

§ 156.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

The word “SHALL” is always mandatory.

The word “MAY” is permissive.

The word “LOT” includes the words “PLOT” or “PARCEL”.

The word “STRUCTURE” includes the word “BUILDING”.

The word “PERSON” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

“DEVELOPER.” Any person, firm, corporation or other legal entity developing land within the jurisdiction of this chapter. This term is synonymous with the term applicant.

“DEVELOPMENT.” The changing of land characteristics through redevelopment, construction, subdivision into parcels, condominium complexes, commercial parks, shopping centers, industrial parks, manufactured home parks, and similar developments for sale, lease, or any combination of owner and rental characteristics.

“DRAINAGE.” The removal of surface water or groundwater from land by drains, grading or other means.

“DRAINAGE FACILITY.” Any component of the drainage system.

“DRAINAGE SYSTEM.” The system through which water flows from the land, including all water courses, water bodies and wetlands.

“DRIVEWAY.” A paved or unpaved area used for ingress or egress of vehicles, and allowing access from a street to a building or other structure or facility.

“EASEMENT.” A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose and within which the owner of the property shall not erect any permanent structures.

“ESCROW.” A deed, a bond, money, or a piece of property delivered to a third person to be delivered by him to the grantee only upon fulfillment of a condition.

“FINAL PLAT.” The final map of all or a portion of a subdivision which is presented for final approval.

“GREENWAY.” A linear open space established along a natural corridor, such as a river, stream, ridgeline, rail-trail, canal, or other route for conservation, recreation, and shared-use alternative transportation purposes such as pedestrians and cyclists.

“GUTTER.” A shallow channel usually set along a curb or the pavement edge of a road for purposes of catching and carrying off runoff water.

“IMPROVEMENT.” Any man-made, immovable item which becomes part of, placed upon, or is affixed to real estate.

“INDIVIDUAL SEWAGE DISPOSAL SYSTEM.” A septic tank, seepage tile sewage disposal system, or any other approved sewage treatment device serving a single unit.

“STREET.” Any vehicular way which: (1) is an existing state, county or municipal roadway; or (2) is shown upon a plat approved pursuant to law; or (3) is approved by other official action; or (4) is shown on a plat duly filed and recorded in the office of the Clerk of Court prior to the appointment of a Planning Commission and the grant to said Commission of the power to review plats; and includes the land between the street lines, whether improved or unimproved.

“ALLEY.” A public or private street primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.

“ARTERIAL.” A public vehicular way designed to move large volumes of traffic from one point to another.

“COLLECTOR.” A public vehicular way which filters traffic from local streets and conducts it to arterial streets or local traffic generators such as schools, recreation areas, and public parks.

“CUL-DE-SAC.” A local street with only one outlet and having the other end for the reversal of traffic movement.

“EXPRESSWAY.” A public vehicular way with limited access that could have both at-grade intersections and grade separated interchanges.

“LOCAL (MINOR).” A public or private vehicular way designed to provide access to property abutting the right-of-way.

“PRIVATE.” A vehicular way not dedicated for public use or maintenance.

“SUBDIVIDER.” Any person, firm, corporation or other legal entity subdividing land within the jurisdiction of this chapter. This term is synonymous with the term developer.

“SUBDIVISION.” All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, lease, or building development, and includes all division of land involving a new street or a change in existing streets and includes re-subdivision which would involve the further division or relocation of lot lines or 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.

“SUBDIVISION, EXEMPT.” An exempt subdivision is one which meets the following conditions:

- (1) Involves the division of land into parcels of five acres or more where no new street is involved; or

- (2) Includes 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 this chapter and other applicable regulations.
- (3) A subdivision involving cemetery lots.

“SUBDIVISION, MAJOR.” A major subdivision is any subdivision other than an exempt or minor subdivision.

“SUBDIVISION, MINOR.” A minor subdivision is one which does not involve any of the following: (a) the creation of more than a total of five lots; (b) the creation of any new streets; (c) the extension of public water or sewer lines; or (d) the installation of drainage improvements through one or more lots to serve one or more other lots.

“SUBDIVISION, MINOR, FLAG-SHAPED LOT.” An irregular-shaped lot which is created by the subdivision of the rear section of an existing residential lot. The flag section of this new irregular-shaped lot shall be the larger section on which a future single-family residence may be constructed and is located to the rear of the original reduced lot. The pole section of this new irregular-shaped lot shall be the means of access connecting the flag section to the city street or right-of-way, title to which must be conveyed by general warranty deed.

“SURVEYOR.” A person who is registered by the South Carolina State Board of Engineering Examiners to practice land surveying in South Carolina.

§ 156.02 TITLE.

This chapter shall be known as the "Land Development Regulations of the City of Camden, South Carolina".

§ 156.03 AUTHORITY.

This chapter is adopted pursuant to the authority granted under the General Statutes of South Carolina, 1976 Code of Laws, §§ 6-29-1110 through 6-29-1200 and 6-29-1510 through 6-29-1560.

§ 156.04 PURPOSE.

The purpose of this chapter is in keeping with the declaration of intent by the state General Statutes of South Carolina § 6-29-1120, to require the harmonious, orderly and progressive development of land within the city in pursuit of public health, safety, economy, good order, appearance, convenience, morals and the general welfare. In furtherance of this general intent, the regulation of land subdivision is authorized for the following purposes among others:

- (A) To encourage economically sound and stable development;
- (B) To assure the timely provision of required streets, utilities, and other facilities and services to new land developments;
- (C) To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular, bicycle and pedestrian in and through new land developments;

- (D) To assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, and other public purposes; and
- (E) To assure, in general, the wise and timely development of new areas in harmony with the Comprehensive Plan of the city.

§ 156.05 APPLICATION OF CHAPTER.

- (A) The Planning and Development Director shall be responsible for the administration of these regulations.
- (B) No plat for the subdivision of any land within the city shall be filed with or recorded by the Kershaw County Clerk of Court until such plat shall have first been submitted to and approved by the Planning and Development Director or Planning Commission according to procedures set forth by this chapter.
- (C) No permit to develop, construct, or otherwise change land characteristics in the City of Camden shall be issued except in compliance with all applicable provisions of this chapter, Building Codes, and the City of Camden Zoning Ordinance.
- (D) No street or other public way or land shall be accepted or maintained, nor shall any water lines, sewerage, street lighting or similar improvements be extended or connected, nor shall any permit be issued by any department of the municipality for construction of any building or other improvement in any subdivision established hereafter which has not been approved by the Planning Commission.

§ 156.06 VARIANCES.

- (A) Any party in interest may appeal an administrative decision or request a variance from the requirements of this chapter, where the requirements would result in extreme practical difficulties or undue economic hardship. The appeal or variance request shall be taken to the Planning Commission. The Planning Commission shall act within 60 days of receipt of the appeal or variance request.
- (B) The Planning Commission shall approve a variance only upon determination that it:
 - (1) Will not be detrimental to the public health, safety and general welfare of the community.
 - (2) Will not adversely affect the reasonable development of adjacent property.
 - (3) Is justified because of topographic or other special conditions unique to the property involved, as opposed to mere inconvenience or financial disadvantage.
 - (4) Is consistent with the objectives of this chapter and will not have the effect of nullifying the intent or purpose of this chapter or the comprehensive plan.
 - (5) Will not conflict with the intent of the applicable requirements of the city's Zoning Ordinance.

§ 156.07 APPEALS.

- (A) An appeal of a decision of the Planning and Development Director made under a provision of these regulations shall be made to the Planning Commission. The appeal must be filed within thirty (30) days after actual notice of the administrative decision, and shall be heard at the next regular Planning Commission meeting scheduled at least thirty (30) days after the appeal is filed. A decision of the Planning Commission is final.
- (B) An appeal from the decision of the Planning Commission must be taken to Circuit Court within 30 days after actual notice of the decision.
- (C) 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 South Carolina § 6-29-1155.

§ 156.08 AMENDMENTS.

From time to time this chapter may be amended by the City Council, after holding a public hearing thereon, the time and place of which shall be duly advertised in a newspaper of general circulation in the city at least 30 days prior to said hearing; provided, however, that no amendment shall become effective unless it shall have first been submitted to the Planning Commission for review and recommendation. The Planning Commission shall have 30 days within which to submit its report; provided, however, that the Council may waive this requirement and grant an extension of time. If the Planning Commission fails to submit a report within the specified time, it shall be deemed to have approved the amendment.

§ 156.09 INTERPRETATION AND CONFLICT.

- (A) The provisions of this chapter shall be held to be minimum requirements.
- (B) Where the conditions imposed by any provisions of this chapter are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this chapter or any other applicable law, ordinance, resolution, rule or regulation of any kind, the regulations which are more restrictive and impose higher standards or requirements shall govern.

§ 156.10 EFFECTIVE DATE.

This chapter shall take effect and be in force from and after the date of adoption by the City Council.

PROCEDURES FOR PROCESSING SUBDIVISION PLATS

§ 156.20 PURPOSE.

The purpose of this subchapter is to establish a procedure for Planning Commission review and action on applications for subdivisions. The procedure is intended to provide orderly and expeditious processing of such applications.

§ 156.21 ESTABLISHMENT OF REVIEW COMMITTEE.

- (A) There shall be established a Review Committee, who will assist the Planning and Development Director in working with developers to ensure compliance with the requirements of this chapter. The committee will be responsible for the review of minor and major subdivisions, and shall be composed of the following:
- (1) One member of the Planning Commission;
 - (2) Director of Public Utilities;
 - (3) Fire Chief; and
 - (4) A member of Camden Historic Landmarks Commission for the subdivision of any property under the jurisdiction of the Camden Historic Landmarks Commission, as defined by 158.060 or located in the City of Camden Historic District or Kendall Mill Historic District.

§ 156.22 APPLICATION PROCESS.

- (A) Pre-application conference. At the request of the applicant, the Review Committee shall arrange a pre-application conference to discuss the requirements of this chapter; land subdivision practices generally, proposed plans by the applicant, applicable provisions of the comprehensive plan, zoning ordinance, and related matters.
- (B) Sketch plan.
- (1) In addition or as an alternative to the pre-application conference, the applicant may request an informal review of a sketch plan for the proposed development.
 - (2) Applicants seeking sketch plan review shall submit the items stipulated in § 156.31 of this chapter ten days before the sketch plan meeting. These items provide the developer and the Review Committee with an opportunity to discuss the subdivision proposal in its formative stages.
- (C) Assignment. All applications will fall into one of three categories. The Planning and Development Director shall review the application and assign it one of the following categories:
- (1) An exempt subdivision;
 - (2) A minor subdivision; or
 - (3) A major subdivision.
- (D) Complete application. An application shall be complete for purposes of commencing the applicable time period for action when so certified by the Planning and Development Director or designee.
- (E) Filing fees. No subdivision or development shall be approved unless, at the time of application therefore, the applicant pays fees as established by resolution of City Council.

§ 156.23 EXEMPT SUBDIVISIONS.

Applicants requesting approval of an exempt subdivision, as defined by this chapter, shall submit to the Planning and Development Director three copies of said exempt plat, drawn to the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, together with an executed application form, and the prescribed fee. The Planning and Development Director shall advise the applicant of compliance or non-compliance with such standards. When found to be in compliance, the Planning and Development Director shall approve the plat and then the plat shall be submitted to the Planning Commission as a matter of information and shall indicate such fact by signature of the Planning and Development Director upon each copy of the plat for recording, together with the following statement:

"This plat is exempt from the requirements of the Land Development Regulations."

§ 156.24 MINOR SUBDIVISIONS.

- (A) Any applicant requesting approval of a proposed minor subdivision, as defined by this chapter, shall submit to the Planning and Development Director three copies of a sketch plan, together with an executed application form and the prescribed fee. The application shall list any additional representatives that may be allowed to represent the applicant.
- (B) The Planning and Development Director shall review the sketch plan to determine if it meets all of the requirements of this chapter and the applicable zoning district regulations.
- (C) Once a determination is made that a sketch plan meets all the applicable requirements, the applicant shall submit three copies of a final plat for approval.
- (D) Upon determination that the final plat meets all of the requirements of this chapter and the applicable zoning district regulations, the Planning and Development Director shall stamp and sign the plat as approved for recording.
- (E) The Planning and Development Director shall notify the Planning Commission of the approved subdivision at their next regularly scheduled meeting within sixty (60) days of the approval of the application. The Planning and Development Director shall disclose on the Planning Commission agenda any applications for minor subdivisions and whether or not approved.
- (F) Requests for subdivisions of historic property
 - (1) A sketch plan submitted for a minor subdivision of a property under the jurisdiction of the Camden Historic Landmarks Commission, as defined by 158.060, or located in the City of Camden Historic District or Kendall Mill Historic District, shall be submitted to the Planning Commission for consideration at their next regularly scheduled meeting.

- (2) The Planning and Development Director shall call a meeting of the Review Committee within seven (7) days to review the sketch plan. The Committee shall act within fourteen (14) days. The applicant may attend the Review Committee meeting.
- (3) The Planning Commission shall act within sixty (60) days of the receipt of the sketch plan. Failure to act within sixty (60) days shall constitute approval, and the applicant shall be notified in writing of the approval.
- (4) The Planning Commission shall approve, conditionally approve or deny the sketch plan. If the sketch plan is disapproved or approved conditionally, the reasons for such action shall be stated in writing and signed by the Planning and Development Director or designee. The reasons for disapproval shall refer specifically to the parts of the city's comprehensive plan, ordinance or regulation which the plat does not conform. One copy of the reasons shall be retained in the records of the Commission and one copy given to the applicant. On conditional approval, the Commission may require the developer to resubmit the sketch plan with all recommended changes before, approving the plat.
- (5) Once the sketch plan is approved by the Planning Commission, the applicant shall be notified in writing that a final plat may be prepared.
- (6) Upon determination that the final plat meets all of the requirements of the comprehensive plan, this chapter and the applicable zoning district regulations, the Planning and Development Director shall stamp and sign the plat as approved for recording.

§ 156.25 MAJOR SUBDIVISIONS.

- (A) Any applicant requesting approval of a major subdivision, as defined by this chapter, shall submit a sketch plan, preliminary plat, and a final plat in accord with the following procedures.
- (B) Sketch plan approval
 - (1) The applicant shall submit to the Planning and Development Director ten (10) copies of a sketch plan meeting the requirements of §156.31, together with an executed application form and the prescribed fee. The application shall list any additional representatives that may be allowed to represent the applicant.
 - (2) The Planning and Development Director shall review the sketch plan to ensure compliance with this chapter. Once complete, the sketch plan shall be referred to the Review Committee.
 - (3) The Planning and Development Director shall call a meeting of the Review Committee within seven (7) days to review the sketch plan. The Applicant or his representative may attend the Review Committee meeting in order for the committee to ask questions and provide guidance. The Committee shall act

within fourteen (14) days and shall advise the applicant of its comments and concerns, if any.

- (4) The sketch plan shall be forwarded to the Planning Commission, together with a staff report and the comments and recommendations of the Review Committee.
 - (5) Action taken by the Commission shall be at a scheduled meeting within sixty (60) days of the submission of the application.
 - (6) The Applicant shall present the sketch plan to the Planning Commission with a staff report and a copy of the comments from the Review Committee. The Planning Commission shall consider compliance of the proposed subdivision with the requirements of this chapter and the goals and objectives of the Comprehensive Plan.
 - (7) In its deliberations, the Planning Commission shall either approve, approve conditionally, or disapprove the sketch plan. If the sketch plan is disapproved or approved conditionally, the reasons for such action shall be stated in writing and signed by the Planning and Development Director or designee. The reasons for disapproval shall refer specifically to those parts of the city's comprehensive plan, ordinance or regulation with which the sketch plan does not conform. One copy of the reasons shall be retained in the records of the Commission and one copy given to the applicant. On conditional approval, the Commission may require the developer to resubmit the sketch plan with all recommended changes before approving the plan.
 - (8) If the sketch plan is found to conform to all of the requirements of the comprehensive plan and this ordinance, approval shall be given by the Planning Commission and shall be noted in writing by the Planning and Development Director on at least two copies of the sketch plan. One copy shall be retained by the Planning Commission and one copy given to the applicant.
- (C) Preliminary plat approval.
- (1) The applicant shall submit to the Planning and Development Director ten (10) copies of the materials required by §156.32, together with an executed application form, and the prescribed fee.
 - (2) The Planning and Development Director shall within seven (7) days call a meeting of the Review Committee to review the proposed plat. The applicant or his representative may attend the Review Committee meeting. The Committee shall act within fourteen (14) days and shall advise the applicant of its comments and concerns, if any.
 - (3) The preliminary plat shall then be forwarded to the Planning Commission, together with a staff report and the comments and recommendations of the Review Committee.

(4) Action taken by the Planning Commission shall be at a scheduled public meeting within sixty (60) days of the submission of the application. The sixty (60) day time limit may be extended by mutual agreement of the applicant and Planning and Development Director or designee.

(5) In its deliberations, the Planning Commission shall either approve, approve conditionally, or disapprove the plat. If the preliminary plat is disapproved or approved conditionally, the reasons for such action shall be stated in writing and signed by the Planning and Development Director or designee. The reasons for disapproval shall refer specifically to those parts of the city's comprehensive plan or ordinance or regulation with which the plat does not conform. One copy of the reasons shall be retained in the records of the Commission and one copy given to the applicant. On conditional approval, the Commission may require the subdivider to resubmit the preliminary plat with all recommended changes before approving the plat.

(6) If the preliminary plan is found to conform to all of the requirements of the Land Use Regulations of the comprehensive plan and this ordinance, approval shall be given by the Planning Commission and shall be noted in writing by the Planning and Development Director on at least two copies of the preliminary plat. One copy shall be retained by the Planning Commission and one copy given to the applicant.

(D) Effect of preliminary plat approval. Preliminary plat approval shall confer upon the applicant the following rights:

- (1) To proceed under the supervision of the city with the installation of site improvements;
- (2) To proceed with the preparation of a final plat; however,
- (3) Preliminary plat approval shall not authorize the applicant to sell or otherwise transfer lots or parcels within the platted subdivision.

(E) Final plat approval.

- (1) Final plat approval is an administrative action by the Planning and Development Director or designee. No public notice or hearing is required in connection with approval proceedings on final plats.
- (2) An applicant requesting final plat approval shall submit to the Planning and Development Director four copies of the materials specified in § 156.33 of this chapter. The final plat shall show the exact location of all streets and utilities, identifying those portions already installed and those to be installed and/or certified in the amount of improvement guarantees required to assure completion of those improvements not yet installed, as required by this chapter.

- (3) Final plat approval shall be granted or denied within 45 days after submission of a complete application to the Planning and Development Director or within such further time as may be agreed to by the applicant.
 - (4) Upon determination that all conditions for approval have been met, the Planning and Development Director shall sign and stamp the plat as approved for recording. The Planning and Development Director shall not sign and stamp the final plat until the developer has installed all required improvements or has an improvement guarantee approved in accord with this chapter. No subdivision plat, portion or phase thereof shall be accepted for filing by the Office of Register of Deeds for Kershaw County until it has been stamped and signed by the Planning and Development Director or designee.
- (F) Effect of final plat approval. Final plat approval shall confer upon the applicant the following rights:
- (1) To record the plat with the Office of the Register of Deeds for Kershaw County, and
 - (2) To proceed with the transfer of title to and parcels in accord with the approved and recorded plat.

§ 156.29 LAND DEVELOPMENT PROJECTS OTHER THAN A RESIDENTIAL SUBDIVISION.

- (A) No building permit shall be issued for a shopping center; apartment or condominium complex; commercial, business, or industrial park, manufactured home park; or other multi-use or multi occupant project, unless the project is approved by the Planning Commission. In addition, single tenant developments may also require Planning Commission approval of preliminary and/or final drawings as determined by the Planning and Development Director or designee. The applicant will submit to the Planning and Development Director the following:
- (1) A plat and/or site plan with date and scale, showing the actual shape and dimensions of the lot to be built upon; the size, height, and location on the lot of existing and proposed buildings and structures; the intended use of each building; the number of units the building is designed to accommodate; flood and wetland areas; proposed parking, driveways, and interior circulation pattern; building elevations; exterior materials and colors; and contiguous off-site development.
 - (2) Grading and storm water plan.
 - (3) Zoning compliance determination.
 - (4) All required permits of other state and local agencies.
 - (5) A Traffic Impact Analysis that complies with requirements of 156.34.
- (B) (1) The Planning and Development Director shall transfer the application together with the above data to the Planning Commission for review. The Planning Commission shall evaluate the application and the following design and improvement criteria.

(2) Project design criteria.

- (a) Ingress and egress to the project site shall be designed to maximize automotive, bicycle and pedestrian safety and facilitate traffic flow.
- (b) Off-street parking, off street loading, refuse, and service areas shall be designed to minimize their visual and physical impact on neighboring property.
- (c) Street right-of-way and pavement construction shall be adequate to accommodate the type and volume of traffic anticipated.
- (d) The project shall be designed in harmony with its physical surroundings and in such a manner as to ensure land use compatibility.
- (e) Where the project will create a need for off-site improvements, including improvements to streets, drainage systems, sidewalks, and curbs, the Planning Commission may require the installation of such improvements as a condition of approval.
- (f) Other items as required by the Zoning Ordinance or Land Development Ordinance or City Policies or Procedures.

(C) Project approval.

- (1) If, upon review of these standards, the project is determined to be in compliance, the Planning Commission shall approve the land development application. Upon approval of the drawings by the Building Official, Fire Official, Public Utilities, and other departments as required, a building permit will be issued.
- (2) Any proposed changes to an approved project shall be resubmitted and reevaluated in light of the above.

SPECIFICATION OF PLAT REQUIREMENTS AND DOCUMENTS TO BE SUBMITTED

§ 156.30 PURPOSE.

The documents to be submitted are intended to provide the Planning Commission with sufficient information and data to assure compliance with all applicable codes and specifications and ensure that the proposed subdivision meets the design and improvement standards contained in this chapter.

§ 156.31 REQUIREMENTS FOR SKETCH PLANS.

Sketch plans shall be clearly and legibly drawn to a scale not less than one inch equal to 100 feet. Plan sheets must not be smaller than 8.5”x 11” or larger than 24” x 36”. A line legend will be included in the plan. The sketch plan shall contain at least the following data, legibly drawn to scale, but not necessarily showing precise dimensions:

- (A) Proposed name of subdivision, which shall not duplicate or approximate the name of any other subdivision, or the name of the city.
- (B) Name and address of subdivider and/or owner/applicant.
- (C) North arrow, scale and date, including revision dates.
- (D) Tract boundaries, tax map survey number(s) and acreage.
- (E) Significant topographical features, including location of water courses.
- (F) Location and names of existing streets in vicinity of tract.
- (G) Approximate location of proposed street pattern and sidewalks.
- (H) Existing and proposed land use and zoning.
- (I) Time schedule if proposed for development in phases.
- (J) Proposed lot layout, average size and number of lots.
- (K) Vicinity or location map, showing the relationship between the proposed subdivision and the surrounding areas, specifically identifying shopping centers, churches, schools, parks, and the like.

§ 156.32 REQUIREMENTS FOR PRELIMINARY PLATS.

Preliminary plats shall be clearly and legibly drawn to a scale not less than one inch equal to 100 feet. Plat sheets must not be smaller than 11" x 17" or larger than 24" x 36". A line legend will be included in the plat. If a preliminary plat requires more than one sheet, a key diagram showing relative location of the several sections shall be drawn on each sheet. In addition to the information called for by § 156.31, preliminary plats shall contain or be accompanied by the following information:

- (A) Correct courses and distances to the nearest established street lines or official monument which accurately describe the location of the plat and are accurately tied to the primary control points of the subdivision development.
- (B) Contour lines at vertical intervals of at least two feet for land with an average natural slope of 4% or less and at intervals of at least five feet for land with an average natural slope exceeding 4%. The location and elevation of the benchmark to which contour elevations refer shall be shown.
- (C) All existing municipal boundaries, property lines, rights-of-way, easements, railroads, sewer lines, fire hydrants, utility transmission lines, culverts, bridges, storm drainage ditches, water courses, building, special flood hazard areas as determined by the Federal Insurance Rate Maps for the city, wooded areas, and all other significant manmade or natural features within the proposed subdivision development and within 50 feet outside the boundaries of the proposed subdivision development.

- (D) Construction plans and specifications for streets to include the layout and cross sections of streets.
- (E) Lot lines, lot dimensions, lot and block numbers, and minimum building setback lines along street rights-of-way and rear and side property lines.
- (F) Construction plans and specifications for sanitary sewers, storm sewers, water, and gas lines, showing connections to existing systems or proposals for developing new water supply, storm water, and sewerage disposal systems.
- (G) Plans for the protection of soils on the site from wash, erosion and other drainage during the course of the construction period.
- (H) Easements and rights-of-way, including location, dimension, and purposes.
- (I) Contour changes to be made by grading.
- (J) Parks, school sites, and other areas designated for public use if any, with any conditions governing their use.
- (K) Development schedule for infrastructure, roads, and buffer yards.
- (L) Title, name, address, telephone number, and signature of the South Carolina Registered Engineer and Surveyor responsible for preparation of the plans with plan preparation date, including revision dates.
- (M) The type of mail delivery approved by the US Postal Service, and if Cluster Mailbox Units (CBUs) are required, the location of the CBUs.
- (N) A Traffic Impact Analysis that complies with requirements of 156.34.

§ 156.33 REQUIREMENTS FOR FINAL PLATS.

- (A) A final plat shall contain or be accompanied by the following:
 - (1) Name of the development under the title of “Final Plat”.
 - (2) Name, address and telephone number of subdivider and/or owner/applicant.
 - (3) Name, address and telephone number of the person responsible for the development’s design, design of any public improvements, and any surveys.
 - (4) North arrow, scale and date, including revision dates.
 - (5) Tract boundaries, tax map survey number(s) and acreage.
 - (6) Correct courses and distances to the nearest established street lines or official monument which accurately describe the location of the plat and are accurately tied to the primary control points of the development.

- (7) The location of special flood hazard areas as determined by the Federal Insurance Rate Maps for the city.
- (8) Lot lines, lot dimensions, lot and block numbers, layout of streets, street names, and street addresses approved per Kershaw County E911 Addressing Office.
- (9) Other easements and rights-of-way, including location, dimension, and purpose.
- (10) As-built drawings of sanitary sewer system with grade, pipe sizes, points of discharge, and pipe invert elevations.
- (11) As-built drawings of stormwater sewer system with grade, pipe size and location of outlets, and pipe invert elevations.
- (12) As-built drawings of water system with pipe sizes and location of hydrants and valves.

(B) Certification requirements. The following certificates shall be lettered or printed on the face of the final plat:

(1) Surveyor certification. The signature, seal and certification of a registered professional land surveyor to the effect that the final plat accurately reflects a survey made by him, that any changes from the description appearing in the last record transfer of land contained in the final plat are so indicated, that all monuments shown thereon actually exist or will be installed and their position is accurately shown, and that all dimensional and geodetic details are correct.

(2) Certification by Planning Commission.

The subdivision plat shown hereon has been found to comply with the Land Development Regulations of the City of Camden, South Carolina, and has been approved for recording in the office of the Register of Deeds of Kershaw County, South Carolina.

Date

Planning and Development Director

(3) Certification by DHEC. The developer will be required to provide written approval from DHEC of water and sewer design.

(C) Improvement guarantee. Certification that all required improvements have been installed or financial guarantees, as required by this chapter shall be submitted to the Planning Commission along with the final plat. Approval of the final plat shall not be granted in the absence of such improvements or guarantees.

(D) A digital version of the final plat and accompanying documentation shall be submitted in addition to the hardcopy version. The digital version shall meet the following requirements:

(1) A completed digital drawing in Esri format (Shapefiles or Geodatabase) is preferred, and will expedite the approval process. AutoCAD format (DWG or DXF) can also be accepted. All files should be to scale.

- (2) This digital format drawing shall be a replica of any data required and/or included on the submitted hard copy drawing/document.
- (3) An Adobe compatible PDF file of the drawing that will plot to scale must be submitted.
 - (4) This data must be provided on standard transfer media or by electronic transfer (CD-ROM, flash drive, or E-mail attachment). The submitted transfer media shall be labeled with the project name (subdivision name, or accepted job name, etc.), filing date, registered land surveyor or professional engineer's name and any other established project identifier.
 - (5) All drawings will be constructed in the NAD83 State Plane South Carolina FIPS Code 3900. These coordinates must be established within sub-meter accuracy. The unit of measure to be used shall be International Foot.

§ 156.34 REQUIREMENTS FOR TRAFFIC IMPACT ANALYSIS (TIA).

- (A) A TIA shall be required as part of any application for a major subdivision, site plan, or general development plat where:
 - (1) The Planning and Development Director determines that the proposed development will generate at least 50 new peak hour trips, or
 - (2) The applicant is requesting or is required to provide more than one access point or curb cut.
- (B) Exemptions to the TIA requirement. The requirement for a TIA may be exempted for projects located in the area of the Central Business District where off-street parking is not required by the city's Zoning Ordinance.
- (C) Preparation of the TIA. The TIA shall be prepared and sealed by an engineer registered in the State of South Carolina specializing in traffic/transportation and with experience in preparing TIAs. The applicant or developer shall provide the TIA to SCDOT for review in cases where the TIA includes evaluation of streets owned by SCDOT.
- (D) Mitigation Measures. In the event that the TIA identifies areas where the Level of Service (LOS) is reduced below a LOS C, the applicant shall identify mitigation measures that will be constructed to ensure an adequate LOS. A LOS D may be acceptable on state-owned streets if approved by SCDOT. Mitigation measures that may be used include the following:
 - (1) Improvements in connectivity internal to the site or between sites including improvement and easements
 - (2) New road connections to improve connectivity
 - (3) Access controls
 - (4) Median islands

- (5) Intersection signalization
 - (6) Addition of turn lanes
 - (7) Pedestrian and transit infrastructure such as sidewalks, crosswalks or bus stops
 - (8) Pavement widening
 - (9) New road construction, either off-site or internal to the site, that provides connectivity in the impacted area
- (E) Phased implementation. In the event that the project is constructed in phases, construction of necessary traffic improvements shall be completed within the phase in which the mitigation measure is identified. Approvals required for plats or site plans for project phases subsequent to a phase which a traffic improvement is required may be approved only if an Improvement Guarantee is approved by City Council.

§ 156.35 VESTED RIGHTS.

- (A) A vested right in a specific land development plan shall not attach until the final plat and necessary documentation has received final approval by the Planning Commission. All administrative appeals must be resolved in favor of the applicant before a vested right attaches. Upon approval, such vested right must attach prior to the issuance of a building permit and prior to the authorization to proceed with investment in infrastructure. Any subsequent changes to the proposed development plan must be approved by the Planning Commission.
- (B) A vested right is established for two years after final approval of preliminary plat. Such vested right shall receive five one- year extensions upon proper application by the landowner in each year that an extension is desired unless an amendment to the land development regulation has been adopted which prohibits approval.
- (C) A vested Site Specific Development Plan is subject to later enacted laws adopted to protect public health, safety, and welfare, including, but not limited to, building, fire, plumbing, electrical, and mechanical codes and nonconforming structure and use regulations which do not provide for the grand-fathering of the vested right. The issuance of a building permit vests the specific construction project authorized by the building permit to the standard codes enforced at the time of the issuance of the building permit.
- (D) A vested Site Specific Development Plan will be subject to subsequent overlay zoning that imposes plan-related requirements but such zoning cannot affect allowable types, height as it affects density or intensity of uses, or density or intensity of uses which was previously approved.
- (E) The Board of Zoning Appeals does not have the authority to grant a vested right and no such right shall accrue as a result of their decision. Variances do not create a vested right.
- (F) A vested right is subject to revocation by the Planning Commission upon its determination, after notice and public hearing, that there was a material misrepresentation

by the landowner or substantial noncompliance with the terms and conditions of the original or amended approval.

DESIGN STANDARDS AND REQUIRED IMPROVEMENTS

§ 156.40 PURPOSE.

The purpose of design and improvement standards is to create functional and attractive subdivisions, to minimize adverse impacts, and to ensure that a project will be an asset to the city. To promote this purpose, all proposed subdivisions shall conform to the following standards.

§ 156.41 SITE DESIGN STANDARDS, GENERALLY.

- (A) Site analysis. An analysis shall be made of characteristics of the subdivision site: such as site context; geology and soil; topography; ecology; existing vegetation, structures, and road networks; visual features; and past and present use of the site.
- (B) Subdivision design, generally.
 - (1) Design of a subdivision shall take into consideration all existing local plans for the city, and shall be based on the site analysis. To the maximum extent practicable, development shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alteration of natural features.
 - (2) The following specific areas shall be preserved to the extent consistent with the reasonable utilization of the site.
 - (a) Unique and/or fragile areas, including wetlands as defined in Sec. 404, Federal Water Pollution Control Act Amendments of 1972, as determined by the U.S. Corps of Engineers.
 - (b) The developer is encouraged to arrange streets, lots, and other improvements in order to preserve and protect natural features of the property. The developer shall comply with the tree protection section of the zoning ordinance.
 - (c) Lands in special flood hazard areas, as determined by the Federal Insurance Rate Maps for the city, except as provided herein and in related regulations.
 - (d) Habitats of endangered wildlife, as identified on federal and state lists; and
 - (e) Historically significant structures and sites, as listed on federal, state, and/or local lists of historic places.
 - (3) The development shall be laid out to avoid adversely affecting ground water and aquifer recharge; to reduce cut and fill; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to and sites; and to mitigate adverse effects of shadow, noise, odor, traffic, drainage, and utilities on neighboring properties.

§ 156.42 STREETS.

(A) Circulation system design.

- (1) The street system shall be designed to permit the safe, efficient, and orderly movement of traffic; to facilitate pedestrian, bicycle, and other non-automotive modes of transportation; to meet, but not exceed the needs of the present and future population served; to have a simple and logical pattern; connect to existing facilities such as residential, educational and commercial areas; to respect natural features and topography; and to present an attractive streetscape.
- (2) In residential subdivisions, the street system shall be designed to serve the needs of the neighborhood and to discourage use by through traffic. Subdivisions with more than 30 houses will require two entrances.
- (3) The developer shall be required to obtain all necessary permits from the city and/or SC Department of Transportation regarding new intersections, curb cuts, traffic control, and related matters.
- (4) In residential subdivisions, driveways for individual lots cannot discharge onto a street whose speed limit is more than 35 mph unless the spacing of driveways complies with the SC Department of Transportation regulations.
- (5) The design of proposed streets shall consider including facilities to improve access for bicyclists and pedestrians as required by the Complete Streets policy adopted by City Council. The Kershaw County Bicycle, Pedestrian and Greenway plan should be consulted for recommended facilities.
- (6) The *Urban Bikeway Design Guide* and the *Urban Street Design Guide* by the National Association of City Transportation Officials (NACTO) are hereby incorporated by reference as acceptable guidelines for the design of bicycle facilities and streets.

(B) Streets to be public. All streets shall be public dedicated streets and improved accordingly with the provisions of this chapter, except where private streets are allowed pursuant to Chapter 157 for Planned Development District projects; provided such streets meet the design and construction standards of this section.

(C) Layout and alignment.

- (1) 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 subdivision.
- (2) All streets shall be opened to the exterior property lines of the subdivision unless permanently terminated by a vehicular turn around or an intersection with another street.
- (3) Reserve strips controlling access to streets are prohibited except where their control is placed with the city under conditions approved by the Planning Commission.

- (4) The arrangement of streets shall be such as will not cause hardship to owners of adjoining property in providing convenient access.
- (5) No half streets (single lane) shall be permitted.
- (6) Landscaping and trees planted in the city right of way requires approval of the Utilities Department.

(D) Alleys.

- (1) Alleys are permitted in residential districts only by approval of the Planning Commission.
- (2) Paved alleys shall be permitted in commercial and industrial developments to provide service access, off-street loading and unloading, and parking consistent with and adequate for the uses proposed.
- (3) Dead-end alleys should be avoided, but where necessary shall be provided with adequate turn-around facilities at the dead-end, as determined by the Fire Official.

(E) Cul-de-sacs.

In general, streets with one end permanently closed shall be avoided unless topographic conditions and/or exterior lot line configurations offer no practical alternatives for connection or through traffic. Cul-de-sacs, if permitted, shall not exceed 1800 feet in length in single-family residential areas and 1000 feet in multi-family or commercial areas as measured from the nearest intersection with a street providing through access (not a cul-de sac). The closed end of a cul-de-sac shall be a minimum of 100 feet in diameter as measured from the back of the curb.

(F) Intersections.

- (1) Not more than two streets shall intersect at any one point.
- (2) All streets shall intersect as nearly at 90° right angles as possible, subject to variations approved by the Planning Commission upon evidence of good cause.
- (3) Streets entering upon opposite sides of a given street shall have their center lines directly opposite or shall be off-set a minimum distance of 200 feet, measured along the centerline of the streets being intersected, except that street jogs shall not be permitted at street intersections involving continuous traffic movement.
- (4) Street intersections shall be located at least 200 feet from the right-of-way of any railroad track, measured from the center point of the intersection to the railroad right-of-way line nearest the intersection.
- (5) Private driveways shall not intersect a public street within 50 feet of an intersection, measured from the street right-of- way.

(G) Right-of-way, lane and pavement widths. Minimum street right- of-way, lane and pavement widths shall be as follows:

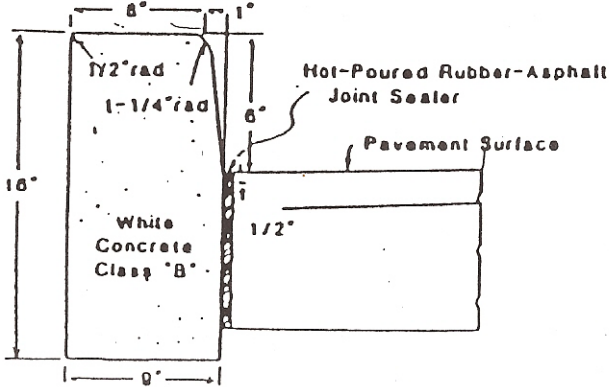
<i>Classification</i>	<i>Lane Width</i>	<i>Pavement Width</i>	<i>Right-of-way Width</i>
<u>Public Streets</u>			
Local (minor)	10	24	50
with parking (one side)	10	34	50
Collector	11	28	66
with turning lane	11	40	66
Arterial			
4 lane	12	52	80
with service lanes	12	70	100
controlled access	12	70	120
Alley	9	18	22
One-way, with median	18	18	70
<u>Private streets</u>	8	18	50
<u>Sidewalks</u>	5	5	-
<u>Bicycle Lane</u>	5	5	-

(H) Required improvements. All public streets shall be cut, graded, stabilized and paved in accord with the South Carolina Department of Transportation Standard Specifications for Highway Construction Manual, latest edition, as amended. Paving of approved private streets is not required; however, such streets shall be cut, graded and stabilized in accord with the above referenced manual. The developer shall provide driveway culverts, storm drainage system design, pipe, catch basins, man holes, and the like in accordance with the South Carolina Department of Transportation Standard Specifications for Highway Construction Manual, latest edition, as amended.

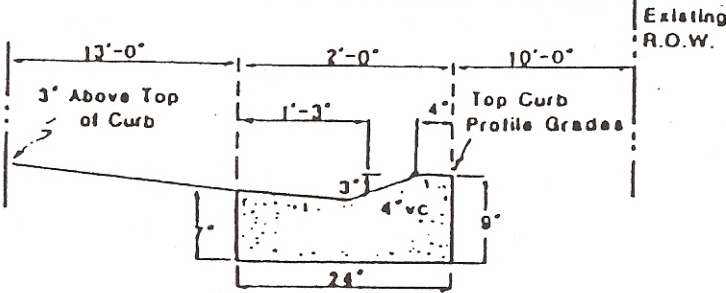
§ 156.43 CURB AND GUTTER.

- (A) Requirement. Curbs and gutters shall be required and installed along both sides of all public streets.
- (B) Construction specifications. Curbs and gutters shall be constructed in accordance with Section 720 of the Standard Specifications for Highway Construction Manual, latest edition, as amended.
- (C) Design specifications. Acceptable curb types are illustrated as follows:

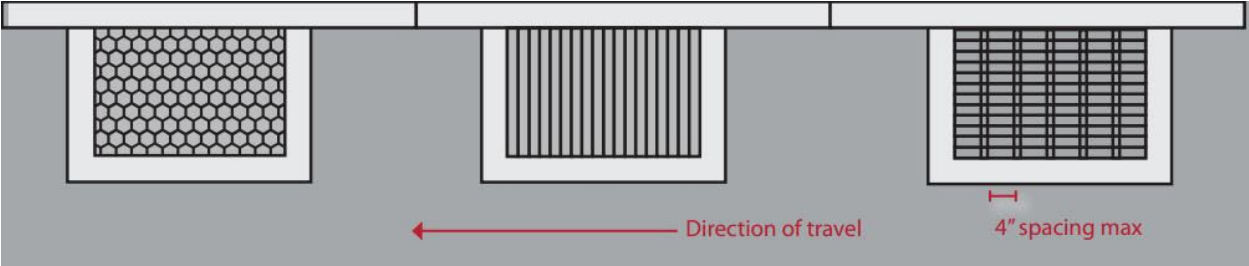
BARRIER OR VERTICAL CONCRETE CURB



MOUNTABLE CONCRETE CURB



- (D) Transition. The transition from one type to the other shall be made only at street intersections with adequate provisions being made for driveway entrances.
- (E) All drainage grates must be safe for bicyclists. Hydraulically efficient, bicycle-safe grates (see diagram) shall be utilized and be placed or adjusted to be flush with the adjacent pavement surface.



Source: LSCOG Regional Bicycle and Pedestrian Study Design Guidelines. Alta Planning + Design

§ 156.44 SIGNAGE AND NAMES.

(A) Street signs.

- (1) Design and placement of traffic signs shall follow state regulations or the requirements specified in the Manual on Uniform Traffic Control Devices for Streets and Highways, published by the U.S. Department of Transportation. Responsibility for installation shall rest with the subdivider.
- (2) Street name signs and stop signs shall be decorative signs approved by the City, and purchased and installed by the developer.
- (3) Site information signs in planned developments shall follow a design theme that is related and complementary to other elements of the overall site design.
- (4) Signs for the development may be installed in compliance with the Zoning Code.

(B) Names.

- (1) Streets. Street names shall be subject to the approval of the Planning Commission and Kershaw County E911 Addressing Office. Proposed street names shall be substantially different in sound and spelling from existing streets in the city unless at a future date plans call for a tie-in between the proposed street and an existing street.
- (2) Development names shall be subject to the approval of the Planning Commission and shall not duplicate the name of any recorded or of existing established locality names.

§ 156.45 EASEMENTS.

(A) Drainage easements.

- (1) Where traversed by a water course, drainageway, channel or stream, adequate areas for storm water or drainage easements shall be allocated, conforming substantially with the lines of such water course, and of sufficient width to carry off storm water and provide for maintenance and improvement of the water course. Maintenance roads may be required in connection therewith.
- (2) The location of any surface drainage course shall not be changed without the approval of the Planning Commission. Possible flooding of adjacent downstream properties caused by additional run-off or increased rate of run-off of the subdivision shall be evaluated and controlled with properly designed drainage systems. The post-construction storm water runoff rate must not exceed the pre-construction runoff rate.
- (3) The developer shall be required to comply with the Federal Clean Water Act and implementing regulations, consistent sections of the South Carolina Stormwater Management and Sediment Reduction Act and implementing regulations, and related city ordinances.

(B) Utility easements.

- (1) Adequate areas of suitable size and location shall be allocated for utility easements. The location and size of such easements shall be coordinated with the public and private utilities involved.
- (2) Where provided along side or rear lot lines, utility easements shall be not less than 20 feet in width. No structures or trees shall be placed within such easements. Such easements shall be maintained by the property owner(s) and may be used to satisfy yard requirements.
- (3) The Planning Commission may approve the installation of sidewalks, trails and greenways within City of Camden public utility rights-of-way. All proposed sidewalks, trails and greenways shall be approved by the Director of Public Utilities prior to being submitted to the Planning Commission.

(C) Maintenance.

- (1) The covenant restrictions placed in the deed of a lot which contains a utility easement shall stipulate that the city or utility company with lines in such easement shall have full right of access to such easement.
- (2) The city shall maintain only those easements specifically accepted for public maintenance.
- (3) The city shall not maintain any portion of a stormwater system unless specifically accepted by the city.

(D) The developer shall be required to obtain any necessary encroachment permits.

§ 156.46 BLOCKS.

(A) Residential.

- (1) Block lengths shall be appropriate to topographic conditions and density to be served, but shall not exceed 1,000 feet in length.
- (2) Blocks shall be not less than 300 feet in length.
- (3) Where blocks are greater than 800 feet in length, a crosswalk easement may be required by the Planning Commission if necessary to provide proper access to schools, playgrounds, or other public facilities. Where provided, such easement shall be at least ten feet in width and have a paved walk of at least four feet in width.
- (4) Blocks should be of sufficient width to allow for two tiers of lots of appropriate depth, except where reverse frontage lots are required along a major street, or where prevented by the size, topographical conditions, or other inherent conditions of property.

(B) Commercial and industrial. Blocks intended for commercial or industrial development may vary from the standards of design detailed above in favor of dimensions more suitable to their prospective use; provided such blocks permit adequate traffic circulation.

(Ord., passed 10-13-92; Am. Ord. 07-019, passed 8-14-07) Penalty, see § 156.99

§ 156.47 LOTS.

- (A) All lots except those in exempt subdivisions, as defined by this chapter, shall be accessible by a public street, or a private street approved as part of a Planned Development District.
- (B) 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.
- (C) All lots shall meet the minimum area and dimensional requirements of the zoning district in which they are to be located.
- (D) Double or reverse frontage lots shall be prohibited, except where required to provide separation of residential development from major streets or to overcome specific disadvantages of topography or orientation. All residential reverse frontage lots shall have a minimum rear yard of 50 feet, measured in the shortest distance from the proposed back building line to the ultimate right-of-way and shall within such rear yard and immediately adjacent to the right-of-way, have a non-access planting screen easement of at least 20 feet in depth.
- (E) Side lot lines shall be approximately at right angles to straight street lines and radial to curved street lines.
- (F) Flag-shaped lots.
 - 1) The intent of this section is to make provisions for the full and complete development and use of residential property without presenting an adverse or disruptive impact on adjacent and/or existing residential properties by allowing the subdivision of the rear sections of residential lots through the creation of flag-shaped lots.
 - (2) Flag-shaped lots shall be permitted in any residential zone under the following conditions:
 - (a) The subdivision of lots in a residential zone into a flag-shaped lot shall be permitted only for single-family uses or residences.
 - (b) The original lot must meet all zoning requirements as specified for the respective zone in Chapter 157 both before and after subdivision.
 - (c) The "flag" section of the flag-shaped lot shall meet or exceed the minimum lot area requirements specified for the respective zone. The area of the narrow access section (pole section) of the flag-shaped lot shall not be included in computing minimum lot area requirements but title to which must be conveyed by general warranty deed in the same manner as title to the "flag" portion of the lot is conveyed.

- (d) The front setback shall be measured from the front of the proposed new residence on the flag-shaped lot to the new rear property line of the original lot which was created by the subdivision and shall meet or exceed the distance specified for that respective zone.
- (e) The rear setback on a flag-shaped lot shall be 30 feet for all zones.
- (f) A buffer yard must be maintained between the sides of the new residence on the flag-shaped lot and the adjacent property line and must be equal to three times the side setback required for the respective zone. The buffer yard on the sides of the new residence must be unoccupied except for landscaping and fences.
- (g) The pole section shall be limited to use only by the original lot and the flag-shaped lot and shall be a minimum of 30 feet wide and must have a driveway with an unobstructed width of 20 feet and a minimum vertical clearance of 13 feet six inches. If the driveway is to be used by more than two properties, then the pole section must be 40 feet wide and the driveway must have an unobstructed width of 26 feet.
- (h) Trees in any required buffer yard which are eight inches or more in diameter as measured one foot from ground level shall not be removed without permission of the Planning Commission.
- (i) Driveways and turnaround areas must be separated from any adjacent property line by a buffer yard ten feet wide which is unoccupied except for fences and landscaping.
- (j) Accessory structures and uses are allowed only in the rear yard area and the side yard area in accordance with Chapter 157 provided they may not be located within any required buffer yard areas.

§ 156.48 SIDEWALKS.

This section shall establish design, construction, and maintenance requirements for new sidewalks. Sidewalks shall be provided where required by the Planning Commission for safety, or access to recreational and educational facilities. These requirements shall also apply to existing residential subdivisions with public streets platted without sidewalks that desire to add sidewalks. Sidewalks installed prior to the date of adoption of this section shall be considered legally non-conforming and are not subject to the provisions of this section.

- (A) *Construction plans required.* The location of all sidewalks, including curb ramps, pedestrian crossings and other accessible facilities, as well as all appropriate construction, pavement marking and signage details, shall be shown on the construction plans for the overall subdivision. These features shall be prepared in conformance with the specifications identified herein as well as the design and construction details kept on file with the Planning and Development Director.
- (B) *Design and construction standards.* All new sidewalks shall be designed and constructed to meet or exceed the latest applicable standards for handicapped access established by The Americans with Disabilities Act (ADA), guidelines from the United States Access Board for Pedestrian Facilities in Public Rights-of-Way, A Policy on Geometric Design of Highways and Streets, and The Guide for Planning, Design and Operation of Pedestrian Facilities, both published by the American Association of State Highway and Transportation Officials (AASHTO), and any other applicable federal, state, or local standards.
- (1) Sidewalks adjacent to corner lots, at all intersections, and those crossing internal streets shall be designed with curb ramps, detectable warnings, and appropriate pavement markings and signage as required by ADA and any other applicable federal, state, or local standards. Each of these elements, including sign type and location, shall be identified on the construction plans.
 - (2) Concrete shall be no less than four inches in thickness and shall be specified with a minimum compressive strength of 3,000 pounds per square inch at 28 days. The sidewalk shall be placed on a minimum of four inches of properly compacted graded aggregate base placed to city specifications.
 - (3) The construction of all new sidewalks shall comply with Section 720 of the Standard Specifications for Highway Construction Manual, latest edition, as amended.
- (C) *Encroachment and/or building permit required.* Construction of new sidewalks shall be included in the building permit issued for the property where it is located. Any repair work on a sidewalk shall require an encroachment permit from the Planning and Development Director or his designee. Such permits shall comply with the requirements as identified herein.
- (D) *Site preparation and inspection.* An inspection shall be required for all new sidewalks.
- (1) The Planning and Development Director or his designee shall be provided no less than three working days' notice prior to any material being placed in order that an inspection may be made of the compacted sub-grade, the forms, and the spacing of expansion and contraction joints. Excavation and grading shall be smooth and to the proper depth as specified herein.

- (2) All large stones, boulders, roots, vegetation and other debris shall be removed from the project area, and the sub-grade shall be fine-graded to conform to the profile and grade of the sidewalk when complete. Soft, spongy, or loamy areas within the project area shall be removed and replaced with suitable soils, and the project area shall be properly compacted prior to any concrete being poured.
 - (3) Final inspection of constructed sidewalks shall be completed prior to issuance of a Certificate of Occupancy.
- (E) *Provision of grass strip.* A minimum two-foot-wide grass strip shall be provided between the back of curb and the front edge of the sidewalk. In no case shall a sidewalk be constructed against the back of the curb without a grass strip.
- (1) Small maturing trees, shrubs, groundcover or vegetation other than grass shall not be located within said grass strip or within four feet from the edge of the sidewalk. Medium or large maturing trees, as defined within the city's tree ordinance, shall not be planted within eight feet from the edge of a sidewalk and shall include an appropriate root barrier along the edge of the sidewalk for a distance of no less than 20 feet. Root barrier product specifications and depth of installation must be approved by the Planning and Development Director prior to installation.
 - (2) It shall be the responsibility of the homeowner's association and/or the property owner, occupants, or agents in charge of the adjoining property to maintain no less than an eight-foot clear zone above the sidewalk. This area shall be maintained free of vegetative or other obstructions by the owner, occupants, or agents in charge of the adjoining property.
- (F) *Bonding required.* The repair and replacement of sidewalks (as needed) shall be included within the maintenance bond submitted as a part of the platting process for the overall subdivision. Said bond shall guarantee the completed sidewalks against any defects or improper construction for a period of no less than two years from the date of final plat approval.
- (G) *Maintenance responsibilities.* The final plat and restrictive deeds and covenants shall be recorded for each new subdivision, or, if applicable, to existing developments specifically stating the repair and maintenance of all new sidewalks and landscape strips shall be the sole responsibility of the homeowner's association and/or the property owner, occupants, or agents in charge of the adjoining property.
- (1) Any property owners, occupants, or agents in charge of adjoining property and the homeowners' association, if applicable, shall be liable to the city for any claim or demand made upon the city which arises from a direct or indirect violation of this section and shall hold the city harmless and indemnify the city for any such claim or demand. When the Planning and Development Director or his designee determines there is a violation of this section, he may cause a notice to be served upon the bonded contractor, property owners, occupants, homeowners association, or agents in charge of the property or landscape strip directing that repair or maintenance or removal of obstructions be made at the cost and expense of such owners, occupants, or agents in charge of the property. In the event such work is not done, the city may perform such work and the cost of such repairs and maintenance or removal of obstruction shall constitute a lien against such property and shall be foreclosed in the same manner provided by

law for the foreclosure of municipal liens. This paragraph, or language similar to this paragraph and approved by the city attorney, shall be included on any final plat and in the restrictive deeds and covenants for the subdivision or development.

- (2) All sidewalks shall be kept clean from rocks and other obstructions and in a good state of repair by the owner, occupants, or agents in charge of the adjoining property. A sidewalk in good repair shall be free of cracks, floats, obstructions, depressions, and all other defects and shall have a uniform longitudinal and transverse gradient.
 - (I) *Duty to repair and replace.* Upon detection of any defective or damaged sidewalk, the Planning and Development Director or his designee shall cause a notice to be served upon the bonded contractor, property owner and/or homeowners' association directing that repairs and/or replacement be accomplished within a designated period of time. Failure to comply with the terms of this notice shall cause forfeiture of bond or a citation issued to the property owner and/or homeowners' association.

§ 156.49 AREAS SUBJECT TO FLOODING.

If the area being subdivided, or any part thereof, is located within the boundary of a designated special flood hazard area, as delineated by the Federal Insurance Rate Maps for the city, adequate plans and specifications for protection from flooding shall be provided in accordance with Chapter 152.

§ 156.50 STREET LIGHTS.

- (A) Street lighting shall be provided in accordance with all city standards.
- (B) A street lighting plan is required for all new developments where additional streets are installed. The street lighting plan shall be included in the Preliminary Plat for all major subdivisions.
- (C) Street lights shall be spaced 280-320 feet apart and at all intersections. The design of street lighting should take into account the location and spacing of street trees. The locations, type, and specifications must receive prior approval by the Director of Public Utilities. Electrical service to development must comply with the policies, requirements and inspections with the Public Utilities Department.

§ 156.51 GARBAGE AND TRASH COLLECTION.

The city shall provide garbage and trash collection. The developer shall be required to provide concrete pads for container storage in addition to other related requirements as specified by the Director of Public Utilities.

§ 156.52 UTILITIES.

- (A) Conformity required. All applications for which any utility outlined in the Chapter is created, extended, or enlarged shall conform to the requirements of this chapter.

- (B) Installation responsibility. The applicant shall be responsible for the installation of all water and sewer utilities to serve the proposed development at their expense.
- (C) Utility improvements required prior to approval. Utility Improvements must be completed and approved prior to approval of any final plat or occupancy of the site, except when an Improvement Guarantee is approved by City Council.
- (D) Underground utilities. All public utilities including electric, water, sewer, gas, fiber, telephone and cable shall be installed underground, except for electric transmission lines and any cable, telephone, or fiber lines co-located on electric transmission poles and towers.
- (E) Utility Location
- (1) Utilities shall be located within the street right-of-way and parallel to the street to the maximum extent possible. Any utilities located outside the street right-of-way shall be maintained by an established Homeowners Association.
 - (2) Lots that are adjacent to existing overhead utilities maybe serviced from those lines. The service connections shall be located underground.
 - (3) Sewer cleanouts and water meters shall not be located within any sidewalk or driveway.
 - (4) Utilities shall be installed in accordance with requirements of the Public Utilities Department.
- (F) Water and Sewer
- (1) Applicants must hold a pre-application meeting with the Public Utilities Department prior to the development of any utility plans.
 - (2) Onsite disposal. In order to protect water sources and protect public health from possible contamination by improper methods of sewage disposal, the Director of Public Utilities may only approve on-site, subsurface sewage disposal systems if the following conditions are met:
 - a. The existing city or other public sewer system is not readily accessible to the development site
 - b. It is infeasible or economically prohibitive to extend the city system to the property
 - c. The soil percolation and absorption are satisfactory
 - d. On-site disposal will not endanger ground water supplies below the level of the absorption system
 - e. In the event it is necessary to install subsurface sewage disposal systems, soil percolation, absorption, and water table tests shall be performed in accordance with SC DHEC requirements.

- (3) Water supply requirements. The applicant or developer shall install the approved water supply system as follows:
 - a. The City shall be the water provider for any subdivision or project located within the City's water service area.
 - b. Subdivisions or projects within the city limits but outside of the City's water service area shall identify a public water supply system to service the site. The applicant or developer shall provide documentation certifying the public water system can provide adequate flow for a minimum of a six-inch diameter water main in order to supply adequate flow for fire protection.
 - c. Water systems within a subdivision shall be designed as a looped system in order to provide adequate water pressure and availability.
- (4) Sanitary sewer requirements. The applicant or developer shall install the approved sanitary sewer system as follows:
 - a. Existing sewer system. Where there is an existing sewer system or near the project site, a complete sanitary sewage collection system must be installed and connected to the city system or other existing public system.
 - b. If connection to a public sanitary sewer system is not possible, install subsurface sewage disposal systems in accordance with SC DHEC requirements.
- (5) Plans for installation of a potable water supply system and a sanitary sewer system must be prepared by a South Carolina registered professional engineer. Such plans shall be approved by the Director of Public Utilities and, to the extent required, SC DHEC.

(G) Electric Service

- (1) Electric service in the city limits shall be provided by the City unless the site is located within another electric service provider's service area.
- (2) The applicant or developer shall provide plans for electric service to the Director of Public Utilities for approval. Plans must be prepared by a South Carolina registered professional engineer.
- (3) For residential subdivisions, the applicant or developer shall be responsible for installation of primary conduit for underground electric lines. The City shall provide the conduit to be installed.

§ 156.53 FIRE HYDRANTS AND FIRE DEPARTMENT ACCESS.

- (A) All streets and any secondary access roads shall have an unobstructed width of 20 feet with a minimum vertical clearance of 13' 6".
- (B) All houses in the subdivision shall have proper house numbers identifying the correct street address as specified by the 911 Committee.

- (C) Fire hydrants shall be installed so that the maximum distance from any fire hydrant shall not exceed 500 feet as measured along the roadway. The location and spacing of the hydrants shall be approved by the Fire Chief of the city.
- (D) All fire hydrants shall be supplied by a minimum of a six-inch diameter water main.
- (E) Hydrants shall be Mueller A-421 LEFT - 3½ feet bury or approved equal.
- (F) Fences, trees, signs, or landscaping will not be installed so as to obstruct or screen fire hydrants.

§ 156.54 SURVEYS AND MARKINGS.

All land subdivisions within the jurisdiction of this chapter 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 chapter as if contained herein.

§ 156.55 MAILBOXES.

- (A) Applicants shall contact the local postmaster early in the design process to determine what type of mail delivery will be allowed. The delivery method will dictate the mailbox type and location and will require approval of the Postal Service based on the latest policy.
- (B) The type of delivery approved shall be noted on the Preliminary Plat. If Cluster Box Units (CBUs) are required, the location shall be shown on the Preliminary Plat. All mailboxes shall be installed in accordance with US Postal Service design standards.
- (C) The design of CBUs shall be integrated into the design of the overall development by utilizing decorative structures that are compatible with the site design and building architecture.
- (D) The Planning Commission shall have the discretion to reduce, modify or waive any provision contained within this section if the provision is found to conflict with any requirement or regulation promulgated by the local postmaster or the Postmaster General.

OFF-SITE IMPROVEMENTS

§ 156.56 PURPOSE.

This subchapter is intended to ensure a pro rata share allocation of the costs for off-site improvements necessitated by subdivisions.

§ 156.57 DEFINITION AND PRINCIPLES.

As a condition of final subdivision plat approval, the Planning Commission may require an applicant to pay a pro rata share of the cost of providing reasonable and necessary circulation, drainage facilities and other improvements, including land and easements, located off-site of the property limits of the subdivision but necessitated or required by the intended use. "Necessary"

improvements are those clearly and substantially related to the subdivision in question. The Planning Commission shall provide in its resolution of approval the basis of the required improvements. The proportionate or pro rata amount of the cost of such off-site improvements shall be based on the following criteria.

§ 156.58 COST ALLOCATION.

(A) Full allocation. In cases where off-site improvements are necessitated by the proposed subdivision, and where no other property owner(s) receive(s) a special benefit thereby, the applicant may be required at his sole expense and as a condition of approval, to provide and install such improvements.

(B) Proportionate allocation.

(1) Where it is determined that properties outside the development will also benefit by the off-site improvement, the following criteria shall be utilized in determining the proportionate share of the cost of such improvements to the developer.

(2) Allocation formula:

$$\frac{\text{Total cost of enlargement or improvement}}{\text{Capacity of enlargement or improvement}} = \frac{\text{Developer's Cost}}{\text{Development generated amounts to be accommodated by the enlargement or improvement.}}$$

§ 156.59 ESCROW ACCOUNTS.

Where the proposed off-site improvement is to be undertaken at some future date, the monies required for the improvement shall be deposited in a separate interest-bearing account to the credit of the city until such time as the improvement is constructed. If construction of the off-site improvement is not begun within two years of deposit, all monies and interest shall be returned to the applicant.

IMPROVEMENT GUARANTEES

§ 156.60 PURPOSE.

Where required improvements have not been completed and certified by the applicant subdivider, improvement guarantees may be provided to ensure the proper installation of such

required street, utility, and other improvements. The nature and duration of the guarantee shall be structured to achieve this goal without adding unnecessary costs to the developer.

§ 156.61 OPTIONAL GUARANTEES.

Before the recording of final subdivision plats, or as a condition of final plat approval, the City Council may require and may accept the following financial guarantees in an amount equal to 125% of the cost of installing the improvements.

- (A) Security bond. The applicant may obtain a security bond from a surety bonding company authorized to do business in the state.
- (B) Letter of credit. The applicant may provide an irrevocable letter of credit from a bank or other reputable institution.
- (C) Escrow account. The applicant may deposit cash, or other instruments readily convertible into cash at face value, with the city or in escrow with a bank.
- (D) Property. The applicant may provide as a guarantee land or other property.
- (E) Improvement guarantee. The applicant may provide as a guarantee an improvement agreement between the applicant, lender, and the city.
- (F) Prepayment. The applicant may make a prepayment to the city in the full amount of said improvements. Any unexpended funds shall be returned to the applicant.

§ 156.62 OPTION TO REFUSE GUARANTEE.

The City Council shall have the right to refuse any of the above financial guarantees and require construction and installation of all improvements by the subdivider, where:

- (A) Past performance of the subdivider is unsatisfactory; or
- (B) The selected option is unacceptable.

§ 156.63 ALLOCATION OF GUARANTEE.

Any funds received from financial guarantees required by this chapter shall be used only for the purpose of making the improvements for which said guarantees were provided.

§ 156.64 DEFAULT OF GUARANTEE.

In the event the subdivider fails to install or construct the required improvements during the specified time allotted and in conformity with these regulations, the improvement guarantee shall be forfeited to the city to be used for the completion of the improvements.

(Ord., passed 10-13-92; Am. Ord. 07-019, passed 8-14-07)

§ 156.65 EXTENSION OF GUARANTEE.

If it appears to the developer that he may not complete construction of required improvements before expiration of his improvement guarantee, it shall be his obligation, at least 15 days prior to said expiration, to submit an extended guarantee to the Planning and Development Director or designee, who shall forward said extension request to City Council for approval. Such extension shall be for a period of six months. A maximum of two such extensions shall be allowed.

§ 156.66 ACCEPTABLE FORMAT FOR IMPROVEMENT GUARANTEE.

Any deviation from the acceptable format below may delay acceptance of this instrument:

STATE OF SOUTH CAROLINA

CITY OF CAMDEN

IMPROVEMENT GUARANTEE

KNOW ALL MEN BY THESE PRESENTS that we, _____, as principal, and _____, as security, are held and firmly bound unto the City of Camden, South Carolina, as obligee, in the sum of \$_____, for payment whereof to the obligee, the principal and security bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly to these presents:

Signed, sealed, and dated, this ___day of _____, 20__.

WHEREAS, application was made to the obligee for approval of a subdivision shown on a plat entitled “_____”, dated _____, 20__, and filed with the Camden Planning Commission, and said final plat was approved upon certain conditions, one of which is that an Improvement Guarantee in the amount of \$_____ be filed with the City of Camden to guarantee certain improvements in said subdivision;

NOW THEREFORE, THE CONDITION OF THIS OBLIGATION is such that if the above-named principal shall, within _____ from the date hereof (in no case shall the improvement guarantee be valid for more than two years), truly make and perform the required improvements and construction of public improvements in said subdivision in accordance with the specifications of the Land Development Ordinance, then this obligation will be void; otherwise it will remain in full force and effect.

It is hereby understood and agreed that in the event any required improvements have not been installed within the term of this Improvement Guarantee, the City Council may thereupon declare this guarantee to be in default and collect the sum remaining payable thereunder, and upon receipt of the proceeds thereof, the city shall install such improvements as are covered by the guarantee.

It is further understood and agreed that when the required improvements have been approved for conformity with these regulations by the Planning and Development Director or designee, the guarantee shall be released and returned. In addition, if any portion of the required improvements is completed by the subdivider and approved by the Planning and Development Director or designee, a portion of the guarantee commensurate with the cost of these completed improvements may be released and returned. In no event shall an improvement guarantee be

reduced below twenty-five (25%) percent of the principal amount until all improvements have been approved by the Planning and Development Director or designee.

_____ (L.S.)

Approved and accepted

this ___th day of 20__ _____ (L.S.)

by the Camden City

Council

Mayor

Clerk

DEDICATION ACCEPTANCE AND MAINTENANCE OF IMPROVEMENTS

§ 156.70 IMPROVEMENTS TO BE DEDICATED.

The final responsibility for the installation of the improvements required by this chapter as the standards impose rests with the subdivider. Upon proper installation of these improvements, the subdivider shall take the final steps to dedicate the improvements and have them accepted by the city and/or the South Carolina Department of Transportation.

§ 156.71 EFFECT OF THE RECORDING.

Except in the case of private subdivisions, recording the approved final plat constitutes a dedication of all public streets to public use, a dedication of all neighborhood parks and other public areas to public use, and a reservation for possible future public acquisition of such additional areas as may be required by the Planning Commission or the City Council.

§ 156.72 EFFECT OF OFFERS OF DEDICATION.

- (A) The offer to dedicate streets, parks, easements or other areas or portions of them, does not impose any obligation upon the City Council concerning maintenance or improvements until the City Council has made actual acceptance by resolution, by entry, or by improvement.
- (B) If land is dedicated for public use and such use is not imminent, the subdivider may be permitted to dedicate the land with the privilege of using the surface rights until the City Council is ready to use the land. Such dedication with the temporary privilege of use shall be noted on the final plat.

§ 156.99 PENALTY.

Any person, firm or corporation who violates the provisions of this chapter, or the owner or agent of the owner of any land to be subdivided within the jurisdiction of this chapter who transfers or sells land before a plat therefor has been approved by the Planning Commission and recorded in the office of the Clerk of Court in and for the County of Kershaw, shall be guilty of a misdemeanor, and upon conviction thereof, shall forfeit and pay penalties as the court may decide for each parcel so transferred or sold or agreed to be sold. The description of metes and bounds in the instrument of transfer, descriptive drawings attached to deeds, or other documents used to sell or transfer property shall not exempt the transaction from these penalties. The Circuit Court in and for the County of Kershaw may enjoin such transfer or agreement by appropriate action.