frontage, the elimination of any sidewalks must be approved by the Planning Commission.

At a minimum, sidewalks will be required on at least one side of the street where homes are on both sides, and required when homes are on one side of the street.

Design Specifications:
Sidewalks shall be not less than 4 feet wide and placed parallel to streets, with exceptions permitted to preserve natural features or to provide visual interest where required for pedestrian safety.

Construction Specifications:
Sidewalks shall be installed in accord with the Standard Specifications for Highway Construction Manual, latest edition, as amended. Graded areas shall be planted with grass or treated with other suitable ground cover.

- Except in unusual circumstances, sidewalks must be located outside of the road right-of-way

- and contained within the platted lot:

 - Curb and Gutter - a minimum of 2 feet from the back of curb.
 - No Curb and Gutter – a minimum of 2 feet from the edge of pavement/street or right of way, whichever is greater.
 - No mailboxes or other structures may be located within the sidewalk.

Note: If approved by the county, subdivisions that have internal roadway curb and gutter installation may be granted a 35 foot ROW.

3.7 - Vehicle Parking

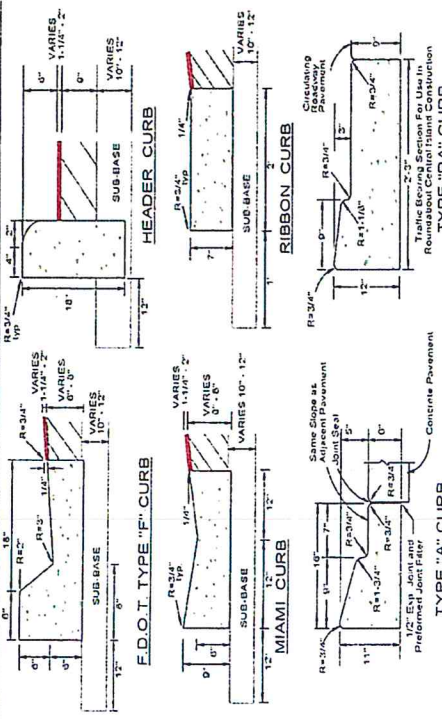
Each constructed resident shall have at a minimum, parking for at least two vehicles. Parking areas will be constructed from either asphalt or concrete.

3.8 - Curb and Gutter

Requirement
Curbs and gutters shall be required and installed along both sides of all streets unless a feasible plan is used and approved in shoulder drainage and swales is adequate to properly remove water.

Design Specifications
Acceptable curb types are illustrated as follows next page:

PUBLIC WORKS & UTILITIES ENGINEERING & DESIGN STANDARDS



- NOTES:**
- 1 ALL CURBS TO BE CONSTRUCTED OF 28 DAY, 3,000 P.S.I. CONCRETE
 - 2 1/2" MINIMUM SPACING FOR AN EXPANSION JOINT REQUIRED EVERY 500'. CONSTRUCTION JOINT
 - 3 1/2" PRE-APPLIED EXPANSION JOINT REQUIRED AT EACH SIDE OF ALL STORM INLET STRUCTURES AND AT ALL RADIUS POINTS
 - 4 CURB AND GUTTER SHALL BE CONSTRUCTED OF APPROVED PROPORTION DENSITY WITH MINIMUM 2.000 P.S.I. COMPRESSIVE STRENGTH
 - 5 EXPANSION JOINT MATERIAL MUST COVER THE ENTIRE CROSS SECTION OF CURB

39 - STREET LANDSCAPE BUFFER STRIP

A parcel of land located adjacent to a county/state street of a platted subdivision.

- The buffer strip may contain specified types and amounts of live plantings for the use in enhancing appearance of the neighborhood.
- The Landscape Buffer shall be maintained by the developer/HOA.
- The Landscape Buffer shall start at the road right-of-way and shall be a minimum of 40 feet in depth. The Landscape Buffer shall be of the measurement/depth to not interfere with utility easements. Landscape Buffer shall be of the measurement/depth as to not allow mature trees to interfere with overhead powerlines. The landscape buffer shall be required along any part of the subdivision that is adjacent to exterior roads.

Construction:

- The county prefers the use of earthen berms and planting material over fencing materials.
- When using earthen berm and planting material, a combination of the earthen berm and planting material height shall be a minimum height of 8 feet above the exterior road surface that the Landscape Buffer is intended for. The minimum height of mature trees used within the landscape buffer shall be 35 feet.
- If fencing material are used in combination with planting materials, any fencing located along the exterior of the subdivision and visible from the street shall be of the same material, color and construction as to have a common aesthetic appearance and a height of not less than 6 feet. Lots that are located behind landscaped berms and the fencing that will not be visible from the street shall not be held to this fencing requirement unless covered by the HOA rules and regulations. Planting material height shall be a minimum height of 8 feet above the exterior road surface that the Landscape Buffer is intended for. The minimum height of mature trees used within the landscape buffer shall be 35 feet.

All landscape buffer plans and materials used shall be approved prior to installation.

*Note: Street landscape buffers are not required for homes that front exterior streets.

40 - COMBINATION OF EXISTING PARCELS AND RESULTANT LOTS (EXEMPTION FROM ORDINANCE 854)

Exemption 1: "The combination or recombination of portions of previously platted lots where the total number of lots is not increased and resultant lots are equal to the standard of this chapter." The combination of existing parcels or recombination of existing parcels that are already recorded allows land owners to clean up parcels of land that may have been subdivided in such a way that is no longer appropriate. This does not increase the number of parcels, but allows for owners to have better lot configurations that meet their needs. This also allows parcel owners to purchase parts of adjacent lands and combine them with their own.

Exemption 2: "A parcel of land that is divided into five (5) or fewer parcels, each parcel being of sufficient size to meet the requirements of the health department, and each parcel is deeded to a member of the owner's immediate family. For the purpose of this paragraph, immediate family is defined as the owner's spouse, another father, sister, brother, children, or grandchildren." This allows for families to give land to other immediate family members. We have generational land owners in Laurens County, and it is a part of our community fabric that families desire to stay intact on land owned by families for several generations. This allows that to happen.

SECTION 4 MINOR SUBDIVISION PROCEDURES

4.1 Plat Submittal

Any subdivider of a parcel that meets the definition of a minor subdivision shall submit a valid plat as described in Section 3.1, to the Designated Official for their review. The Designated Official may approve the plat without the review of the Commission if the subdivision meets the standards set forth in Sections 3, 6, 7, 8, and 9.

4.2 Combining Parcels

Any intended combining of parcels, whether immediate or future must be clearly stated on the submitted plat for the review and approval of the Designated Official.

4.3 Commission Review

The Designated Official may, at their discretion, require the sub divider to submit the plat of a minor subdivision to the Commission for their review and approval regardless if the subdivision meets the standards set forth in Sections 3, 6, 7, 8, and 9. [The designated official at commission may verify the compliance with the additional plat information.](#)

SECTION 5 MAJOR SUBDIVISION PROCEDURES

5.1 Plan Submittal - Informational Content

Prior to making any physical improvements on the potential major subdivision site, the developer shall submit a plan conforming to the design standards here in and additional information to include:

- Location of subdivision on a map indicating surrounding area at an appropriate engineer's scale sufficient to locate the subdivision.
- Map of development at a scale of not less than 1 inch = 200 feet and not more than 1 inch = 50 feet. [Submittal to Surveyor \(minimum of 10 copies\) \(11-30172\)](#)
- Name of subdivision, name and address of owners, the engineer or surveyor and the owner of abutting property and/or properties.
- Boundaries of area to be subdivided with bearings and distances.
- Land use of land to be subdivided plus that of the abutting property and/or properties.
- Acres of land to be subdivided.
- Contour maps, if deemed necessary by the Commission, shall be submitted, provided the existing contour maps are available from which to secure this information.
- The location of existing and proposed easements with their location width and distances.
- Location of existing water courses, culverts, railroads, streets, bridges, etc.
- Utilities on and adjacent to the tract showing proposed connections to existing utility systems.
- Proposed lot lines, lot numbers, dimensions, road easements, and lot acreage.
- North Arrow.
- A drainage plan showing proposed structures, pipe sizes, drainage easements, pipe locations where water will be taken off street and drainage calculations to substantiate the drainage plan. (See Laurens County Erosion and Sediment Control and Stormwater Management Ordinance). Plan to be designed and inspected by properly licensed engineer commissioned by the subdivider.

n) Any deed restriction or restrictive covenants.

10. Landscaping concept plan that shows all entry ways and landscaping along centerline of the subdivision and exterior roads.

11. Current Traffic Study. Unless denied by the S.C.D.O.P., a current traffic study shall be required and include any projections that will be impacted by subdivision traffic.

12. School District the proposed subdivision is located (all grades).

13. Low Open Space Reserving Requirements (OSRR). The percentage of open open space reserved and landscaped, if any, developed.

14. Any information submitted to the Designated Official that is the planning commission should be the original project plan and changes to the approved design may require review and approval by one or all county parties.

5.2 Plan Procedures

a) Copies of the plan of the proposed development shall be presented to the Designated Official at least ~~ten (10)~~ working days prior to the next scheduled Laurens County Planning Commission meeting. ~~All notices shall be submitted as one package to the designated official and will be submitted to the county clerk.~~

~~Prior to the review of the plan by the Commission, the Designated Official shall review the plan and submit with appropriate comments indicating recommendations of approval or disapproval, and if recommending disapproval, shall express reasons in writing. The designated official shall have every attempt to accept and all requested items. The commission members will meet at the scheduled meeting date.~~

c) The action of the Commission and the date of notification to the subdivider shall be recorded in the minutes of the Commission meeting.

d) ~~At least~~ a copy of this decision shall be forwarded to the subdivider by mail, with specific changes required, if any. A copy of the corrected plan shall be resubmitted to the Designated Official for approval.

e) Any interested party may appear and be heard at the Commission meeting. The Commission may require Public Notice be given by the subdivider prior to the scheduled Commission meeting on the proposed subdivision.

f) Approval of the plan shall be noted and certified by the Designated Official on the authorization of the Commission. The date of the Commission's action shall also be recorded on the plat and the subdivider shall be notified within ten (10) days of the Commission's actions.

g) Approval of the plan constitutes general approval of the street alignments, dimensions, layout, shape of lots and proposed road right-of-way. Review of appropriate governmental agencies having jurisdiction and subsequent approvals must be obtained. Any changes made to the plat as a result of this process shall be submitted to the Designated Official for approval. The Designated Official may require the subdivider to resubmit the plat to the Commission for any changes deemed significant by the official.

5.3 Supplemental Information

The following information shall be submitted with all preliminary subdivision plans unless specifically waived by the Designated Official or Commission.

a.) Where the plan for the subdivision includes a lake or pond existing or to be constructed in connection with the development, the plan shall also be accompanied by a profile of the proposed dam structure including all appearances thereto.

b.) The plan shall be accompanied by a tentative centerline profile for each street if deemed necessary by the Designated Official.

c.) A plan for the surface drainage of the tract proposed to be subdivided shall be submitted prior to commencement of grading if deemed necessary by the Designated Official. (See Laurens County Erosion and Sediment Control and Stormwater Management Ordinance).

5.4 Plat Approval and Recording

a.) After the plan has been corrected with regard to any revision or corrections deemed necessary by the Commission or regulatory agency, the subdivider shall prepare a plat for recording. The plat shall be drawn at a scale of 1" = 200' or larger and provide the following:

- 1) Lot numbers
- 2) Block numbers, if applicable
- 3) Phase or section number of subdivision
- 4) North Arrow.
- 5) Street names and right-of-way width.
- 6) Easements for storm drainage, designating location and width.
- 7) Natural drainage systems shall be included as a private drainage easement.
- 8) Easements for water mains and sanitary sewers not located in street right of way and serving more than one user. Such easements shall show location, width and conditions.
- 9) Dimensions and locations of any existing easements or right-of-way with special conditions crossing the property and not located in the right-of-way of a street.
- 10) A statement clarifying whether the property line is in the center of the stream or creek of the traverse line on lots abutting a stream or creek.
- 11) Title block containing the following information: Subdivision name, name of owner, address, registration number and seal of the engineer or surveyor registered in South Carolina and the date that the survey was made.

12. Landscaping concept plan that shows all entry ways and landscaping along centerline of the subdivision and exterior roads.

13. Current Traffic Study. Unless denied by the S.C.D.O.P., a current traffic study shall be required and include any projections that will be impacted by subdivision traffic.

14. A subdivision site plan concept plan shall be submitted with this final subdivision application.

15. School District the proposed subdivision is located (all grades).

b.) The Designated Official will approve the plat on the authority of the Commission. The approved plat may constitute only a portion of the subdivision plan in the proposed development; however, said portion shall conform to and meet all necessary requirements as set forth herein or by the Commission.

c.) Once approved, the plat shall be recorded by the subdivider in the office of the Clerk of Court for Laurens County within a period of twelve (12) months from the date that approval is granted. After the expiration of twelve (12) months, said approval shall be void.

5.5

Performance Bond

Prior to completion of any or all required improvements by the subdivider, the subdivider shall post a performance bond with Laurens County or an irrevocable letter of credit guaranteeing the completion of the improvements in compliance with the requirements in this chapter.

- a) The County shall have the right to refuse a performance bond for any or all required improvements and require construction and installation thereof by the subdivision developer.
- b) Where accepted the performance bond shall:
 - 1) Run to the County.
 - 2) Be in an amount equal to **100** percent of the costs as estimated by the governing authority, of any improvements which have not been constructed, installed and completed in compliance with the requirements of this chapter prior to the posting of the bond and for which sufficient certification has been furnished.
 - 3) Be with surety as approved by the County.
 - 4) Specify that all such required improvements shall be completed in accordance with the requirements of this chapter within a period not to exceed one year from the date of posting the bond; provided, however, that the governing body may, by proper application, for good cause shown, extend the time of completion of all or a part of such improvements for such period of time as it deems is in the public interest.

- 5) Run until and terminate 90 days after filing of the certification of completion and acceptance, unless the Laurens County Planning Commission or County determines that the requirements, standards, and specifications of this chapter applicable to the construction, installation, and completion of such improvements have not been met and notifies the applicant of such determination by certified mail, in which event the bond shall continue to run until the filing of acceptable proof that such standards, requirements, and specifications have been met.

- c) If any or all of the required improvements are not completed within the time specified in the bond, the governing body may let or re-let the contract, and the subdivision developer and performance bond or irrevocable letter of credit shall be severally and jointly liable for the costs thereof to the amount specified for such improvements in the bond.

5.6 **Maintenance and Maintenance Bond**

- a) The Laurens County Planning Commission shall require the posting of a bond by each subdivider to insure proper maintenance of all roadway improvements for a period of three years after the date of the acceptance of the improvements by the governing authority. Such bond shall be either in cash, be made by a surety company approved by the Laurens County Planning Commission and authorized to do business in the state, or be in the form an irrevocable letter of credit by a banking institution licensed to do business in the state and approved by the Laurens County Planning Commission, and shall be payable to the governing authority of the County. The amount of the bond shall be determined by the Designated Official and shall not exceed the estimated market costs of repaving the roadway surface based on similar projects in the area. In the event of a

dispute between the developer and the engineer on such costs, the Designated Official will make the final determination of the amount of the bond. After one year and after two years, the developer may request a roadway inspection by the Designated Official Director. The Designated Official may reduce the bond amount by up to one-third after one year if the roadway shows no signs of failures or construction damage, and may reduce the bond an additional one-third after the second year if the roadway continues to show no sign of failure or damage. In the event that minor repairs or damages are present, the Designated Official may elect to reduce the bond by lesser amounts or not reduce the bond.

- b) The subdivider shall maintain all street improvements and all settlements due to utility installations for a period of three years from the time of acceptance of such improvements by the governing authority. Should the subdivider choose to use the alternate binder as a temporary surface during the development, the required three year bond on the final acceptance may be reduced by one-half of the time from the installation of the binder to the date of the final acceptance after final surface course if the binder shows no areas of deterioration or failure.

- c) The subdivider shall make such adequate provisions as shall be approved by the Designated Official for the perpetual maintenance of all sewer and water facilities in the subdivision until such obligations have been assumed by a government entity.

SECTION 6 DESIGN STANDARDS - LOTS

6.1 Design
 The size, shape and orientation of lots shall be appropriate for the location of the proposed subdivision and for the type of development contemplated.

6.2 Subdivision Lot Access
 All newly developed lots in Laurens County must be situated on or have direct access to a road meeting the provisions of the current Laurens County Road Standards Ordinance, or a road maintained by a public entity. For new subdivisions with 50 or more lots or subdivision expansions that increase to 50 or more lots, all non-emergency ingress and egress points that access county roads shall meet current Laurens County Road Standards.

6.3 Lot Lines
 Side lot lines shall be approximately at right angles to the right-of-way of the street on which the lot fronts.

6.4 Set Back Lines
 All minimum set back lines shall be measured from the street edge of pavement in the right-of-way and wherever is greater. If setbacks are measured line set back measurements from the edge of the sidewalk on the side closest to the building front. Subdivider will place within restrictive covenants the setback lines applicable to the property in question. The Designated Official will be responsible to classify each street as Residential, Collector or Arterial.

6.5 Open Space Residential Development (OSRD) and Arterial Development

- a) Residential Streets
 - 1.) The front setback shall be thirty (30) feet.
 - 2.) The side yard setback shall be thirty (30) feet adjacent to the street (corner lots only).
 - 3.) The principle building setback shall be ten (10) feet side and rear.
- b) Collector Streets
 - 1.) The front setback shall be forty (40) feet.
 - 2.) The side yard setback shall be thirty (30) feet adjacent to the street (corner lots only).
 - 3.) The principle building setback shall be ten (10) feet side and rear.
- c) Arterial Streets
 - 1.) The front setback shall be fifty (50) feet.
 - 2.) The side yard setback shall be thirty (30) feet adjacent to the street (corner lots only)
 - 3.) The principle building setback shall be ten (10) feet side and rear.

6.5 Lots in Flood Plains
 Lots in flood plains shall be subject to the current Floodplain Ordinance.

6.6 Natural Waterways
 In any subdivision, natural waterways shall be kept clear of obstruction. Natural drainage systems shall include a platted private drainage easement.

SECTION 7 DESIGN STANDARDS - LOT DIMENSIONS

7.1 Lot with Public Water and Sewer
 a) Minimum lot area shall be eight thousand (8,000) square feet.
 b) Minimum lot width shall be seventy five (75) feet between side lot lines measured at the front setback line. Corner lots shall have additional width to accommodate the side street setback line required as specified herein. Lots on the circular right of way of a Cul-de-sac street shall have a minimum (30) foot width at the road right of way.
 c) Minimum lot depth shall be as required to meet minimum area requirements as specified in 7.1.a.
 d) No residence (primary building) shall be placed within ten (10) feet of side lot line.

7.2 Open Space Residential Development (OSRD) and Arterial Development
 Additional setback requirements apply.

7.2 Lot with Well and Septic Tank
 a) Minimum lot area shall be one (1) acre.
 b) Minimum lot width shall be one hundred twenty (120) feet between side lot lines measured at the front set back line. Corner lots shall have additional width to accommodate the side street set back line required as specified herein. Lots on the circular right of way of a Cul-de-sac street shall have a minimum (30) foot width at the road right of way.
 c) Minimum lot depth shall be as required to meet minimum area requirement as specified in 7.2.a.
 d) No residence (primary building) shall be placed within ten (10) feet of side lot line.
 e) Lots less than two (2) acres shall require approval from the South Carolina Department of Health and Environmental Control (SCDHEC) for well and septic tank installation prior to subdividing.

7.3 Additional Setback Requirements Apply

7.3 Lot with Public Water and Septic Tank
 a) Minimum lot area shall be twenty-five thousand (25,000) square feet. This shall be exclusive of road right-of-way.
 b) Minimum lot width shall be one hundred (100) feet between side lot lines measured from the front set back line. Corner lots shall have additional width to accommodate the side street set back line required as specified herein. Lots on the circular right of way of a Cul-de-sac street shall have a minimum (30) foot width at the road right of way.
 c) Minimum lot depth shall be as required to meet minimum area requirements as specified in Section 7.3.a.
 d) No residence (primary building) shall be placed within ten (10) feet of side lot line.
 e) Lots less than two (2) acres shall require approval from the South Carolina Department of Health and Environmental Control (SCDHEC) for septic tank installation prior to subdividing.

7.4 Additional Setback Requirements Apply

7.4

Multifamily/Attached Single Family Homes (SFH)/Apartments

This section is for use for Multiple-family residential development such as apartments, townhomes and duplexes, etc.

Attached Single Family Homes (SFH) (Townhomes, duplexes, etc)

- a) **Max Height:** No structure shall exceed a height of 45 feet (see Max Building Height figure)
- b) Minimum lot area shall be six thousand (6,000) square feet
- c) Minimum lot width shall be thirty feet (30) feet between side lot lines measured at the front setback line. Corner lots shall have additional width to accommodate the side street setback line required as specified in this ordinance. Lots on the circular right of way of a Cul-de-sac street shall have a minimum (30) foot width at the road right of way.
- d) **Minimum Side Setback for Units (Minimum SFH Setback)**
- e) Minimum lot depth shall be as required to meet minimum area requirements of 6000 SF.
- f) No minimum distance for side lot line for interior units. When multiple units are together the end units shall have a side lot line distance of 10 feet.
- g) Additional setback requirements under 6.4, if required.
- h) Accessory Building Setback. Accessory buildings may be located in the rear yard, provided they are set back not less than four feet from any lot line and occupy not more than 20 percent of the rear yard.

Apartments

Maximum Density:

Size of Development	Maximum Density
Less than 1 acre	8 units/acre
1 to 5 acres	12 units/acre
More than 5 acres	14 units/acre

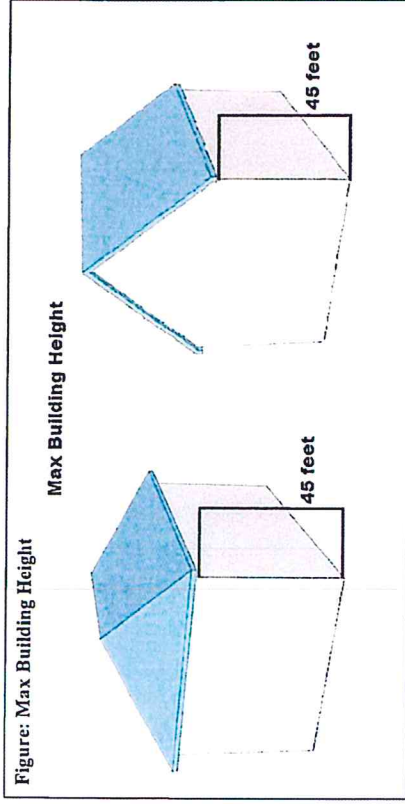
Note: Maximum density may also be limited by other site regulations such as parking standards, buffer requirements, and other dimensional standards. The County makes no guarantee that the indicated maximum density is attainable after accounting for those other provisions.

Setbacks:

- a) **Max Height:** No structure shall exceed a height of 45 feet (see Max Building Height figure)
- b) **Minimum Square Foot (SF)** for lot area, use Maximum Density chart.
- c) No minimum distance for side lot line for interior units. When multiple units are together the end units shall have a side lot line distance of 10 feet.

Setback: (cont):

- d) **Minimum Front Setback** ---- 15 feet
- e) **Minimum Rear** ----- 15 Feet
- f) **Additional setback requirements under 6.4, if required**
- g) **Accessory Building Setback.** Accessory buildings may be located in the rear yard, provided they are set back not less than four feet from any lot line and occupy not more than 20 percent of the rear yard.



- a) Minimum Lot Area - The minimum lot area for Open Space Residential Development shall be 7000 SF. The minimum tract area for an OSRD shall be five acres. The minimum tract area shall consist of contiguous parcels, not divided by an existing public or private road or a recreational or navigable body of water.
- b) Minimum Lot Width - Minimum width shall be Fifty (50) feet between side lot lines measured at the front setback line. Corner lots shall have additional width to accommodate the side street setback line required as specified herein. Lots on the circular right of way of a Cul-de-sac street shall have a minimum (30) foot width at the road right of way.
- c) Minimum depth of the lot shall be as required to meet the 7,000 SF requirements.
- d) No residence (primary building) shall be placed within Six (6) feet of side lot line.
- f) Additional setback requirements under 6.4

Intent

An open space residential development is a residential subdivision in which dwellings are situated on the most developable portion of the site in exchange for the preservation of substantial amounts of open space for environmental and ecological reasons. Open space can be designated for recreational purposes, the availability of recreation areas, active or passive, is conducive to a higher quality of life among residents. By the county allowing the reduction in lot sizes, the developer in turn is providing recreational space for the residents to use to improve their quality of life. Such items include but not limited to are: open space land for recreational purposes, walking trails, playgrounds, BBQ areas, pools, pavilions and clubhouses.

By clustering homes together, public services become more efficient as they require less infrastructure. Building fewer roads, water and sewer lines, and other infrastructure helps keep the construction and maintenance of these services associated with them down.

The purpose of open space development is to provide a method of land development that permits variation in lot sizes without an increase in the overall density of population or development. This allows the subdivision of land into lots of varying sizes which will provide home buyers a choice of lot sizes according to their needs, while at the same time, preserving open space, tree cover, scenic vistas, natural drainage ways, and outstanding natural topography. Such measures prevent soil erosion and flooding by allowing development to occur according to the nature of the terrain; provide larger open areas with greater utility for rest and recreation; and encourage the development of more attractive and economical site design.

Required Open Space

In order for a subdivision to be eligible for OSRD, land must be set aside as open space. All undevelopable land must remain undeveloped.

Undevelopable land includes the following:

1. Areas of steep slopes (30% or greater).
2. Areas within the 100-year floodplain as designated by FEMA.

3. Areas that are designated as wetlands.
4. Areas that are within twenty-five (25) feet of the edge of a waterbody, intermittent or otherwise.
5. Areas that contain existing utility easements or rights of way with explicit restrictions on development.

For each OSRD subdivision, a minimum of twenty-five (25) percent of the total acreage must be set aside as Open Space. In the OSRD, there must be a minimum of 10% of the total acres of the project designated for Altered Open Space and/or Developed Common Areas, for use by the residents as recreational areas. To qualify as Altered or Developed spaces the land must be such that the topography of the land would be suitable for the intended purpose. These areas must be maintained by the Developer and/or HOA.

*No subdivision will be approved without either Altered Open Space and/or Developed Common Areas. Areas designated for use by the residents for recreational purposes shall be maintained by the Developer and/or HOA. The commission has the responsibility to determine if the developer has proposed the adequate combination of recreational areas.

In order for any area to be included as either undisturbed open space, altered open space, or developed common area, it must meet the following requirements:

All open space shall be of meaningful proportions and dimensions so as to be consistent with the intent and purpose of this section. All designated Altered and Developed open space areas shall be accessible to all lots. Accessibility may be established by adjacency to a lot or by a pedestrian walkway (i.e. a sidewalk or footpath). To qualify as Altered or Developed spaces the land must be such that the topography of the land would be suitable for the intended purpose.

Undisturbed Open Space

Undisturbed open space includes areas where no alteration to the physical landscape or vegetation will take place. During the development process, it may be deemed necessary to replace and/or improve vegetation in undisturbed open areas. Such an alteration is acceptable in undisturbed open spaces. Examples of undisturbed open space include wetlands, forested areas, and shrubbery.

Altered Open Space

Altered open space includes areas where the physical landscape and/or vegetation is altered for the benefit of the community. Although not as beneficial to the environment as undisturbed open space, it often provides more active kinds of recreation for the community. Examples of altered open space include playgrounds, ball fields, and cleared fields.

Developed Common Area

Developed common areas include locations where community oriented development/recreation takes place. Although developed common areas are not as beneficial to the environment as undisturbed or altered open space, these areas provide places for active community oriented recreational areas that are important components of a residential neighborhood. Examples of developed common areas include community pools, clubhouses, and pavilions.

SECTION 8 UTILITIES

- 8.1 **Availability of Water and Sewer Services**
 a.) All subdivisions constructed under the provision of these regulations shall be required, if feasible, to install water and sewer lines and connect to public operated utilities. Where any part of the property boundary a subdivision is located within 1,000 feet of a public water system or 300 feet of a public sewer system, the developer must obtain approval from the water or sewer system provider prior to plat review and approval by the Laurens County Planning Commission.
 b.) If water service is not available, the Developer must provide documentation from the water provider that service is not available.
 c.) If sewer service is not available, the Developer must provide documentation from the sewer provider that service is not available. Septic Tank permits from SCDHEC must also be obtained prior to subdividing.
 d.) A public water or sewer system is not obligated to extend or supply service if capacity is not available. If capacity is available, the extension of services shall be by and at the expense of the developer. The water or sewer extensions, both off-site and on-site, must be in accordance with the water or sewer system's requirements and are subject to review, approval, permitting and inspection by the water or sewer provider. Compliance with the water or sewer provider does not relieve the developer from the responsibility to also comply with all local, state and federal regulations.
 e.) Unless guaranteed by bond, escrow account or other approved financial instrument, all water and sewer improvements must be complete, in operation and accepted by the water or sewer provider before the final plat will be approved for recording by the Laurens County Planning Commission.
- 8.2 **Design of Water Supply Systems**
 The developer shall be required to install a water distribution system, including fire protection, in accordance with the standards, procedures, and policies of the water service provider, state drinking water regulations and applicable fire code provision where service is available. The extent of the extension/upgrading of water lines to be installed within a new subdivision will be determined by the water service provider.
- 8.3 **Design of Sanitary Sewer Systems**
 The developer shall be required to provide public sewage disposal systems in accordance with the standards, procedures, and policies of the sewer service provider and state wastewater regulations. The extent of the extension/upgrading of gravity sewer, lift stations and force mains will be determined by the sewer service provider.
- 8.4 **Private Water or Sewer Systems**
 Privately owned water or sewer systems that serve more than one residence shall not be considered for approval without the express written consent of the existing water or sewer provider that has an established territory at the proposed location and a Permit to Construct from SCDHEC. The Developer must also provide documentation to the Laurens County Planning Commission that the system will be viable, self-sustaining and that no other feasible alternative to provide water or sewer service exists.
- 8.5 **Utility Placement on Lots**
 Only utilities owned and maintained by a public utility company may locate their utilities and equipment within the right of way of a street. All privately owned utilities and equipment shall be placed outside of the street right of way.

signature areas of suitable size and location shall be delineated by utility easements. The location and size of such easements shall be coordinated with the public works director. The developer shall provide detailed placement of all utilities.

8.6 Fire Protection and Hydrants

- a) The developer shall be required to install fire protection and hydrants where capacity/flow of the water supply is sufficient for such service as determined by the existing water provider.
- b) All fire hydrants shall meet the specifications of the most current ordinance on Fire Hydrant Standards for Laurens County.

SECTION 9 OTHER IMPROVEMENTS

- 9.1 **Street Trees**
 Any trees or shrubs to be installed on the street right-of-way by the subdivider shall be approved for type and placement by the Designated Official.
- 9.2 **Lot Trees**
 The developer shall make every effort to preserve as many trees as possible and remove only those trees necessary for the development of the lot. This stipulation shall not be a subjective basis for the withholding of approval.
- 9.3 **Signage**
 All subdivision signs must be located outside of any county or state road right-of-way. Signs shall be located with eight feet to the upper and the proposed right-of-way of the new subdivision lot. A subdivision signage contract that shall be submitted with the final subdivision information package.

All signage noting the name or other information about the subdivision shall be reviewed by the Commission for placement, relevance, safety and design. All signage placed for the direction of vehicular traffic does not need review but is the responsibility of the subdivider to ensure that it conforms to the latest edition of the Federal Highway Administration's Manual of Uniform Traffic Control Devices (MUTCD) as well as the South Carolina Department of Transportation (SCDOT) supplement to the MUTCD.

At a minimum, landscape signs shall be located on subdivisions, one-way signs and along any easement. A landscaping contract plan shall be submitted with the final subdivision information package (also see Section 5 for Street Landscape Buffer Strip).

SECTION 10 MANUFACTURED HOME PARKS

Generally, all manufactured home parks constructed, altered or extended after the effective date of the ordinance from which this article is derived shall conform to the regulations of this section. The establishment or expansion of a manufactured home park shall be considered a major subdivision and comply with regulations and procedures set forth in Sections 5, 6, 7, 8, and 9 as well as the following:

- 10.1 Water and Sewer
All proposed parks shall be served by public water and sewer system or other systems, plans of which shall be approved by the South Carolina Department of Health and Environmental Control (SCDHEC) and reviewed by the Commission.
- 10.2 Signage Names
All manufactured home parks containing five (5) or more units must provide a sign of at least six (6) square feet indicating the name of the park. Park names shall not be similar, phonetically or by spelling to any existing subdivision, nor historic homes, monuments or sites as listed on the State and National Historic Register.
- 10.3 Refuse Disposal
Each lot of a manufactured home park must be provided with a refuse container or have access to a centralized refuse container on site, either of which is collected on a weekly basis. Centralized containers must be buffered from sight on three sides with a six (6) foot tall privacy fence constructed of wood or other materials approved by the Designated Official.
- 10.4 Legal Owner and/or Operator Manufactured Home Park
The legal owner and / or operator of the Manufactured Home Park shall at all times operate the park in compliance with the regulations of this ordinance.
- 10.5 Inspection of Manufactured Home Parks
All of the park requirements stated in this ordinance must be inspected and approved by the Designated Official prior to any installation of homes. These requirements must also be maintained as long as the park is in operation. The Building Codes and Inspection Office are hereby authorized to make periodic inspections to review the condition and operation of Manufactured Home Parks located within the jurisdiction of this Ordinance in order that they may perform their duties of safeguarding the health and safety of occupants of Manufactured Home Parks and of the general public.

10.6 Existing Manufactured Home Parks
All manufactured home parks in existence at the time of the adoption of this ordinance can continue to operate at its current capacity. Existing, nonconforming, parks cannot increase their size or number of lots without meeting the requirements of this ordinance.

10.7 Park Permit

It shall be unlawful for any person to construct, alter or extend any manufactured home park within the county unless that person or entity holds a valid park permit issued by the county.

- a) All mobile homes within a park must have set up permits and annual decal license as required by Laurens County.
- b) No public utility shall connect service to any mobile home within a park in the county without proof of a set up permit and annual decal license.
- c) Site Plan Approval Required
All manufactured home park owners must submit a site plan of any proposed manufactured home park to the Designated Official, and such plan must have approval by the Laurens County Planning Commission before any permits can be issued. All applications for manufactured home park permits shall contain the following information:
 - 1) Name and address of the applicant.
 - 2) Interest of the applicant in the development.
 - 3) Location and legal description of the property.
 - 4) Complete engineering plans and specifications of the proposed park showing the following:
 - a) The area and dimensions of the tract of land; including screening between park and adjoining residences or businesses.
 - b) The number, location and size of all lots;
 - c) The location and width of roadways and walkways;
 - d) The location of service buildings and other proposed structures;
 - e) The location of all utility installations.
 - f) The location of septic tanks, field lines and sewer lines;
 - g) Specifications of all buildings to be constructed;
 - h) The location and details of all lighting and electrical systems.

- i) Landscaping concept plan that shows all entry ways and surrounding drive extended to the subdivision and exterior roads.
- j) Current utility status. Unless noted by the SCDHEC a separate utility sheet shall be required and include any easements that will be impacted by subdivision.
- k) Site plan that the proposed subdivision is located on a street.
- l) A subdivision sewage concept plan shall be submitted with the final subdivision plan and utility plan.

Notes: Documents submitted to the Designated Official later to the Planning Commission should be the overall pre-planned and changes to the approved design may require review and approval by one or all county parties.

- d.) Fees As required by the county.

- e.) **Location and Frontage**
A manufactured home park shall be located on property with a minimum frontage of 200 feet on a public street or road.
- f.) **Street Requirement**
Interior roads serving the park shall meet the specifications stated in current Laurens County Road Standard Ordinance.
- g.) **Lot Area and Width**
A manufactured home park shall have a minimum area of three (3) contiguous acres and a maximum of twenty-five (25) contiguous acres and a width of at least 200 feet. Each lot space within the park shall meet the specification of Sections 6 and 7 of this ordinance.
- h.) **Installation and Safety Standards**
All installation shall conform to the current Laurens County Manufactured Home Ordinance.
- i.) **Setbacks**
No manufactured home or other building or structure shall be located closer than 60 feet to any park outer perimeter property boundary. All other setbacks shall meet specifications as stated in Section 6 of this ordinance.
- j.) **Screening**
All new manufactured home parks shall provide screening on any perimeter property boundary if the adjacent property has residential homes or commercial businesses. Screening shall consist of existing vegetation, nursery stock, or both as well as fences, walls, earth berms, or grade changes. The type of screening and placement shall be approved by the Designated Official.
- k.) **Service Buildings**
Accessory structures for the convenience and well-being of park residents are permitted provided they comply with all applicable county ordinances. Such structures may include but are not limited to park management offices, community laundry facilities, community postal facilities, etc.
- l.) **Listing of Manufactured Home Park**
Every person owning or operating a manufactured home park, and each person engaged in the sale or rental of manufactured homes or lots upon which to place manufactured homes, shall furnish to the tax assessor of the county by January 1 of each year parcel identification and number of lots/rental spaces.
- m.) **Register of Park Residents**
Park management/operators must maintain at all times an up-to-date register of all park residents. This register must be made available to any authorized person.
- n.) **Park Manager**
Manufactured home parks with five (5) or more manufactured homes shall have a park manager responsible for maintenance of the park and its manufactured homes, including ensuring compliance with the requirements of this ordinance.

- o.) **Vehicle Parking**
Two off-street parking spaces shall be provided for each manufactured home lot.

SECTION 11 ENFORCEMENT

- 11.1 **Enforcement**
Laurens County Council, by and through its Designated Official, shall have the duty and responsibility to enforce all provisions of the codes adopted by this Ordinance, as may be deemed proper for the welfare, safety and health of the citizens of Laurens County, within the unincorporated areas.
- 11.2 **Designation of Offenses**
Any person, entity or its representative or agent whose acts, actions or failure to act causes a violation of the codes adopted herein shall be issued a Uniform Ordinance Summons, citing said violation. A Uniform Ordinance Summons may be issued by any county official or employee designated as a code enforcement officer and shall not be used to perform any custodial arrest for violations of this ordinance. Any act, action, failure to act or violation of the codes adopted herein is prohibited and declared to be unlawful. Violation of this Ordinance shall constitute a misdemeanor. All violations charged pursuant to a Uniform Ordinance Summons, shall vest in the jurisdiction of the Summary Court for Laurens County. Any bond amount for violations shall be prescribed, set and held by the presiding Magistrate.
- 11.3 **Penalties and Violations**
The penalty for each violation of this Ordinance shall be punishable by a fine of not more than two hundred dollars (\$200) or by imprisonment for not more than thirty (30) days. Each day any violation of this Ordinance continues shall constitute a separate offense.
- 11.4 **Appeals**
The Laurens County Planning Commission shall hear and decide appeals in matters as specified by this Ordinance. Whenever in the opinion of the Commission, the strict application of the requirements contained in these regulations would result in substantial or excessive difficulties and hardships or injustices, the Commission may modify such requirements, providing that the public interests of the County and its citizens are protected and the general intent and spirit of these regulations are preserved. Any person aggrieved by a decision of the Commission may appeal that decision before the Court of Common Pleas

SECTION 12 LEGAL

- 12.1 **Authority**
This Ordinance is adopted pursuant to authority conferred by the South Carolina Code of Laws. This ordinance repeals and replaces Ordinance 418, 509, 553 & 655 in toto.
- 12.2 **Validity**
Should any section or provision of this Ordinance or application of a provision of the Ordinance be declared invalid or unconstitutional by any court of a competent jurisdiction, such declarations shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part or application so declared to be unconstitutional or invalid.

12.3 Conflict with Other Regulations

These regulations shall apply to the unincorporated areas of the county after the adoption of this chapter. However, where sections of this chapter conflict with or overlap one another, or where this chapter conflicts with other county ordinances and/or regulations, whichever imposes the most stringent restrictions shall prevail. State and federal standards shall prevail wherever they conflict with provisions of this chapter.

12.4 Separability

If any section, clause or portion of this Ordinance shall be held by a Court of competent jurisdiction to be invalid or unconstitutional, such finding shall not affect any other section, clause or portion of this Ordinance.

12.5 Amendments

This Ordinance may be amended in the same manner as prescribed by law for its original adoption.

12.6 Effective Date

All provisions of this section and other relevant sections of this Ordinance shall take effect upon enactment by the Laurens County Council according to law.

SECTION 13 ADOPTION

- 13.1 NOW THEREFORE, BE IT ORDAINED, that Laurens County Council adopts the Residential Subdivision Ordinance.

Signature Page