

**LAND DEVELOPMENT  
AND SUBDIVISION ORDINANCE**

**(CHAPTER 18 OF THE MUNICIPAL CODE OF ORDINANCES)**



**TO BE IMPLEMENTED BY:**

**THE CITY OF FLORENCE**

**July 2007**

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## **ARTICLE I: IN GENERAL**

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### **1.1 TITLE**

This ordinance shall be known as the “Land Development and Subdivision Ordinance” of the City of Florence. This ordinance shall also comprise Chapter 18 of the City of Florence Municipal Code of Ordinances.

### **1.2 AUTHORITY**

This ordinance is adopted pursuant to the authority granted under the General Statutes of South Carolina, The South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Sections 6-29-310 through 6-29-1200 and the requirements of said Acts supplement this ordinance.

### **1.3 PURPOSE**

The purpose of this ordinance is to encourage the promotion, protection, and improvement of the overall public health, safety, economy, good order, appearance, convenience, and general welfare by providing for the orderly development of land within the territorial jurisdiction of the City of Florence. In furtherance of the general intent, the regulation of land subdivision is authorized for the following purposes, among others;

1. To encourage the economically sound, and the stable development of the City of Florence.
2. To assure the timely provisions of required streets, utilities, and other facilities and services to new land developments.
3. To assure the adequate provision of safe traffic access and circulation, both vehicular and pedestrian, in and through new land developments.
4. To assure the provision of public open spaces and building sites in new land developments through the dedication or reservation of land for recreational (including the development of a trail system), educational, and other public purposes.
5. To provide for the wise and timely development of new areas, generally consistent with the Comprehensive Plan for the City of Florence.
6. To promote best management practices with respect to stormwater management and the protection of surface water bodies.



**1.4 JURISDICTION**

From the date of adoption, this ordinance shall govern all land development projects and new subdivisions of land lying within the territorial jurisdiction of the City of Florence. At the time of redevelopment, existing developments, where required, will have to comply with certain provisions of this document (e.g., sidewalk requirements, etc.).

**1.5 APPLICATION OF ORDINANCE**

No plat or the subdivision of any land within the territorial jurisdiction of the City of Florence shall be filed with or recorded by the Florence County Clerk of Courts until such plat has been submitted to and approved by the Planning Commission in accordance with the procedures set forth in the ordinance.



## **ARTICLE II: DEFINITIONS**

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When used in Articles III through IX of this ordinance, certain words and terms shall have the meaning as herein defined. Words and terms not herein defined shall have their customary dictionary definitions. The term “shall” means mandatory. When not inconsistent with the context, words used in the singular number include the plural and those used in the plural number include the singular. Words used in the present tense include the future.

### **2.1 AGENT**

An authorized person, firm, or corporation acting for or on behalf of a subdivider, developer, or owner.

### **2.2 ALLEY**

A private service road that provides secondary means of access to lots. Parking is not permitted in alleys and through traffic is discouraged. An alley may also be described as a minor way used for service access to the back or side of properties otherwise abutting on a street. An alley shall not serve as the principle means of ingress or egress to a lot or parcel.

### **2.3 ARTERIAL STREET**

See definition for “street.”

### **2.4 BLOCK**

A parcel of land entirely surrounded by streets, highways, parks, other publicly owned areas, or railroad rights-of-way, and as further defined in this ordinance.

### **2.5 COMPREHENSIVE PLAN**

The official plan or any part thereof for the City of Florence and the Planning Commission, adopted in accordance with the provisions of the 1994 Planning Enabling Act.

### **2.6 COLLECTOR STREET**

See definitions for “street.”

### **2.7 CONFORMITY/CONFORMING**

Meeting all applicable codes and requirements for a proposed development. A proposed development that does not meet applicable codes and requirements shall be determined to be non-conforming.



**2.8 CUL-DE-SAC**

See definitions for “street.”

**2.9 DEVELOPER**

The owner and/or subdivider of property, or his agent, engaged in the subdivision, development, re-development, or improvement of land or the construction of structures upon the land within the territorial jurisdiction of the City of Florence.

**2.10 DEVELOPMENT**

Any physical improvement of real estate under the guidelines and requirements of the codes and ordinances of the City of Florence; Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, roads, mining, dredging, filling, grading, paving, excavating, other site work, utilities, drilling operations, or permanent storage of materials.

**2.11 EASEMENT**

An interest in real property granted by the property owner to the general public, a corporation, or a certain person or persons of a strip or a parcel of land for use for a specific purpose.

**2.12 ENGINEER**

A registered engineer in good standing with the South Carolina Board of Engineers and Land Surveyors and the South Carolina Department of Labor, Licensing, and Regulation.

**2.13 EXPRESSWAY**

See definition for “streets.”

**2.14 FREEWAY**

See definition for “streets.”

**2.15 GOVERNING BODY (GOVERNING AUTHORITY)**

The City Council of the City of Florence.

**2.16 LOCAL STREET (SUB-COLLECTOR STREET)**

See definition for “streets.”

**2.17 LOOPED DRIVE**

See definition for “streets.”



**2.18 LOT**

A piece, parcel, tract, or plot of land intended as a unit for transfer of ownership or for development. Sizes and categories of lots are further defined in the Zoning Ordinance.

**2.19 MAJOR STREET**

See definition for “streets.”

**2.20 MARGINAL ACCESS STREET**

See definition for “streets.”

**2.21 MINOR STREET**

See definition for “streets.”

**2.22 OFFICIAL MAP**

A map or maps showing the location of existing or proposed public street, highway, and public utility rights-of-way, public building sites and public open spaces, maintained by the City of Florence.

**2.23 PLANNING COMMISSION (COMMISSION)**

Shall mean the Planning Commission designated by City Council.

**2.24 PLANNING COMMISSION, SECRETARY**

The term “Secretary” of the Planning Commission refers to that person employed to serve the Florence Planning Commission in a staff capacity.

**2.25 PLAT (PLAN)**

A map or drawing upon which the subdivider’s plan for a subdivision is presented.

1. Sketch Plan: A conceptual plan drawn in accordance with Section 5.1 of this ordinance.
2. Development Plan: Drawings based on an approved Sketch Plan and prepared in accordance with Section 5.2 of this ordinance, which if approved, shall be used as construction drawings for the subdivision and any related improvements.
3. Final Plat: A plat, drawn in accordance with Section 5.3 of this ordinance, depicting the final subdivision boundaries and lot lines which the subdivider desires to have approved by the Planning Commission and recorded with the Florence County Clerk of Court.



**2.26 RESERVED STRIP**

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

**2.27 RE-SUBDIVISION**

Any combination of previously recorded lots or tracts of contiguous land for the purpose of creating additional lots or revising lot lines, including eliminating lot lines. Re-subdivided lots shall conform to minimum standards of this ordinance and the Zoning Ordinance.

**2.28 REDEVELOPMENT**

A modification to an existing developed lot/parcel that will require a building permit.

**2.29 REGULATION(S)**

The particular requirements contained within an ordinance.

**2.30 RIPARIAN BUFFER**

An area of trees, shrubs, or other vegetation that borders a watercourse, wetland, or other water body (including open stormwater conveyances) for the purpose of reducing contamination from surface water runoff.

**2.31 SETBACK (LINE)**

A line parallel to the property line in front of which no part of the structure shall be erected, with the exception of the subsurface projection of footings. Setbacks for each zoning district, and their associated requirements, are established in the Zoning Ordinance.

**2.32 STAFF**

1. When used in this ordinance, the capitalized term “Staff” shall mean both the employees of the Planning Commission *and* those City of Florence employees designated to assist the Planning Commission staff in the technical review of subdivision plans. This shall include, but not be limited to, employees of the City of Florence Public Works and Utilities Department and the City of Florence Fire Department.
2. Where the terms City staff, Public Works & Utilities Department staff, and Fire Department staff are used, such terms shall mean staff of the City of Florence only.



3. Where the terms Planning Commission staff, Planning Commission Staff, staff of the Planning Commission, or Commission staff are used, such terms shall mean staff of the Planning Commission only.
4. Where the terms Planning Commission or Commission are used in this ordinance, such terms shall mean those commissioners who together comprise the Planning Commission.

### 2.33 STREET(S)

A public right-of-way affording primary access to abutting property. For the purposes of this ordinance, the term “Street” shall also mean boulevard, road, lane and other public ways. Streets are divided into the following categories:

- A. Major Streets: Those streets designated by the Florence Area Transportation Study and those streets designated as major at the time of development as determined by the Public Works and Utilities Department and approved by the Planning Commission. Such streets are designed primarily for the movement of large volumes of traffic from one area to another. Major street includes the terms limited-access highway, freeway, thoroughfare, expressway, arterial street and commercial collector street.
  1. Arterial Streets: Arterials are the highest order inter-regional streets. They are designed to carry relatively high traffic volumes. The function of arterials is to promote the free flow of traffic. Therefore, parking and direct residential access are usually not available. Collector streets feed arterials, and arterials feed regional roads such as expressways and freeways. Average Daily Traffic (ADT) for arterials is approximately 3,000 – 5,000+ vehicles per day (vpd).
  2. Collector Streets (Commercial): The highest order of commercial streets. Distributes traffic between lower-order commercial streets and higher-order streets such as arterials. Average Daily Traffic (ADT) for commercial collector streets is approximately 3,000 – 5,000 vehicles per day (vpd).
  3. Expressways: Divided highways usually having two or more lanes in each direction, with partial control of access. Preference is given to through traffic, but there may be access connections with selected public roads at the same grade and some driveways.
  4. Freeways: Divided highways usually having two or more lanes in each direction, with full control of access. Preference is given to through traffic and access connections with public roads on the same grade is prohibited. Connected driveways are also prohibited.
  5. Thoroughfares: Any major street.



- B. Minor Streets: A street used primarily for providing direct access to and from abutting property (individual lots) that are internal to a subdivision. Minor street includes the terms residential collector street, minor local street, cul-de-sac, marginal access street, alley and looped drive.
1. Collector Streets (Residential): The highest order of residential streets. Collects and distributes traffic from local residential roadways, such as minor streets or cul-de-sacs, to streets that are designed to carry higher volumes of traffic, such as arterials and other major streets. Carries large traffic volume at fairly high speeds. The function of residential collectors is to promote free traffic flow. Therefore, direct access to homes from this level street should be avoided. Average Daily Traffic (ADT) for residential collector streets is approximately 2,000 – 5,000 vehicles per day (vpd).
  2. Cul-de-sacs: Minor local streets having only one open end and being terminated by a vehicle turnaround. Design of turnaround may vary. Average Daily Traffic (ADT) is approximately 250 vehicles per day (vpd).
  3. Local Streets (Sub-Collector Streets): These middle-order facilities are located in subdivisions and neighborhoods and primarily serve abutting land uses. Traffic volumes are typically moderate, with motorists having origin or destination within the immediate neighborhood. These streets feed into collector streets, which then feed into arterials. Average Daily Traffic (ADT) is approximately 1,000-2,000 vehicles per day (vpd).
  4. Looped Drive: A street that terminates on the same road at two different points, or a street that terminates on itself.
  5. Marginal Access Streets: Minor streets which are parallel to and located on the side of an arterial, expressway, freeway, or other major street for service to abutting land uses. Average Daily Traffic (ADT) is approximately 500-1,000 vehicles per day (vpd).

### **2.34 SUBDIVIDER**

Any person, firm, or corporation who divides or develops any land deemed to be a subdivision as herein defined.

### **2.35 SUBDIVISION**

All divisions of a tract or parcel of land into two or more lots for any purpose. This includes all division of land involving a new street or a change in existing streets, re-subdivision and, where appropriate, relates to the process of subdividing, or to the land or area subdivided.

The following exception is included within this definition only for the purpose of requiring that the Planning Commission or its staff be informed, and have record of such



subdivision:

The division of land into parcels of five (5) acres or more where no new streets and/or new utility line extensions are involved, and each individual lot/parcel fronts on a public road.

Plats of such exceptions shall be received as information by the Planning Commission, which shall indicate such facts on the plats.

**2.36 SURVEYOR**

A registered land surveyor in good standing with the South Carolina Board of Engineers and Land Surveyors and the South Carolina Department of Labor, Licensing and Regulation.

**2.37 THOROUGHFARE (MAJOR STREET)**

See definition for "streets."

**2.38 THOROUGHFARE PLAN**

The official Transportation Plan (also known as Florence Area Transportation Study), a part of the Comprehensive Plan for the City of Florence and the Planning Commission.

**2.39 ZONING ORDINANCE**

The officially adopted Zoning Ordinance (Chapter 21 of the City of Florence Code of Ordinances).



## **ARTICLE III: GENERAL PROVISIONS FOR LAND SUBDIVISION**

### **3.1 GENERAL REQUIREMENTS FOR RECORDING OF THE FINAL PLAT OF A SUBDIVISION**

No plat of the subdivision of any land within the City of Florence shall be filed with the Florence County Clerk of Courts Office until:

- A. A Sketch Plan and Development Plan have been prepared by the developer and approved by the Planning Commission or its staff, as specified herein.
- B. The required improvements shall have been satisfactorily installed and completed by the subdivider, or a financial guarantee in lieu of the completed improvements has been posted to secure the same, as provided for in Article VII of this ordinance.
- C. Acceptance by the City of Florence and/or the South Carolina State Department of Transportation of the dedication of all public ways or lands or a statement included on the Final Plat that the appropriate financial guarantees in lieu of the completion of all improvements has been accepted by the governing Body or State Department of Transportation as provided for in Article VII of this ordinance.
- D. Statement by the Planning Commission as having received as information, plats identified as exceptions by State Law under the definition of a subdivision.
- E. A Final Plat shall have been approved by the Planning Commission or its Director, as specified herein.
- F. For applicable situations, the Planning Commission staff has granted summary approval of a Final Plat as outlined in Section 4.7 of this ordinance.

### **3.2 CONFORMITY TO ZONING ORDINANCE AND CONSISTENCY WITH COMPREHENSIVE PLAN**

All proposed subdivision of land shall conform to the applicable portions of the Zoning Ordinance and be consistent with the Comprehensive Plan for the City of Florence.

### **3.3 COORDINATION WITH OTHER LAWS AND CODES**

Whenever regulations contained in this ordinance are different from regulations contained in other City ordinances, the most restrictive requirements shall prevail.

### **3.4 PROVISIONS OF PUBLIC LANDS**

Where the area being subdivided is of sufficient size or includes lands necessary for the provision of critical public services (e.g., fire stations, potable water facilities, stormwater management facilities), the subdivider shall indicate the location of such areas on the subdivision plat and shall dedicate said area as provided in Section 6.7 of this ordinance.



## **ARTICLE IV: PROCEDURES FOR SUBDIVISION PLAT APPROVAL**

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The following is an outline of procedures for obtaining approval of a subdivision of land within the territorial jurisdiction of the City of Florence.

### **4.1 GENERAL SUMMARY OF PROCEDURAL STEPS**

- A. In general, the following procedural steps must be completed:
1. Submittal, review, and approval of a Sketch Plan.
  2. Submittal, review, and approval of a Development Plan.
  3. Installation of required improvements by subdivider.
  4. Dedication to and acceptance of improvements by the City.
  5. Review and approval of Final Plat by the Planning Commission or the Planning Director.
  6. Recording of the Final Plat by the subdivider or his agent.

### **4.2 FILING FEES**

To defray the cost of investigation, processing, etc., the subdivider shall pay fees as adopted by the appropriate authority to the Secretary of the Planning Commission at the time of filing the application. No charge shall be made where the subdivision is approvable under Section 4.7 of this ordinance.

### **4.3 SKETCH PLAN SUBMITTAL AND REVIEW PROCESS**

- A. General Procedures
1. Preliminary Meeting to Discuss Sketch Plan
    - a. The Staff shall be available to meet with the subdivider or his agent for up to 1 hour to discuss the project that is to be submitted. This meeting is strongly recommended, but not required.
    - b. If the subdivider desires such a meeting, it must be scheduled with the Staff at least 1 week in advance and it must occur prior to, or concurrent with, the Sketch Plan submittal.
  2. Submittal of Sketch Plan Package



- a. The subdivider or his agent shall submit three (3) copies of a Sketch Plan submittal package to the staff of the Planning Commission for review and approval.
  - b. The Sketch Plan submittal package shall include a Sketch Plan application, any applicable fees, any variance requests (if applicable), and the Sketch Plan itself prepared in accordance with Article V of this ordinance.
3. Sketch Plan Review by Staff
- a. Upon receipt of the Sketch Plan submittal, the Planning Commission staff will notify the City of Florence Public Works & Utilities Department and the City of Florence Fire Department so that they are afforded the opportunity to review the Sketch Plan.
  - b. The Staff(s) shall review the Sketch Plan and evaluate its conformity with all applicable code requirements.
  - c. If the City departments have any pertinent review comments, such comments must be submitted to the Planning Commission staff in written form within twenty-five (25) calendar days of when the subdivider submitted the Sketch Plan.
  - d. Upon receipt of any written review comments from the reviewing agencies listed above, the Planning Commission staff shall either: 1) determine that the Sketch Plan conforms with all applicable codes and ordinances, 2) determine that the Sketch Plan, with minor changes, will conform with applicable codes and ordinances, or 3) determine that the Sketch Plan does not conform with applicable codes and ordinances.
  - e. The Planning Commission staff shall notify the subdivider of any such ruling in writing within thirty (30) calendar days of when the subdivider submitted the Sketch Plan.

B. Process for Sketch Plan Approval

- 1. Placement on Planning Commission Meeting Agenda
  - a. If the Staff determines that the Sketch Plan conforms with all applicable codes and ordinances, or if the Staff determines that the Sketch Plan will conform pending required minor changes or approvable variances, the subdivider will be notified and the Planning Commission staff shall place the Sketch Plan on the agenda of an upcoming Planning Commission meeting so that official action can be taken.
- 2. Pre-meeting Conference



- a. The Staff shall be available to meet with the subdivider and his agent to discuss the project prior to the Planning Commission meeting for which it is scheduled.
  - b. It shall be the responsibility of the subdivider to schedule the pre-meeting conference.
3. Public Statement of Sketch Plan Conformity
- a. If the Sketch Plan conforms with all applicable codes and ordinances, the Planning Director shall make a statement of conformity at the Planning Commission meeting during which the Sketch Plan is presented for official action.
- C. Process for Non-Approval of Sketch Plan and Optional Appeals
1. If the Planning Commission staff notifies the subdivider that the Sketch Plan does not conform with applicable codes and ordinances, or if the Planning Commission staff notifies the subdivider that the Sketch Plan will conform pending required changes with which the subdivider does not concur, then the subdivider can either accept the ruling or appeal the ruling to the Planning Commission.
    - a. The subdivider may also appeal to the Planning Commission if the staff does not provide notification of conformity or non-conformity within 30 calendar days.
  2. If the subdivider defers the right of appeal and elects to modify a non-conforming Sketch Plan and re-submit, he must re-start the procedural steps by submitting a revised Sketch Plan package, including payment of additional filing fees.
  3. If the subdivider elects to appeal the Staff's decision or appeal because of failure of the Planning Commission staff to provide notification within 30 calendar days, he must submit a letter to the Chair of the Planning Commission requesting placement on the Planning Commission's agenda.
    - a. To place the Sketch Plan appeal on the Planning Commission's meeting agenda, the referenced project must have met all project submittal requirements.
    - b. The appeal letter must be received by the Chair of the Planning Commission at least 15 days prior to the Planning Commission meeting during which the subdivider would like his Sketch Plan to be presented for official action.



- c. The appeal letter must outline and document the reasons and facts as to why the subdivider feels that the Sketch Plan conforms to all applicable codes and ordinances.
- d. A pre-meeting conference attended by the subdivider, at least one member of the Planning Commission, and any applicable Staff must be held prior to the meeting during which the Planning Commission is scheduled to take action regarding the appeal. It shall be the responsibility of the Chair of the Planning Commission to schedule this pre-meeting appeal conference. Failure of the subdivider to attend the pre-meeting conference shall result in removal of the appeal from the Planning Commission agenda.

D. Official Action by the Planning Commission

- 1. The Planning Commission shall take official action regarding the Sketch Plan (approval, approval with required changes, or disapproval) during the meeting at which it is presented, or within seven (7) calendar days of such Planning Commission meeting, unless the subdivider consents in writing to an extension of this time limit. The decision of the Planning Commission shall be final.
  - a. If the Planning Commission issues final disapproval of a Sketch Plan, the project will be closed and the developer will be required to re-start the procedural steps for any re-submittals, including payment of additional filing fees, in order to proceed with the project. However, final disapproval by the Planning Commission does not supersede the subdivider's right to appeal as defined in the 1994 Planning Enabling Act.
  - b. If the Planning Commission approves the Sketch Plan, approves the Sketch Plan with required changes, or fails to take action within the specified or agreed upon time limit, the subdivider has full authorization to proceed with preparation of a Development Plan that is in conformity with the approved Sketch Plan and any attached conditions.
  - c. All pertinent discussions shall be recorded in the Planning Commission's meeting minutes. The subdivider shall be provided with a copy of the meeting minutes for his records upon request.
- 2. It is expressly understood that the Planning Commission shall not act to override the requirements of other agencies. However, the Planning Commission may seek to bring agreement in cases of conflicts between one or more reviewing agencies and the subdivider.

**4.4 DEVELOPMENT PLAN SUBMITTAL AND REVIEW PROCESS**

A. General Procedures



1. Submittal of Development Plan Package
  - a. Once the subdivider has an approved Sketch Plan, he or his agent may submit seven (7) copies of a Development Plan submittal package to the Planning Commission staff for distribution and review.
  - b. The Development Plan submittal package shall include a copy of the Development Plan application and the Development Plan itself, prepared in accordance with Article V of this ordinance.
  
2. Development Plan Review and Comment Process
  - a. Upon receipt of a Development Plan submittal package, the Planning Commission staff shall determine if the Development Plan is in conformity with the approved Sketch Plan.
  - b. If the Planning Commission staff determines that the Development Plan is not in conformity with a previously approved Sketch Plan, the subdivider must 1) revise the Development Plan so that it conforms with the approved Sketch Plan and then re-submit, or 2) return to the Sketch Plan submittal and review process to get an approved Sketch Plan that incorporates the desired changes.
  - c. If the Planning Commission staff determines that the Development Plan is in conformity with an approved Sketch Plan, it shall forward a copy of the Development Plan to the appropriate agencies or departments for review.
    - (1) The following entities are responsible for reviewing the Development Plan, determining if it is in conformity with applicable codes and ordinances, and submitting written statements of conformity or non-conformity to the Planning Commission staff within twenty (20) calendar days of when the subdivider submitted the Development Plan:
      - City of Florence Public Works & Utilities Department
      - City of Florence Fire Department
    - (2) The following entities are provided with a copy of the Development Plan for review only. However, they have the opportunity to comment with twenty (20) calendar days of when the Development Plan was submitted, if necessary:
      - Cablevision company
      - Gas company



- Power & Light company
  - Telephone company
- d. Upon receipt of signed written statements of conformity or non-conformity from the reviewing agencies listed above, the Planning Commission staff will either: 1) approve the Development Plan, 2) disapprove the Development Plan, or 3) approve the Development Plan pending required changes.
- e. The Planning Commission staff shall notify the subdivider of such action in writing within thirty (30) calendar days of the Development Plan submittal.

**B. Procedures Following Development Plan Approval**

1. Upon approval of the Development Plan or approval with required changes, and subsequent written notification to the subdivider by the Planning Commission staff, the subdivider is authorized to proceed with construction of the required improvements under supervision of the engineer of record.
  - a. The Planning Commission staff shall maintain the official stamped and approved Development Plan set.
  - b. All approved construction plans shall be stapled together and must be reproducible.
  - c. The phasing of development shall be agreed upon by the reviewing agencies and the developer. The Development Plan shall indicate such phasing.
2. Official action by the Planning Commission during one of its meetings is not required if the Development Plan is approved by the Planning Commission staff.

**C. Process for Non-Approval of Development Plan and Optional Appeals**

1. Based on statements from the reviewing agencies, the Planning Commission staff may disapprove the Development Plan, or approve the Development Plan pending required changes. The subdivider can accept the ruling or appeal the ruling to the Planning Commission.
  - a. The subdivider may also appeal to the Planning Commission if the Staff does not approve or disapprove the Development Plan within thirty (30) calendar days.
2. If the subdivider defers the right of appeal and elects to modify a non-conforming Development Plan and re-submit, he must re-start the



Development Plan submittal and review process by submitting a revised Development Plan package.

3. If the subdivider elects to appeal the Staff's decision, or appeal because of failure of the Staff to approve or disapprove the Development Plan within thirty (30) calendar days, he must submit a letter to the Chair of the Planning Commission requesting placement on the Planning Commission's agenda.
  - a. To place the Development Plan appeal on the Planning Commission's meeting agenda, the referenced project must have met all project submittal requirements.
  - b. The appeal letter must be received by the Chair of the Planning Commission at least 15 days prior to the Planning Commission meeting during which the subdivider would like his Development Plan to be presented for official action.
  - c. The appeal letter must outline and document the reasons and facts as to why the subdivider feels that the Development Plan conforms to all applicable codes and ordinances.
  - d. A pre-meeting conference attended by the subdivider, at least one member of the Planning Commission, and any applicable Staff must be held prior to the meeting during which the Planning Commission is scheduled to take action regarding the appeal. It shall be the responsibility of the Chair of the Planning Commission to schedule this pre-meeting appeal conference. Failure of the subdivider to attend the pre-meeting conference shall result in removal of the appeal from the Planning Commission agenda.

D. Official Action by the Planning Commission

1. Official action by the Planning Commission regarding the Development Plan is required only in the event of an appeal.
2. If official action by the Planning Commission is required as the result of an appeal, then the Planning Commission shall either approve the Development Plan, approve the Development Plan with required changes, or issue final disapproval of the Development Plan during the meeting at which it is presented, or within 7 calendar days of such Planning Commission meeting unless the subdivider consents in writing to an extension of this time limit. The decision of the Planning Commission shall be final.
  - a. If the Planning Commission issues final disapproval of a Development Plan following an appeal, the developer will be required to re-start the Development Plan submittal and review process if he intends to proceed with the project. However, final disapproval by the Planning



Commission does not supersede the subdivider's right to appeal as defined in the 1994 Planning Enabling Act.

- b. If the Planning Commission approves the Development Plan following an appeal, or if the Planning Commission fails to take action within the specified or agreed upon time limit, the subdivider is authorized to proceed with construction of the required improvements under supervision of the engineer of record.
    - (1) The Planning Commission staff shall maintain the official stamped and approved Development Plan set.
    - (2) All approved construction plans shall be stapled together and must be reproducible.
    - (3) The phasing of development shall be agreed upon by the reviewing agencies and the developer. The Development Plan shall indicate such phasing.
  - c. Pertinent comments and recommendations shall be noted in the minutes of the Planning Commission meeting. The subdivider shall be provided with a copy of the meeting minutes for his records upon request.
3. It is expressly understood that the Planning Commission shall not act to override the requirements of other agencies. However, the Planning Commission may seek to bring agreement in cases of conflicts between one or more reviewing agencies and the subdivider.

**4.5 INSTALLATION OF IMPROVEMENTS**

- A. After Development Plan approval, the subdivider may install all required improvements, or use any of the alternate techniques specified in Article VII of this ordinance in lieu of completion of all improvements in the area covered by the approved Development Plan or any portion thereof which he proposes to record and develop at the time.
- B. Prior to the granting of Final Plat approval by the Planning Commission, the City of Florence and the subdivider shall agree upon a deadline for the completion of all required improvements as provided in Section 7.2 of this ordinance.
- C. Prior to Final Plat approval by the Planning Commission, the subdivider shall complete, in a manner satisfactory to the City of Florence, all improvements required in this ordinance and specified in the approved Development Plan. Where applicable, such improvements shall be dedicated to the City of Florence.

**4.6 FINAL PLAT REVIEW AND APPROVAL PROCESS**

- A. General Procedures



1. Submittal of Final Plat Package
  - a. After completion of the physical development of all or any completed phase of the area shown on the approved Development Plan, the subdivider or his agent shall submit four (4) copies of a Final Plat submittal package to the staff of the Planning Commission for review and approval.
  - b. Each Final Plat submittal package shall include a copy of the Final Plat application, copies of all certificates that may be required, and the Final Plat itself, prepared in accordance with Article V of this ordinance.
2. Preliminary Review of Final Plat
  - a. Upon receipt of a Final Plat submittal package, the Planning Commission staff shall determine if it is in conformity with the approved Development Plan.
  - b. If the Planning Commission staff determines that the Final Plat is not in conformity with a previously approved Development Plan, it shall reject the submittal and return it to the applicant. The subdivider must then either 1) make the necessary physical changes so that it is in conformity with the approved Development Plan and then re-submit, or 2) return to the Development Plan submittal and review process in an attempt to obtain approval of a modified Development Plan that incorporates the changes.
  - c. If the Planning Commission staff determines that the Final Plat is in conformity with the approved Development Plan, then it shall forward a copy of the Final Plat submittal package to the City of Florence Public Works & Utilities Department so that the City can determine (via inspections, review of certifications, etc.) if the improvements shown on the Development Plan have been properly installed, and where applicable, have been approved and accepted by the City.

B. Process for Acceptance of Required Improvements and Approval of Final Plat

1. If the City determines that all of the improvements have been properly installed, the City shall submit a signed and approved closeout document package to the Planning Commission staff stating that the improvements have been properly installed, inspected, approved, and accepted.
2. Upon receipt of the City’s approved closeout package, but no more than fourteen (14) calendar days after the date that the Final Plat was submitted by the subdivider, the Planning Director shall sign, date, and stamp the Final Plat as “Approved For Recording.” The approved Final Plat will then be made



available to the subdivider for recording in the office of the Florence County Clerk of Court.

- a. Official action by the Planning Commission during one of its meetings is not required if the Final Plat has been approved by the Planning Director.

C. Process for Non-Acceptance of Required Improvements, Plat Rejection, and Optional Appeal

1. If the City determines that all of the required improvements have not been properly installed, inspected, approved, and accepted, then the City shall provide such written or verbal notification to the Planning Commission staff.
2. Upon receipt of the City's notification, but no more than fourteen (14) calendar days after the date that the Final Plat was submitted by the subdivider, the Planning Commission staff shall reject the Final Plat submittal package and return it to the applicant, along with a cover letter stating the reasons for the rejection.
3. Upon rejection of the Final Plat, the subdivider can either accept the ruling or appeal the ruling to the Planning Commission.
  - a. The subdivider may also appeal to the Planning Commission if the Staff does not approve or reject the Final Plat within fourteen (14) calendar days.
4. If the subdivider accepts the ruling, he must complete the required improvements and then re-start the Final Plat submittal and review process.
5. If the subdivider elects to appeal the Staff's decision, or appeal because of failure of the Staff to approve or reject the Final Plat within 14 calendar days, he must submit a letter to the Chair of the Planning Commission requesting placement on the Planning Commission's agenda.
  - a. To place the Final Plat appeal on the Planning Commission's meeting agenda, the referenced project must have met all project submittal requirements.
  - b. The appeal letter must be received by the Chair of the Planning Commission at least 15 days prior to the Planning Commission meeting during which the subdivider would like his Final Plat to be presented for official action.
  - c. The appeal letter must outline and document the reasons and facts as to why the subdivider feels that the Final Plat should be approved.
  - d. A pre-meeting conference attended by the subdivider, at least one member of the Planning Commission, and any applicable Staff must be



held prior to the meeting during which the Planning Commission is scheduled to take action regarding the appeal. It shall be the responsibility of the Chair of the Planning Commission to schedule the pre-meeting conference. Failure of the subdivider to attend the pre-meeting shall result in removal of the appeal from the Planning Commission agenda.

D. Official Action by the Planning Commission In the Event of a Final Plat Appeal

1. Official action by the Planning Commission regarding the Final Plat is required only in the event of an appeal.
2. If official action by the Planning Commission is required as the result of an appeal, then the Planning Commission shall approve or reject the Final Plat during the meeting at which it is presented, or within seven (7) calendar days of such Planning Commission meeting unless the subdivider consents in writing to an extension of this time limit. The decision of the Planning Commission shall be final.
  - a. If the Planning Commission issues final rejection of a Final Plat following an appeal, the developer must complete the required improvements and then re-start the Final Plat submittal and review process. However, final disapproval by the Planning Commission does not supersede the subdivider's right to appeal as defined in the 1994 Planning Enabling Act.
  - b. If the Planning Commission approves the Final Plat as the result of an appeal, or if the Planning Commission fails to take action within the specified or agreed upon time limit, the Planning Director shall sign, date, and stamp the Final Plat as "Approved for Recording." The approved Final Plat will then be made available to the subdivider for recording in the office of the Florence County Clerk of Court.
  - c. Pertinent comments and recommendations regarding the appeal decision shall be noted in the minutes of the Planning Commission meeting. The subdivider shall be provided with a copy of the meeting minutes for his records upon request.
3. It is expressly understood that the Planning Commission shall not act to override the requirements of other agencies. However, the Planning Commission may seek to bring agreement in cases of conflicts between one or more reviewing agencies and the subdivider.

**4.7 SUMMARY APPROVAL OF FINAL PLAT**

- A. Subdivisions which do not involve the platting, construction, or opening of new streets, water, sewer, or stormwater facilities, or improvements to existing streets,



because all necessary public facilities are adequate and existing, shall be accepted by the Planning Commission in the form of a Final Plat. Sketch plans and Development Plans are not required in such cases.

- B. In cases where such subdivisions involve four (4) or fewer lots, and where those lots and buildings (if any exist) conform to the requirements of its zoning district, and all lots are served by all public infrastructure, the Planning Commission authorizes its Planning Director, at his discretion, to accept the Final Plats. Sketch plans and Development Plans are not required in such cases.
- C. Prior to summary approval of any Final Plat, the Planning Director may, at his discretion or upon recommendation of the Staff, require improvements or studies (e.g., traffic studies, environmental impact studies, drainage analysis).



## **ARTICLE V: SUBDIVISION PLAN/PLAT REQUIREMENTS**

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Plans/Plats shall be prepared in accordance with the following requirements:

### **5.1 SKETCH PLAN SUBMITTAL REQUIREMENTS**

- A. The Sketch Plan submittal, review, and approval process is intended to benefit the developer of a proposed project, and/or his agent, by providing an overview of the proposed development confirming that it meets the basic intent of these regulations prior to the preparation of a more formal and involved Development plan submittal.
- B. Developers and their agents are encouraged to provide all pertinent information during the preliminary design phase of a project so that it may be determined if the general layout of the project meets the intent of this and any other applicable ordinances. The subdivider shall submit a Sketch Plan of the entire tract, even if his present plans call for the development of only a part of the property.
- C. The Sketch Plan shall be drawn at a scale not smaller than one hundred (100) feet to one (1) inch. On large subdivisions, match lines shall be used, if necessary, on sheets no larger than 30" x 42". Sheets measuring 24" x 36" are preferred in order to conform with the Final Plat submittal requirements.
- D. The Sketch Plan shall include a vicinity map at a scale not smaller than one (1) mile to one (1) inch showing the relationship of the proposed subdivision to surrounding areas and development.
- E. Sketch Plans shall be submitted in electronic format.
- F. At a minimum, the Sketch Plan shall show:
  - 1. The total acreage in the tract to be subdivided.
  - 2. Proposed street arrangements, including any dimensional information such as rights-of-way widths, cul-de-sac lengths, curve radii, etc., that may be necessary to ensure that the geometric design of the street layout meets the intent of applicable codes and regulations.
  - 3. Lot arrangements, including typical lot area and approximate number of lots.
  - 4. Sufficient additional information (e.g., setbacks) to ensure conformance with the Zoning Ordinance.
  - 5. City or County boundary lines (if applicable).
  - 6. Existing and proposed uses of land throughout the subdivision.



7. Existing parcel boundaries and uses of land surrounding the proposed subdivision.
8. The approximate location of existing and proposed utilities, including stormwater management facilities.
9. Contour lines at vertical intervals of not more than two (2) feet. These contour lines should extend beyond the boundaries of the parcel by a minimum of 100 feet on all sides, or as necessary to show adjacent topography.
10. Proposed name of subdivision with name and address of contact person.
11. Deed record names of adjoining property owners of subdivision.
12. In case of re-subdivision, a copy of existing plat with proposed re-subdivision superimposed thereon.
13. Location of all streams, lakes, swamps, as well as land subject to a 1% annual chance flood.
14. Location of existing adjoining property lines and buildings on the property to be subdivided.
15. Location and rights-of-way of streets, roads, railroads and utility lines either on or adjacent to the property to be subdivided. Specify whether utility lines are in easements or rights-of-way and show location of poles or towers.

G. Projects Requiring Traffic Studies

Early contact with the City of Florence is recommended. A traffic impact study may be required for any large development, such as a shopping center, a planned development, an industrial complex or a significant residential project. Generally, a traffic study is required when a specified threshold within the development is met or if it is determined by the City of Florence that the Level of Service (LOS) of the existing or proposed road network is unacceptable. The proposed thresholds are as follows and, if met, would typically require a traffic study:

1. If 50 or more lots in a residential subdivision or 100 parking places for multi-family residential or commercial projects are proposed; and/or
2. If a proposed building is 100,000 square feet or more; and/or
3. If there are two or more principal uses for a project area where the total gross floor area is 100,000 square feet or more; and/or
4. If the development is a truck or bus terminal, including service facilities designed principally for such uses.



H. General Standards and Initial Study Requirements

If a traffic study is required for a project, it shall at least contain the following elements:

1. A list of roads in the project area showing the function class and traffic counts for each.
2. An investigation of project impact on the transportation network, including LOS calculations for all affected roads.

I. Level of Service (LOS) and Road Function Class Descriptions.

The LOS, based on the current traffic on the road (volume) and the ability of the road to handle traffic (capacity), that will be considered acceptable is dependent on the function class of the road and is described by the South Carolina Department of Transportation (SCDOT) as follows:

**Levels of Service**

<b>LOS A:</b>	<b>This level of service describes completely free-flow conditions. Desired speed and movements are virtually unaffected by the presence of other vehicles and constrained only by the geometric features of the roadway and driver preferences</b>
<b>LOS B:</b>	<b>Traffic flow is stable. The presence of other vehicles only slightly restricts freedom to maneuver.</b>
<b>LOS C:</b>	<b>Traffic flow is stable, but the number of bumper-to-bumper groups of vehicles increases due to slow moving vehicles and turning maneuvers.</b>
<b>LOS D:</b>	<b>Unstable traffic flow conditions are approached under LOS D. The desire to pass becomes very high but safe passing opportunities decrease significantly.</b>
<b>LOS E:</b>	<b>Passing is virtually impossible. The slowest moving vehicle controls the travel speed.</b>
<b>LOS F:</b>	<b>Passing is impossible. The slowest moving vehicle controls the travel speed. Very unstable traffic flow conditions exist.</b>

J. Acceptable Level of Service Based on Road Function Class

The following are considered as minimum acceptable levels of service based on the function class of the road:



1. Local – LOS C
2. Collector – LOS C
3. Arterial – LOS C
4. Expressway – LOS C

The function class of a road is as determined by the SCDOT. If the road is a not state maintained, it shall be considered local.

K. Certification and other Requirements of the Study

Traffic studies shall be completed and certified by a registered engineer at the expense of the developer, owner, or applicant (Owner). The City of Florence reserves the right to develop a list of pre-approved transportation engineering firms and require that the Owner select from the pre-approved list for any required traffic impact study.

Traffic studies shall meet the criteria of the Institute of Transportation Engineers and shall analyze traffic conditions per the initial study phase. If the initial study shows a LOS of less than C, then the Owner shall be required to complete an additional traffic impact study of the full development of the site under the most critical traffic situation expected. This phase of the work must be extended to include a traffic remediation plan that corrects the deficiencies and demonstrates an acceptable LOS on the public roadway(s) for the proposed project. The traffic remediation plan shall include roadway improvements and any traffic control devices necessary to reduce the impacts of the new development.

If the LOS of the existing road network is C or less, then the proposed development may not lower the existing level of service. New roadways within the proposed development must provide (at full development of the site) a LOS not less than C. However, it is recommended for any proposed project that all existing or proposed public roadway systems are improved to a minimum of a LOS C.

For phased projects, the proposed public rights-of-ways shall conform to the traffic remediation plan as detailed in the traffic study.

L. Review of Study

Staff may grant the approval if the traffic generated maintains the accepted LOS for the road where the development is proposed.

However, if the LOS falls below an acceptable level, the applicant shall propose on-site or off-site mitigation, which the staff can also approve. In these cases, if an applicant would like to appeal the decision of staff or develop without mitigation efforts, review by the Planning Commission would be required. Planning Commission can then approve



the request, approve with contingencies, or deny the request and prevent the development from occurring unless mitigation efforts are made. In cases of extreme traffic or effects on LOS of the transportation network, Planning Commission may fully deny a request.

In the event that an applicant would like to appeal the decision of the Planning Commission, the procedures found in the Florence County/Municipal Consolidated Zoning Ordinance in Article 9 explain the steps for appeal to the circuit court or to request pre-litigation mediation.

During the review process, staff and/or Planning Commission may consult the South Carolina Department of Transportation and/or other transportation professionals.

M. Additional Review and Oversight

This section is not designed to replace any oversight and/or permitting power from the South Carolina Department of Transportation.

N. Additional information may be required if it is deemed necessary by the reviewer(s) in order to make a determination of general conformance with the regulations (e.g., environmental impact studies, drainage analysis).

**5.2 DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS**

A. The Development Plan shall be drawn at a scale not smaller than one hundred (100) feet to one (1) inch. On large subdivisions, match lines shall be used, if necessary, on sheets no larger than 30" x 42". Sheets measuring 24" x 36" are preferred in order to conform with the Final Plat submittal requirements.

B. The Development Plan shall meet the minimum standards of subdivision design set forth in this ordinance, the applicable Fire Code, and the Zoning Ordinance.

C. At a minimum, the Development Plan shall include the following information:

1. General

a. Proposed name of subdivision, and name and address of contact person, and the person or firm preparing the plan.

b. Title, graphic scale, north arrow and date

c. Vicinity map at a scale not smaller than one (1) mile to one (1) inch showing the relationship of the subdivision to the surrounding area

d. Acreage and boundaries of the parcel to be subdivided.

e. Development plans shall be signed, dated, and stamped by a registered professional engineer. Original signatures are preferred.



- f. All drawing elements shall be submitted referencing South Carolina State Plane (SCSP) Coordinates. Elements referencing SCSP will utilize the North American Datum of 1983-1986 Adjustment (NAD83 [1986]) for horizontal control and be measured in International Feet (not US Survey Foot). Vertical control will reference the North American Vertical Datum of 1988 (NAVD88) and shall include measures using US Survey Foot. Datum information shall be noted on all plan sheets submitted for review purposes.

Control of plan features may be tied to the SCSP system using traditional surveying or GPS (Global Positioning System) methods.

## 2. Existing Conditions

- a. Contour lines at vertical intervals of not more than two (2) feet. These contour lines should extend beyond the boundaries of the parcel by 100 feet on all sides, as necessary to show adjacent topography.
- b. The Staff reserves the right to require one (1) foot contour intervals and intermediate spot elevations in areas suspected of extremely poor drainage.
- c. Deed record names of adjoining property owners of subdivision.
- d. In case of re-subdivision, a copy of existing plat with proposed re-subdivision superimposed thereon.
- e. Location of all streams, lakes, swamps, as well as land subject to a 1% annual chance flood.
- f. Location of existing adjoining property lines and buildings on the property to be subdivided.
- g. Location and rights-of-way of streets, roads, railroads and utility lines either on or adjacent to the property to be subdivided. Specify whether utility lines are in easements or rights-of-way and show location of poles or towers.
- h. Size and location of existing sanitary and storm sewers, water mains, drains, culverts of other underground facilities within the street or within the right-of-way of streets or roads adjoining the tract. Grades, inverts and ground level elevations of existing sanitary and storm sewers shall be shown.
- i. The acreage of each drainage area affecting the proposed subdivision.



- j. All elevations shall refer to NAVD 88 (North American Vertical Datum of 1988) where public water and/or public sanitary or storm sewers are to be installed. Datum information shall be noted on plans submitted for review purposes.
  - k. Location of City limit lines and county lines, if applicable, and indication of existing zoning classification applying to, and proposed use of all land within the subdivision.
3. Proposed Conditions
- a. Proposed layout of streets, roads, and alleys, with widths, road names, or designations.
  - b. Construction plans for streets, showing natural and finished grades as well as typical cross-sections. Additional cross-sections may be required due to unusual topography or conditions.
  - c. Proposed layout of all lots; dimensions of lots; lot numbers, all easements with widths, and proposed use of all lots or tracts of land.
  - d. All setbacks and all easements.
  - e. Construction plans for sanitary sewers with grade, pipe size, pipe material, location of manholes, and points of discharge.
  - f. Construction plans for storm drainage system, in accordance with the requirements of the City of Florence Municipal Utilities Ordinance.
  - g. Construction plans for water supply system with pipe sizes, pipe materials, fittings, and location of hydrants and valves.
  - h. A grading plan to show proposed contour changes in areas where cut or fill is to be done.
  - i. Proposed street lighting plan and electrical, telephone, and cable vision wire location plan showing pole locations and underground installations.
  - j. Proposed sign location plan for all street name and traffic regulatory signs to be installed, plus proposed traffic control lights.
  - k. Delineation of all riparian buffers, open spaces, and designated natural areas.
  - l. Proposed street tree arrangement.



**5.3 FINAL PLAT SUBMITTAL REQUIREMENTS**

- A. The Final Plat shall substantially conform to the approved Development Plan and it shall meet all requirements set forth in this ordinance.
- B. The Final Plat shall be drawn to scale not smaller than one hundred (100) feet to one (1) inch and/or with match sheets no larger than 24" x 36.”
- C. Final Plats shall be submitted in electronic format.
- D. At a minimum, the Final Plat shall include the following:
  - 1. Name of subdivision and subdivider, and name and address of contact person.
  - 2. Title, graphic scale, north arrow and date.
  - 3. Street names, identifying lot numbers, and street addresses for residential subdivisions.
  - 4. Sufficient data to determine readily and reproduce on the ground the location, bearing and length of every road centerline, subdivision boundary line, block line, and easements whether curved or straight.
  - 5. All lot lines, lot dimensions, and building setback lines.
  - 6. Location and description of all monuments and markers.
  - 7. Locations of all power lines or power company easements.
  - 8. All rights-of-way, easements, and areas to be dedicated to public use with the purpose of each stated.
  - 9. Approved driveway zones for corner lots.
  - 10. All natural features to be preserved, including historical sites/buildings/markers, scenic spots, water bodies, and significant stands of trees.
  - 11. All riparian buffers, either pre-existing or newly planted.
  - 12. The following signed certificates shall appear with the Final Plat, which is submitted to the Planning Commission staff by the subdivider (see Appendix for examples).
    - a. Certificate of ownership, dedication, and taxes paid
    - b. Owner’s guarantee and warranty in affidavit form
    - c. Conveyance of utilities to City



- d. Verification of street acceptance by County, or letter of acceptance from SCDOT if an encroachment permit was involved.
- e. Other SC DOT certifications (if applicable)
- f. Recorded copies of any easements and deeds (if the City needs interest in real property)
- g. Certificate of acceptance of physical improvements
- h. Guarantee of repaving
- i. Accuracy of land survey
- j. Engineer’s letter/certificate of completion to the City of Florence
- k. Approved escrow agreement
- l. SC DHEC certifications/approvals to place into operation
- m. Certificate of approval for recording
- n. Five (5) copies of complete record drawings of all utilities stamped, dated, and signed by the project engineer for accuracy shall be submitted along with an electronic copy (compact disk) in digital format in a form usable (CAD) by the City of Florence Engineering Office.

The completed CAD drawing file shall contain text in standard fonts that can be read without third-party software. No polylines or annotations shall be stored in blocks. All blocks shall be exploded. All components of the drawing must appear on separate layers or levels (i.e. “valves” on a separate layer from “waterlines”). The numbering and/or naming of layers, colors, and line types will be in accordance with the individual Engineer’s standards, but components of the drawing must be separate and consistent in order for successful translation in order to store, manage, and maintain spatially-related (geographic) data.

All drawing elements shall be submitted referencing South Carolina State Plane (SCSP) Coordinates. Elements referencing SCSP will utilize the North American Datum of 1983-1986 Adjustment (NAD83 [1986]) for horizontal control and be measured in International Feet (not US Survey Foot). Vertical control will reference the North American Vertical Datum of 1988 (NAVD88) and shall include measures using US Survey Foot. Datum information shall be noted on all plan sheets submitted for review purposes. Control of plan features may be tied to the SCSP system using traditional surveying or GPS (Global Positioning System) methods.



- o. The name, seal, signature and registration number of the surveyor shall appear on the Final Plat.

**5.4 FINAL PLAT REVISIONS**

If it should be necessary to revise a Final Plat due to dimensional error, the subdivider’s surveyor, upon acceptance and authorization of the Planning Commission staff, shall make the necessary changes and resubmit the Final Plat to the designated Planning Commission staff member. The designated Planning Commission staff member will then sign, date, and stamp as “Approved for Recording.” The approved plat will then be made available to the developer for recording in the Office of the County Clerk of Court.



**ARTICLE VI: MINIMUM LAND PLANNING STANDARDS AND  
REQUIRED IMPROVEMENTS FOR SUBDIVISIONS AND  
OTHER LAND DEVELOPMENTS**

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**6.1 NAMING AND NUMBERING**

A. Subdivision and Apartment Project Names

Subdivision names and apartment project names shall not be duplicated or be confused with existing names. Names are subject to approval by the Planning Commission staff to eliminate duplicate names.

B. Street Names

Proposed streets which are obviously in alignment with other existing and named streets, shall bear the assigned name of the existing streets. In no case shall the name of proposed streets duplicate or be phonetically similar to existing street name, irrespective of the use of suffix and/or prefix. The Streets, Sidewalks, and Other Public Property Ordinance (Chapter 17 of the City Code of Ordinances) shall govern the assignment of names and property numbers.

C. Property Numbering

The Staff shall provide appropriate “house numbers” - for all lots as specified in the Streets, Sidewalks, and Other Public Property Ordinance (Chapter 17 of the City Code of Ordinances).

**6.2 BLOCKS**

A. Residential Blocks

Block dimensions and configurations shall be as follows:

1. Standard blocks:

- a. Lengths of standard blocks shall not exceed sixteen hundred (1,600) feet nor be less than four hundred (400) feet on any side.
- b. Standard blocks shall consist of at least 2 lots on all sides.

2. Non-Standard blocks:

- a. In special situations, where it is necessary to separate residential developments from vehicular traffic or non-residential uses, non-standard blocks may be used. However, the Planning Commission must approve such configurations and the associated lot depths must be in accordance



with the minimum lot dimensions required in the Zoning Ordinance for the land use area in which it lies.

- b. Non-standard blocks may consist of a single lot on one or more sides (single-tier block). The preferred minimum lot depth for single-tier blocks is 150 feet.
- c. Where single-tier blocks are approved by the City, driveways will not be allowed on the side of the block with the shortest dimension.

**B. Commercial and Industrial Blocks**

The block layout in commercial and industrial areas may vary from the planning criteria detailed in this ordinance if required by the nature of the use. In all cases, however, the criteria and provisions of the Zoning Ordinance shall be followed in land planning and to provide adequate off-street parking and loading spaces and to insure space for future expansion.

**6.3 LOTS**

All lots established hereafter in connection with the development of a subdivision shall comply with the following planning standards:

**A. Authority of State Department of Health and Environmental Control**

Nothing contained in these regulations shall be construed as preventing the State Department of Health and Environmental Control, after study of the conditions existing in a proposed subdivision, from requiring that all or any portion of the area of such subdivision shall not be built upon or that the minimum lot sizes set forth in these regulations are inadequate and must be increased to insure the protection of the public health.

**B. Lot Lines and City/County Boundary Lines**

Lots, insofar as practical, should not be divided by city limit or county boundary lines. Insofar as practical, lot lines shall be at right angles to straight street right-of-way lines and radial to curved street lines.

**C. Minimum Lot Dimensions and Area**

Minimum lot dimensions and area are governed by the Zoning Ordinance and applicable health regulations, whichever is most restrictive.

**D. Corner Lots**

Corner lots shall be so designed that a structure built thereon may be oriented to either street and still maintain minimum yard requirements specified by the Zoning Ordinance. Equal setbacks shall be provided for both the front and side streets based on the front



yard setback distance.

E. Double Frontage

Double frontage or reverse frontage lots (i.e. lots having street frontage both in front and rear) shall be avoided except where essential to provide separation of residential development from railroad or major street rights-of-way or from non-residential uses. Whenever reverse frontage lots are used, a non-access buffer strip of not less than twenty (20) feet, planted with a vegetation screen shall be provided to separate and protect said lots from the major street.

F. Street Access

1. Every lot hereafter established shall front or abut on a public street which conforms to the requirements of these regulations.
2. Exceptions to this rule are listed in Section 6.15.C of this ordinance (Private Streets).
3. Another exception to this rule is in the case of development of a large commercial or industrial parcel, one parcel at a time.
  - a. In this case, with the approval of the Planning Commission, subdivision shall be permitted if the owner ties an adequate permanent easement to a driveway that provides free ingress and egress from the newly subdivided parcel to a public street.
  - b. The easement and the driveway must have sufficient width in the view of the Planning Commission.
  - c. Each lot shall satisfy setback requirements as specified in the Zoning Ordinance.

G. Lot Remnants:

Lot remnants are prohibited on any plat.

**6.4 MARKERS**

A. Permanent Markers

Markers shall be installed in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina. Permanent markers shall be a part of the physical improvements covered by financial guarantees.

B. Temporary Markers

Temporary markers may be installed by the subdivider for inspection purposes while the



subdivision is under construction. Temporary markers shall be installed with the same accuracy and precision as for permanent markers. The subdivider is responsible for replacing any markers damaged or disturbed during construction.

## **6.5 PRIVATE LOT DRIVEWAYS**

### **A. General**

1. Each proposed lot shall be designated so as to allow the development of a private driveway serving said lot.
2. Driveways shall be located, designed and constructed so as to provide a relatively level stopping space no less than twenty (20) feet outside the street right-of-way.
3. Driveways of corner lots shall be located at least forty (40) feet from the point of intersection of the nearest street right-of-way lines. Approved driveway zones for corner lots shall be shown on the Final Plat.
4. Adequate vision clearance at the intersection of driveways with street right-of-way lines shall be provided as required in Section 6.15.L.7 of this ordinance.
5. Where difficult problems of driveway curvature or excessive grades are likely to be present, the property owner or his agent shall submit for the Planning Commission Staff Engineer's approval the details of driveway location and grades before a building permit is issued.

### **B. Responsibilities of Owner and/or Developer**

The property owner is responsible for the original installation and permanent maintenance of the connecting segment of pavement located on the right-of-way, between the street pavement and the private driveway on said private lot. This shall be accomplished prior to the final building inspection in those instances when a driveway is paved. It is not a requirement of this ordinance that private residential driveways be paved. The owner shall also be responsible for any necessary curb-cut and/or repairs.

## **6.6 BUILDING SETBACK LINES**

### **A. Minimum Setback**

The minimum building setback from the street right-of-way (property line) shall be established by the Zoning Ordinance for the District in which the lots are located.

### **B. Power Lines**

1. In no case shall the Planning Commission approve any plat whereby the power company's easement is used to meet the minimum yard requirements established in the Zoning Ordinance.



2. The developer must contact the appropriate power company to insure that any proposed use of a right-of-way meets all of the requirements of said power company.
3. Standard setbacks established in the Zoning Ordinance apply to power line rights-of-way.
4. An alternate design solution is to utilize the area adjacent to the power line easement (not within the easement) for a street right-of-way.

**6.7 PUBLIC SITES AND OPEN SPACE DEDICATION**

**A. Official Map Ordinance and Subdivision Development**

1. The subdivider is required to make land available for the development of all types of public services that will be required to serve future residents and/or businesses within the proposed subdivision. A site for public facility may also serve an area larger than the proposed subdivision.
2. The subdivider or landowner is not required to donate land to the public agency for public facilities; however, the subdivider or landowner shall make land available as deemed appropriate by the City of Florence and the Planning Commission.
3. The Official Map may include, but is not limited to, future public streets, easements, rights-of-way, public utilities, public building site, parks, playgrounds, schools, and other open space areas.

**B. Homeowner’s Association**

The public site may be owned and maintained by Homeowner’s Association for use by the general public rather than dedicating said site to the City. The Homeowner’s Association Declaration shall be submitted with proposed legal covenants to the Planning Commission for review prior to approval of the Final Plat.

**C. Location**

Such open spaces shall be located adjacent to other such areas in adjacent subdivisions wherever possible in order to provide for the maximum use of the area, and shall be shown on the Sketch Plan. The Planning Commission shall not approve a site which is undesirable for the proposed use.

**6.8 NATURAL FEATURES AND HISTORICAL LANDMARKS**

1. The Planning Commission reserves the right to require the preservation of outstanding natural features, historical landmarks/sites/buildings, scenic spots, water bodies, and significant stands of trees.



2. Existing riparian buffers must be maintained in accordance with the requirements of the Zoning Ordinance. Where not pre-existing, riparian buffers shall be provided during development or re-development to protect water bodies, in accordance with the requirements of the Zoning Ordinance.

**6.9 GRADING OF LAND AND TRANSITIONS TO ADJOINING PROPERTY**

Existing and final grading plans shall be approved by the Planning Commission staff engineer. All changes in the natural grade of the land shall be appropriately sloped to make a gradual ten percent (10%) or less slope transition to adjoining property. Structural retaining walls may be constructed no closer to the property line than 75% of the required building setback distance. This will not apply to the front setback line.

Minor retaining walls (2 feet or less) used as landscape elements may be constructed anywhere within the building setback lines.

**6.10 STREET TREES**

A. Street trees shall be provided in proposed subdivisions in order to enhance the appearance of the community.

1. General standards for newly planted street trees are as follows:

- a. Street trees shall be provided at a minimum of 1 per lot in the public right-of-way and shall be reasonably spaced, with a maximum spacing of 60 feet.
- b. At least 1 street tree is required in grassed islands that are in the center of round or bulb shaped cul-de-sacs.
- c. Approved large species street trees must be installed. A list of approved large species canopy trees will be maintained by the City of Florence. Minimum tree size shall be 2-1/2 inches in diameter upon installation.
- d. Trees for entire block should be planted at one time.
- e. Newly planted street trees shall be located in such a manner to minimize damage to streets, sidewalks, drainage installations, and utility installations.
- f. Trees must be planted in accordance with recognized horticultural guidelines. Planting details will be maintained by the City of Florence.
- g. Newly planted street trees shall be watered and maintained in a healthy manner by the developer through the first growing season.
- h. After planting, the developer shall sign a contract for guarantee of replanting street trees. The contract shall legally bind the developer to



- replant any street tree that is not maintained in a healthy manner through the first growing season.
- i. Street trees are required to be installed at the same time as other improvements, and may not be escrowed as an individual item.
- B. In lieu of newly planted street trees, one of the following three (3) alternatives may be used to comply with the street tree requirements.
1. Acceptable pre-existing trees fronting proposed streets may be maintained in lieu of planting new street trees. While such pre-existing trees do not have to meet all of the requirements of newly planted street trees, the following minimum criteria apply:
    - a. Spacing and species of trees must be determined to be acceptable by the City staff.
    - b. In all cases, the number of street trees shall equal or exceed the required number of trees listed above in Section 6.10.A.
    - c. Trees must exhibit good health and must be adequately protected during construction in accordance with recognized horticultural guidelines.
  2. At a minimum, acceptable pre-existing stands of trees (>2.5" in diameter) must be maintained on 75% of the lots. These trees must be maintained within the rear setback, and the side setbacks up to the front setback, for the required number of lots.
    - a. These trees must be determined to be acceptable by the City staff.
  3. Landscaping shall be provided as part of site plan and subdivision design. It shall be conceived in total pattern throughout the site, integrating the various elements of site design, preserving and enhancing the particular identity of the site, and creating a pleasing site character.
    - a. At a minimum, the landscape plan shall contain a 30' depth of sod from edge of street.
    - b. At a minimum, each lot shall contain 1 large species tree of at least 2.5" in trunk diameter, located within 30' of the edge of street. Alternatively, the developer may submit groupings of newly planted trees throughout the subdivision for consideration by the City of Florence. In no case may the developer submit less than 1 tree per lot.
- C. The developer shall cause street trees to be provided as shown on approved plans.



1. If the required street trees are not present at the time of Final Plat approval, the developer must provide financial guarantees to ensure installation as required as outlined in Article VII of this ordinance.
2. For any new development or re-development, all required street trees must be completed within two years of the Final Plat recording.

**6.11 SOIL SUITABILITY**

Where questions exist regarding the suitability of soils for a proposed development, the Planning Commission reserves the right to require the developer to provide a report and certification of soil suitability from a qualified soils engineer.

**6.12 STORM DRAINAGE**

- A. An adequate drainage system shall be provided for the proper drainage of all surface water according to Article IV – Division 3 of the Municipal Utilities Ordinance (Stormwater Drainage). All subdivision proposals shall be consistent with the need to minimize flood damage and the impact that runoff has on adjacent water bodies.
- B. Base flood elevation data shall be provided by the developer’s engineer for subdivision proposals and other proposed developments in any instance when the flood insurance rate maps do not provide an identified floodway or contain water surface elevation data on the City’s flood insurance rate map or floodway boundary and floodway map. No portion of a subdivision shall be approved which is subject to inundation by a flood of one hundred (100) year frequency or less except as otherwise permitted by the Zoning Ordinance and/or Article IV – Division 3 of the Municipal Utilities Ordinance (Stormwater Drainage).
- C. All subdivision proposals shall have public utilities and facilities including, but not limited to sewer, stormwater, gas, electrical and water systems located and constructed to minimize flood damage as specified in the Municipal Utilities Ordinance and/or the Zoning Ordinance.
- D. No subdivision of land shall be approved or variance to this chapter granted by the City or the Planning Commission unless it meets all of the requirements for flood hazard protection as specified in Zoning Ordinance.
- E. Detention and/or retention ponds shall be used to detain and retain the increased and accumulated runoff, which the developed subdivision generates. Water shall be released into watercourses or wetlands at a rate and in a manner that approximates natural predevelopment flow.
- F. Wet ponds shall have irregular shorelines and should compliment the development’s landscape plan.



**6.13 EASEMENTS**

All easements shall be designated on all subdivision and individual plats. It is the applicant’s responsibility to correctly show any easements. All easements shall be dedicated to the appropriate Governing Authority at the same time as the other required improvements.

**A. Drainage Easements**

1. Where a proposed subdivision is traversed by a new or existing drainage facility, easements shall be provided to the City of Florence.
2. All drainage easements must meet the specifications and requirements of the City Storm Drainage Ordinance.
3. Lake, ponds, creek, swamps, boat ramps, and other similar areas will be accepted only if sufficient land is dedicated as a public site or open space. These areas must constitute a necessary part of the drainage control system. These areas must be approved by the City of Florence prior to approval of the plat by the Planning Commission.

**B. Utility Easements**

1. When it is deemed necessary to locate public and/or private utility lines outside of the street right-of-way, adequate areas of suitable size and location shall be allocated for utility easements.
2. Easements shall be at least twenty (20) feet in width and shall be located along rear and side lot lines. Easements shall be cleared and graded to provide vehicular access. No structures or trees shall be placed within such easements. Fences may be placed with the easement, provided that the City or private utility company is not liable to pay the cost of replacing fences which they remove in order to maintain utility lines. Easements shall be maintained by the property owner and may be used to satisfy yard requirements under the Zoning Ordinance.

**C. Maintenance of Easements**

1. The covenant restrictions placed in the deed of a lot which contains an easement shall stipulate that the City of Florence or utility companies which have lines in such easement shall have full right of access to such easement.
2. The City of Florence shall maintain only those easements specifically accepted for public maintenance.

**6.14 UNDERGROUND WIRING**

- A.** All wiring including electric, telephone, telegraph, cablevision and all other such



lines carrying electrical current shall be placed underground in residential and commercial subdivisions. The street light layout shall be designed to avoid subsequent interference with other utilities and/or street paving. The Planning Commission may approve above ground wiring in an industrial park or for some unusual commercial or industrial situation.

- B. The developer shall submit a plan to the City of Florence indicating the proposed location of all wiring, together with any design, drawings and specifications as may be required by the City staff.
- C. The developer shall be required to submit three (3) prints of the proposed subdivision plan to the electric utility, for the purpose of determining street light location. The electric utility and the City of Florence staff shall be responsible for final determination of the number, type, placement and location of all street lights within the subdivision.
- D. Final construction plans shall be submitted to the City of Florence showing the location of all underground wiring as constructed, with permanent reference points shown, as a condition of acceptance by the City of Florence.

**6.15 STREETS**

- A. Conformity to Existing Maps and Plans

The location and width of all proposed streets shall be in conformity with the official plans and maps of the City of Florence and the Planning Commission.

- B. Continuation of Adjoining Street System

The proposed street layout shall be coordinated with the street system of the surrounding area. Where possible, existing streets shall be extended and the same name continued.

- C. Traffic Study

A traffic study may be required by Staff in order to insure the project design promotes public safety and adequate traffic flow.

- D. Private Streets

- 1. Private streets are allowed only in special projects as provided in the Zoning Ordinance (townhouses, Planned Developments, etc.).
- 2. In cases where private streets are allowed, there must be a viable homeowner's association (HOA) supported through the adoption of deed restrictions and responsibilities contained within legal restricted covenants to assume ownership and maintenance responsibility of the private street.



3. Private streets must be designed and constructed in accordance with the development standards established in this ordinance. Utility access and easement requirements also apply.
4. Private streets must be identified by appropriate signage.

E. Reserved Strips

Reserved strips adjacent to street rights-of-way shall be prohibited. Cul-de-sacs are required at the terminus of a new street.

F. Half Streets

Half streets are prohibited. Whenever a street is planned adjacent to the proposed subdivision tract boundary, the entire street right-of-way shall be platted within the proposed subdivision.

G. Looped Drives

The maximum length of a looped drive shall be 800 feet, except where fire truck turnarounds are provided. In such cases where fire truck turnarounds are provided, the maximum length shall be 1,600 feet.

H. Cul-de-sacs

Permanent dead-end streets shall not exceed four 400 feet in length as measured from the centerline of the perpendicular street to the center of the cul-de-sac, and shall be provided with a turnaround having an outside pavement diameter of at least 80 feet and a right-of-way diameter of at least 100 feet. The design must also comply with other applicable codes and regulations.

1. Grassed islands of at least 26 feet in diameter are required in the center of round or bulb shaped cul-de-sacs. Grassed islands shall be privately maintained.
2. Pavement width shall be at least 20 feet in the turnaround, but shall be 22 feet in the straight portion.
3. On-street parking is not allowed in a cul-de-sac and “No Parking” areas shall be marked.
4. Temporary dead-end streets shall not exceed 400 feet in length and shall be provided with an International Fire Code (IFC) approved turnaround.

I. Service Alleys

Service alleys may be permitted in residential, commercial, or industrial developments at the discretion of the Planning Commission and as recommended by City staff. Where



allowed, the following requirements apply:

1. Service alleys shall be private and privately maintained.
2. Service alleys shall be located to the rear or side property boundary, but may not be located in a required buffer yard.
3. Service alleys shall have a minimum 12-foot wide paved surface and a minimum (non-public) right-of-way width of 20 feet.
4. Any service alley approved by the Planning Commission shall be open at both ends or be provided with a standard vehicular turnaround (cul-de-sac).
5. Service alleys may not be used to meet the street access requirements outlined in Section 6.3(F) of this ordinance.
6. Exceptions to the requirements of Section 6.15.N may be allowed for service alleys where required by site conditions and where approved by the City staff.

J. Minor Streets

Minor streets shall be designed so as to discourage through traffic. However, the provision for the extension and continuation of major streets into and from adjoining areas is required.

K. Buffer Between the Subdivision and Major Streets

1. When a proposed subdivision abuts upon or contains an existing or proposed major street, the Planning Commission shall insure that the street layout provides an appropriate buffer zone in order to protect dwelling units, reduce the number of intersections with the major street, separate local and through traffic, or between developments. Any one of, or combination of the following techniques may be used:
  - a. A marginal access street running parallel with the major street supplying frontage to lots facing the major street may be used if it is separated from the major street by a vehicular non-access easement of at least twenty (20) feet containing a planting screen buffer strip. This vehicular non-access easement shall be granted to the City of Florence. It shall not be used to meet setback requirements, but may be used to meet buffer yard requirements.
  - b. Reverse frontage lots which back onto the major street and face a minor street in the subdivision may be used if they are separated from the major street by a vehicular non-access easement of at least twenty (20) feet containing a planting screen buffer strip. This vehicular non-access easement shall be granted to the City of Florence. It shall not be used to



meet setback requirements, but may be used to meet buffer yard requirements.

- c. Buffer strips with a width of at least 20 feet are allowed between developments.

L. Access to Adjacent Properties - Temporary Turnarounds

It is normally desirable to provide for street access to adjoining property. Proposed streets shall be extended by dedication to the boundary of such property and a temporary turnaround with paved radius of 25 feet shall be provided. No street arrangement shall be approved that prevents future access to adjoining undeveloped property.

M. Street Intersections

- 1. Not more than two (2) streets shall intersect at any one point.
- 2. All streets shall intersect as nearly at right angles as possible. No street shall intersect at less than eighty-five (85) degrees.
- 3. Street jogs shall have a minimum center-line offset of 150 feet.
- 4. Intersections of arterial streets shall be a minimum of eight hundred (800) feet from one another.
- 5. Street intersections shall be located at least one hundred and fifty (150) feet from the right-of-way of any railroad, measured from the center point of the intersection to the railroad right-of-way line nearest the intersection.
- 6. Street curb intersections shall be rounded by a tangential arc with a minimum radius as follows:

Intersection Type	Minimum Radius (feet)
Involving Major Streets	35 feet
Involving Minor Collector Streets	25 feet
Involving Only Minor Streets	20 feet

- 7. Adequate vision clearance shall be maintained at all intersections, as required in Article VII of the Zoning Ordinance.

N. Street Classification and Pavement Widths

- 1. Major Streets



Classification	Minimum Right-of-Way (feet)	Minimum Pavement Widths
Limited Access Highway - Expressway	SC DOT Specifications	SC DOT Specifications
Expressway	SC DOT Specifications	SC DOT Specifications
Arterial Streets (Residential & Commercial) and Commercial Collector Streets	66 feet for first 2 lanes plus 10 feet for each additional lane	36 feet for first 2 lanes plus 12 feet for each additional lane

2. Minor Streets

Classification	Minimum Right-of-Way (feet)	Minimum Pavement Widths
Residential Collector Streets	50 feet	24 feet <sup>(1)</sup>
<u>Local Streets:</u> Industrial/Comm. Area	66 feet	36 feet
Multi-family Area	66 feet	36 feet
Single/Duplex Family Area	50 feet	24 feet
Cul-de-sac	50 feet	22 feet
Marginal Access Street <sup>(2)</sup>	40 feet	24 feet <sup>(1)</sup>
Alley <sup>(3)</sup>	---	---

<sup>(1)</sup> Where sidewalks are provided, the pavement width may be reduced to 22 feet.

<sup>(2)</sup> For marginal access streets, the Planning Commission may accept alternate right-of-way widths upon review and recommendation of the Staff.

<sup>(3)</sup> See Section 6.15.H.

3. Upon the recommendation of the staff, the Planning Commission may require additional improvement widths for the purpose of promoting public safety and better traffic flow or to provide parking in industrial, commercial, or high-density residential areas.
4. Subdivisions developed along existing streets with inadequate right-of-way, shall provide additional right-of-way to meet the minimum specifications contained herein.
5. When the subdivision abuts a major street, any land needed for widening the major street, including marginal streets and buffer strips, shall be dedicated to the Governing Body.
6. Subdivisions with unusual topographic conditions shall provide greater street rights-of-way than herein required and/or provide slope easements for the sloping of banks or fill materials. A slope easement shall be from the toe



(bottom) of the slope to the crown (top) of the slope. Setbacks shall be adjusted to reflect the increased easement width.

O. Curves and Grades

- Where horizontal street alignment deflects at an angle greater than ten (10) degrees, a curve with the following minimum radii shall be provided.

Classification	Minimum Radii (feet)
Major Streets	500 feet
Collector Streets	300 feet
Minor Collector, Minor Street, and Cul-de-sacs	150 feet

- Reverse curves in streets shall be connected by tangents not less than the following:

Classification	Minimum Radii (feet)
Major Streets	As required by SC DOT
Minor Residential Streets	100 feet
All Other Streets	200 feet

- The minimum length of any vertical curve connecting two different street grades shall be equivalent in feet to the following factor times the algebraic difference in the rates of grade change on the two slopes involved:

Classification	Crest	Sag
Major Street	30	35
Collector Streets	20	25
Minor Collector, Minor Street, and Cul-de-sacs	10	15

- The longitudinal grade on any proposed street shall be subject to the approval of the Planning Commission Staff Engineer. However, the minimum grade on any proposed street shall not be less than one-half percent (0.5%) and the maximum street grade shall be as follows:



Classification	Maximum Street Grade (%)
Major Streets	4%
Collector Streets	8%
Minor Collector, Minor Street, and Cul-de-sacs	10%

5. Where horizontal curves are used, the minimum lineal sight distance shall be as follows:

Classification	Lineal Sight Distance (feet)
Major Street	275 feet for two lanes, plus 100 feet for each additional lane not to exceed 500 feet
Minor Street	100 feet

P. Construction Specifications

1. At a minimum, all streets, shoulders, and side slopes shall be constructed in accordance with the South Carolina Department of Transportation’s Standard Specifications of current adoption and shall include, as a minimum, six (6) inches of stabilized aggregate base course and two (2) inches of Type 1 asphalt cement pavement for all road construction within the municipal limits of the City of Florence.
  - a. Commercial collector streets and streets with higher classifications shall be constructed in accordance with the South Carolina Department of Transportation’s Standard Specifications of current adoption and shall include, as a minimum, eight (8) inches of stabilized aggregate base course, two (2) inches of Type 1 binder course, and an inch and one half (1.5 inches) of Type 1 asphalt cement pavement for all road construction within the municipal limits of the City of Florence.
2. The Planning Commission Staff Engineer may require higher standards than those shown on the typical drawings or in the South Carolina Department of Transportation Standard Specifications in order to provide adequately for unusual soil conditions, extraordinary traffic volumes, unusual drainage problems, or other abnormal conditions.
3. All shoulders and side slopes shall be protected from erosion by either sodding or seeding as set forth in the South Carolina Department of Transportation’s Standard Specifications. Plans for erosion control shall be a part of the required improvement plans to be submitted by the subdivider to the Planning Commission staff engineer for final approval.



4. At the time of street acceptance by the City, the developer shall sign a contract for Guarantee of Re-paving.
  - a. The contract shall legally bind the developer to re-pave any street which fails to withstand the traffic of heavy construction vehicles during the construction of houses within the subdivision.
  - b. Unless the City Engineer determines that the street pavement has failed and officially notifies the developer, the contract shall automatically be fulfilled and terminated when 90% of all houses are completed or 4 years after street acceptance.

**6.16 CURBS AND GUTTERS**

When used, curbs and gutters shall be installed along both sides of all streets. They shall be designed and constructed in accordance with the South Carolina Department of Transportation Standard Specifications, and shall be of the types listed below:

Classification	Type
Major Streets	Barrier Curb & Gutter
Minor Collector and Local Street	Mountable Curb & Gutter
Minor Local-rural (1 acre lots or more)	Mountable Curb & Gutter
Cul-de-sacs, Marginals, and Alleys <sup>(1)</sup>	Mountable Curb & Gutter

<sup>(1)</sup> See Section 6.15.H for exceptions to specifications for alleys.

The transition from one type curb to the other shall be made only at a street intersection, and adequate provision shall be made for driveway entrances.

**6.17 SIDEWALKS**

- A. In accordance with this regulation, sidewalks shall be installed for all subdivisions that involve the construction of new streets. Such sidewalks shall be installed in the following locations and widths, and shall be constructed in accordance with the criteria of the South Carolina Department of Transportation Standard Specifications. If physical condition(s) exist, or alternate means of pedestrian access and movement are provided, which render sidewalks impractical or unnecessary, an exception may be specifically granted by the Planning Commission upon recommendation of the City of Florence Public Works and Utilities Department. Where it is deemed necessary by the Planning Commission, additional sidewalks or wider sidewalks than those listed below may be required. The Planning Commission is required to specify in the minutes of the meeting the reason(s) for any exception/change to the sidewalk requirement.



Street Classification <sup>(1)</sup>	Sidewalk Width & Location
Expressways / Arterial Streets / Commercial Collectors	5 feet on both sides
Residential Collector Streets	4 feet on 1 side
Minor Streets Along Commercial Frontage	4 feet on both sides
Minor Streets Along School Frontage	4 feet on both sides
Minor Streets Along Duplex Residential Frontage	4 feet on 1 side
Minor Streets Along Multi-family Residential Frontage	4 feet on both sides
Minor Streets Along Single-family Residential Frontage	4 feet on 1 side

(1) Note: The various street types are defined in Article II of this Ordinance (Definitions).

- B. All utilities such as poles, fire hydrants, etc. shall be located outside the required width.
- C. Where sidewalks are required on only one side of a street, and the development is located on each side of the street, the single sidewalk shall generally be located on the northern and/or western sides of the street. If it is determined that locating the sidewalk on the northern or western side presents connectivity issues with adjacent sidewalks, then the sidewalk shall be placed on the side of the street that provides the greatest degree of continuity and connectivity.
- D. Where sidewalks are required on only 1 side of the street, and the development is located on only 1 side of the street, the sidewalk shall be located on the same side as the development, regardless of whether it is the northern/western side of the street.
- E. If a development encompasses an entire city block, or if the development encompasses a portion of a city block that is entirely owned by the developer, then sidewalks shall be provided on all block frontage.
- F. Grass strips, a minimum of two feet in width, should be located between curb and sidewalk.
- G. Developments and Redevelopments that do not already meet the sidewalk requirements provided in this section must comply if, and when, sidewalks are provided on a newly developed property that is immediately adjacent to the existing development.
- H. Trails or pedestrian paths that are not on road frontage and that meet the requirements of Section 6.18 may be considered by the City, in lieu of the sidewalk requirements presented herein.
- I. The developer shall construct, or cause to be constructed, all required sidewalks as shown on the approved plans.



1. If the required sidewalks are not completed at the time of Final Plat approval, the developer must provide financial guarantees to ensure completion of the sidewalks as outlined in Article VII of this Ordinance.
2. For any new development or re-development, all required sidewalks must be completed within two years of the Final Plat recording.

### **6.18 PEDESTRIAN PATHS**

Pedestrian paths may be used in lieu of sidewalks, or as indicated in Section 6.17(H) of this ordinance. Where provided, pedestrian paths must meet the following minimum specifications/requirements:

1. The walking surface must be at least 6 feet wide and it must be constructed with asphalt, concrete, hard-packed gravel, or approved alternate material.
2. The path must meet the specific design criteria illustrated by the detail shown in the Appendix.
3. Where the path is behind or between lots, there must be at least 7 feet of vegetated buffering space on each side of the path, measured perpendicularly from the edge of the path. Where the path runs adjacent to and parallel to a street, there must be at least 4 feet of vegetated buffering space between the edge of the path and the hard surface of the street.
4. As with sidewalks, completed pedestrian paths must be transferred to and accepted by the City of Florence for maintenance and ownership.

### **6.19 STREET LIGHTS**

Appropriate street lights are required in all subdivisions. The placement of such lights shall meet the specifications of the City of Florence (reference Section 6.14.C.).

### **6.20 WATER AND SEWER SYSTEMS FOR NEW SUBDIVISIONS**

#### **A. Connection to Public Water and Sewer Systems**

The subdivision shall be served by the City of Florence public water and sewer systems whenever they are available, in accordance with South Carolina Department of Health and Environmental Control's viability demonstration requirements for new water systems and the City's Franchise Agreement. The subdivision Development Plan shall be accompanied by satisfactory plans for water and sewer construction, in accordance with Articles II and III of the Municipal Utilities Ordinance. The plans for construction shall be prepared by a registered engineer and approved in writing by the City of Florence. The City of Florence Standard Specifications for Water and Sewer are available in the Engineering Division Office.

#### **B. Privately-Owned Community Systems**



A privately-owned community water and/or sewer system may be used only if services are not available from the public system within a reasonable period of time. Proposed plans of the system shall be prepared by a registered engineer and subsequently reviewed by the City of Florence to evaluate future compatibility with the public system. Approved plans shall then be submitted to and approved in writing by the State Department of Health and Environmental Control and the Public Service Commission prior to Planning Commission approval of the Development Plan.

C. Individual Wells and Septic Systems

In those portions of its service area where the City of Florence has determined that it is not feasible to provide water and/or sewer service to subdivisions, individual wells and/or septic tanks may be permitted. The City of Florence shall indicate, in writing, to the Planning Commission when such a situation exists. The State Department of Health and Environmental Control shall approve, in writing, all individual wells and septic systems prior to the Planning Commission’s approval of the Development Plan.

**6.21 NON-ELECTRICAL TRAFFIC CONTROL SIGNS AND DEVICES**

Permanent traffic control signs and devices, including street name signs, shall be provided and installed by the developer. Such signs and devices shall conform to City of Florence specifications and the South Carolina Manual on Uniform Traffic Control Devices for Streets and Highways.

**6.22 PARKING**

Parking requirements for each individual lot must be met when existing lots are subdivided. Parking requirements are specified in the Zoning Ordinance.

**6.23 SIGNS, MAILBOXES, DRIVEWAYS, ETC. IN PUBLIC RIGHT-OF-WAY**

A. Signs

1. Privately owned brick, masonry, or concrete subdivision entrance signs may be constructed on a city-owned public right-of-way.
2. The number of subdivision signs as well as the dimensions and location shall conform to the requirements of the Zoning Ordinance.
3. Residential subdivision signs shall be limited to the name of the subdivision.
4. Commercial subdivision signs are limited to the name and owner of the subdivision. Commercial subdivisions may have either a subdivision sign or a business advertisement sign, but not both.
5. Sign location and design must be shown on the Sketch Plan and must be approved by the Planning Commission.



6. For the purposes of this section, right-of-way includes any easement right-of-way, right of ingress/egress, or other property interest owned by the City.

B. Mailboxes

1. The City reserves the right to remove, or require the removal of, privately owned brick, masonry, or concrete mailboxes or newspaper boxes, or fixtures that have been constructed in a city-owned public right-of-way. For the purposes of this section, right-of-way includes any easement right-of-way, right of ingress/egress, or other property interest owned by the City.
2. At the time of repair to, or replacement of, mailboxes located in the right-of-way, the City is required to re-establish only a serviceable mailbox in accordance with United States Postal Service guidelines.

C. Driveways

1. The City reserves the right to remove, or require the removal of, these driveways for purposes of right-of-way maintenance or for utility installation/maintenance.
2. At the time of repair to, or replacement of, driveways located in the right-of-way, the City is required to re-establish only a hard surface driveway (i.e., concrete for concrete, asphalt for asphalt, or hard-packed gravel for hard packed gravel). Decorative driveways will not be replaced with like material unless specifically approved as a part of the City's encroachment permit process.

## 6.24 ENTRANCES AND EXITS

A. Number of Entrances and Exits.

All newly constructed residential subdivisions shall have at least one main entrance/exit and, where determined practical by Staff, at least one additional entrance/exit. Additional entrance/exits may be required by the Planning Commission.

B. Connecting to Existing/Adjacent Subdivisions

All newly constructed residential subdivisions shall be connected, or make provisions for future connection, to directly adjacent subdivisions (if any) by a pedestrian path. Connecting streets are encouraged, but not required by this ordinance in every case. However, connecting streets may be required by the Planning Commission.



## **ARTICLE VII: SUBDIVISION IMPROVEMENTS AND GUARANTEES**

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### **7.1 GENERAL**

One of the following techniques may be selected by the City Manager as an appropriate method of ensuring that the required subdivision improvements set forth in this ordinance shall be constructed.

### **7.2 COMPLETION OF IMPROVEMENTS**

Prior to Final Plat approval, the subdivider shall complete, in a manner satisfactory to the Planning Commission staff engineer and the City Manager, all improvements required in this ordinance specified in the approved subdivision Development Plan, and as otherwise approved by the Planning Commission, and shall dedicate same to the City. Final Plat approval shall not be granted by the Planning Commission until the dedication of said improvements has been accepted by the City Manager.

### **7.3 ACCEPTANCE TECHNIQUES IN LIEU OF COMPLETION OF ALL IMPROVEMENTS**

- A. In lieu of requiring the completion of all improvements prior to Final Plat approval, the City Manager may, at his/her discretion, enter into a contract with the subdivider whereby the subdivider shall guarantee to complete all improvements required by this ordinance, or otherwise specified by the Planning Commission, in a manner satisfactory to the City Manager. Any funds unused by the City to complete said improvements shall be returned to the subdivider.
- B. Prior to the granting of Final Plat approval by the Planning Commission, the City Manager and subdivider shall agree upon a deadline for the completion of all required improvements; such deadline not to exceed one (1) year from the date of Final Plat approval. The City Manager shall have the right to extend the deadline for one (1) additional year where the subdivider can present substantial reason for doing so. The City of Florence shall not approve a subdivision guarantee until a copy of the SC DHEC “Approval To Place Into Operation” for water and sewer systems are provided.
- C. To secure this contract, the subdivider shall provide, subject to this approval, of the City Manager one of the following guarantees:

- 1. Escrow Account

The subdivider shall deposit cash or other instrument readily convertible into cash at face value, either with the City, or in escrow with a financial institution in the State of South Carolina. The use of any instrument other than cash, and, in the case of an escrow account, the financial institution with which the funds are deposited, shall be subject to the approval of the City. The amount of the deposit shall be at least equal



to the cost of installing all required improvements plus ten percent (10%), as estimated by the subdivider and approved by the Planning Commission staff engineer and the City.

In the case of an escrow account, the subdivider shall file with the City an agreement between the financial institution and himself guaranteeing the following:

- a. That the funds of said escrow account shall be held in trust until released by the City and may not be used or pledged by the subdivider as security in any other matter during that period.
- b. And that in the case of a failure on the part of the subdivider to complete said improvements, then the financial institution shall immediately make the funds in said account available to the City for use in completion of those improvements.

2. Real Property Escrow

The subdivider may offer real property as a guarantee. The value of any such property shall be at least equal to the cost of all contracted improvements, as estimated by the subdivider and approved by the Planning Commission staff engineer and City Manager, plus ten percent. The County Tax Assessor shall establish the value of any property so used and, in so doing, shall take into account the likelihood of a decline in the value of said property during the guarantee period. The City shall retain the right to reject the use of any property when the value of such property is sufficiently unstable, when it believes that the property will be unusually difficult to sell, or for other reasons such as will inhibit the City from exchanging the property for a sufficient amount of money to complete the required improvements.

When property is offered as an improvement guarantee, the subdivider shall:

- a. Deed, in fee simple, the property to the City of Florence.
- b. Provide title insurance, to the satisfaction of the City.
- c. Pay all closing costs, including deed preparation and recording.

3. Letter of Credit

The subdivider shall provide a letter of credit from a bank or other financial institution or individual. The letter of credit is subject to the approval of the City Manager, and shall certify the following:

- a. That the creditor does guarantee funds in an amount equal to the cost plus ten percent (10%) for completing all required improvements as estimated by the subdivider, verified by the Planning Commission staff engineer, and approved by the City Manager.



- b. That the letter of credit shall remain valid for a period of two years, unless it is released by the City.
- c. That the letter of credit can be released only by the City.
- d. That, in the case of failure on the part of the subdivider to complete the specified improvements within the required time period, the creditor shall pay to the City immediately, and without further action, the value of credit stated in the letter.
- e. That if the letter of credit is not released by the City of Florence, within 30 calendar days of its expiration date any remaining amount of credit shall be paid to the City of Florence by the bank, financial institution, or individual who provides the letter.
- f. That the letter of credit is in the City's name and may not be withdrawn, or reduced in amount, unless released by the City.

**7.4 INSPECTION AND CERTIFICATION OF SUBDIVISION IMPROVEMENTS**

**A. Inspection Requirements**

- 1. The registered professional engineer who designed the project is also responsible for providing periodic inspections during the entire construction phase. Inspection frequency must be sufficient to allow the design engineer to certify that the improvements have been completed in accordance with the approved project plans and specifications. However, the engineer must provide at least five hours per week of on-site construction observation for the duration of active construction.
- 2. The Planning Commission Staff Engineer, or other knowledgeable official as specified by the City, shall conduct a final inspection of the required improvements.
- 3. For streets that will become publicly owned, formal inspections and written certifications by both the developer's design engineer and the Planning Commission Staff Engineer are required at four (4) times during the construction process. Each inspection listed hereafter must be conducted prior to beginning the next phase of construction.
  - a. After completion of the street subgrade, prior to placing the base.
  - b. After completion of street base, prior to the installation of curbing and prime (tack) coating.
  - c. After completion of curbing and tack coating, prior to installation of asphalt surface course.



- d. During installation of asphalt surface course.
- 4. A minimum 24 hour (one working day) notice to the Planning Commission Staff Engineer is required for scheduling the inspections listed in Section 7.4(A)(3)(a-d).
- 5. If a developer/design engineer fails to adhere to the inspection procedure outlined above in Section 7.4(A)(3)(a-d), the Planning Commission staff engineer may require such soils and asphalt tests as he or she deems necessary to ensure that the construction is satisfactory. Testing in this instance shall be by an independent laboratory acceptable to the City. Any deficiencies revealed by this testing must be corrected to the City's satisfaction. All costs for such testing and corrections shall be borne by the developer.

B. Certification Requirements

- 1. Upon completion of these improvements, the project engineer shall file with the City a statement either certifying that the improvements have been completed in accordance with approved plans and specifications, or deviations from those approved plans and specifications.
- 2. Upon completion of the improvements, the project engineer or subdivider shall file with the City a statement stipulating the following:
  - a. That all required improvements are complete;
  - b. That the engineer has provided not less than five hours per week of construction observation for the duration of active construction.
  - c. That these improvements are in compliance with the minimum standards specified by the Planning Commission for their construction;
  - d. That the subdivider knows of no defects from any cause, in these improvements; and
  - e. That these improvements are free and clear of any encumbrance or lien.
- 3. For streets that will become publicly owned, written certifications from the four (4) inspections required above under Section 7.4(A)(3)(a-d) must be furnished by the developer as part of the Final Plat approval process. Streets will not be accepted without this documentation.

C. Approval and Acceptance

- 1. The regulatory body must submit in writing within fifteen (15) days of review of project, their approval or disapproval.



2. If the Planning Commission Staff Engineer has certified that the contracted improvements are complete and free from defect, then, upon receipt of the other statements and agreements detailed above, the City Manager shall accept the dedication of any portion of the required improvements, provided that all statements and agreements specified above have been received for that portion of the improvements.

**7.5 REDUCTION OF GUARANTEE**

In those cases where improvement guarantees have been made, the amount of the guarantee may be reduced upon acceptance, in compliance with Section 7.4, of the dedication of a portion of the required improvements. The amounts of the reduction shall not exceed the percentage of the original improvements just accepted for dedication. In no case, however, shall the guarantee be reduced to less than fifteen (15) percent of the original amount, until the project is complete and acceptable.

**7.6 RELEASE OF GUARANTEE**

A. Escrow Accounts or Letters of Credit

Upon acceptance of the project, in accordance with Section 7.4 of the dedication of the final portion of improvements, the governing body shall authorize the release of any remaining portion of the improvements guarantee.

B. Real Property

Upon acceptance of the project, the City will execute a deed transferring the real property back to the developer. This deed must be prepared and filed by the developer.



## **ARTICLE VIII: UNUSUAL DEVELOPMENTS, PLANNED DEVELOPMENT DISTRICTS, AND MOBILE HOME SUBDIVISIONS**

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### **8.1 INTENT**

It is not the intent of this ordinance to freeze new developments into any single type of design. It is, however, the intent of this ordinance to ensure that all new developments shall contribute to the building of economically sound and desirable living areas within the community with all-necessary services and facilities.

### **8.2 AUTHORITY TO MODIFY STANDARDS**

In order to provide the subdivider with maximum flexibility in the design and character of new residential developments, the Planning Commission is hereby authorized to modify the standards and requirements of this ordinance in the case of a plan for an unusual Planned Development District (PDD) or Mobile Home Subdivision. When in the judgement of the Planning Commission such developments provide adequate public spaces for traffic circulation, recreation, light, air and service needs of the subdivision when fully developed and populated, and which also provide such covenants or other legal provisions as will assure conformity to and achievement of the spirit and intent of this ordinance, an unusual development may be approved.

### **8.3 MAINTENANCE OF SPIRIT OF REGULATIONS**

Any development or subdivision approved under this section shall maintain the objectives, purpose, and intent of this ordinance. It is noted that the Zoning Ordinance set certain development criteria, and that the Planning Commission does not have the authority to grant permission to violate the Zoning Ordinance.

### **8.4 PLANNED DEVELOPMENT DISTRICT**

All Planned Development Districts shall be developed under the provisions of the Zoning Ordinance.

### **8.5 LOW IMPACT DEVELOPMENT TECHNIQUES**

Proposed developments that incorporate Low Impact Development (LID) techniques in lieu of the minimum land planning standards outlined in Article VI of this ordinance are encouraged by the City of Florence, and will be considered on a case-by-case basis. Stormwater fee credits will be available for qualified LID techniques or best management practices. However, such developments are subject to review and approval by City staff.

### **8.6 MOBILE HOME SUBDIVISIONS**

All mobile home subdivisions, trailer parks, modular home subdivisions, etc. shall be



developed under the provisions of the Zoning Ordinance and also under Chapter 11 of the City of Florence Code of Ordinances (Manufactured Housing; Structures, Parks, and Subdivisions).



## **ARTICLE IX: APPLICATION AND ENFORCEMENT OF THIS ORDINANCE**

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### **9.1 INSPECTIONS**

All subdivisions within the territorial jurisdiction of the Planning Commission shall be inspected by a registered professional engineer authorized by the Governing Authority, prior to approval of the Final Plat. Sufficient inspections shall be made to insure compliance with the specifications set forth in this ordinance. A registered engineer in good standing with the City, employed by the developer may certify in writing to the City Manager, that he has inspected each phase of the development as provided in Section 7.4 of this ordinance.

### **9.2 RECORDING OF FINAL PLAT**

No plat of the subdivision of any land within the territorial jurisdiction of the Planning Commission shall be filed with or recorded by the Florence County Clerk of Court until such plat shall have been submitted to and approved by the Planning Commission according to the procedures set forth in this ordinance.

### **9.3 SELLING OF LOTS**

Subsequent to the filing and recordation of the approval of the Final Plat, the subdivider or his agent may sell lots.

### **9.4 DEDICATION OF LAND AND IMPROVEMENTS**

The dedication of land and improvements to the City shall be accomplished by a deed or other legal instrument of conveyance as determined by the City's attorney.

### **9.5 BUILDING PERMITS**

No building permit shall be issued for any buildings in any subdivision established hereafter unless a Final Plat of such subdivision has been approved by the Planning Commission, or by other lawful means granted by this ordinance. No building permit shall be issued for any building until appropriate water and sewer tap fees have been paid.

### **9.6 VARIATIONS AND EXCEPTIONS TO THIS ORDINANCE**

A. Whenever strict compliance with this ordinance would result in extraordinary hardship or injustice to the subdivider because of unusual topography, unusual size or shape of the property, or unusual conditions in surrounding property or development, the Planning Commission, acting with the concurrence of the Planning Commission Staff Engineer, may modify, vary or waive such regulations in order that the subdivider may subdivide his property in a reasonable manner, provided that such modification, variation or waiver will not nullify the intent or purpose of this ordinance and that the public welfare, interest of the City and the



surrounding area shall be protected. Any such variance, together with reasons therefore, shall be entered upon the minutes of the Planning Commission.

- B. In granting modifications, variance or waiver, the Planning Commission may impose such other reasonable conditions as well, which, in its judgement, justify such modifications, variations, or waiver and still maintain the objectives of this ordinance.
- C. Each modification, variation, or waiver of this ordinance sought by a subdivider shall be applied for specifically on forms supplied by the Planning Commission staff engineer.

**9.7 AMENDMENTS TO THIS ORDINANCE**

The City Council may amend the regulations or provisions of this ordinance only after study and report by the Planning Commission and the holding of a public hearing as required by law.

**9.8 ENFORCEMENT**

- A. No part of any subdivision shall be recorded in the office of the Clerk of Courts of Florence County, or shall have any validity until it has been approved in the manner prescribed herein.
- B. It shall be unlawful for the owner, or the agent or any owner to transfer or sell any land by reference to or by other use of a plat unless such plat has been approved as prescribed herein. The Governing Body may enjoin such transfer, sale, or agreement by appropriate legal action.
- C. In case of any violation of this ordinance, the Secretary or other appropriate official as may be designated by the Planning Commission is authorized and directed to institute action to put an end to such violations.

**9.9 PENALTY**

Any violation of this ordinance will be a misdemeanor and upon conviction is punishable as provided by law.

**9.10 SEPARABILITY AND SEVERABILITY**

Should any article, section or provision of this ordinance be, or any reason held void or invalid, it shall not affect the validity of any other article, section or provision hereof which is not itself void or invalid.

**9.11 INTERPRETATION AND CONFLICT**

Interpretation of the general intent and/or specific meaning of any portion of the ordinance text shall be the responsibility of the City Manager or his designee. In



interpreting and applying the provisions of this ordinance, the provisions shall be held to be minimum requirements necessary to uphold the purpose of the ordinance. It is not intended by this ordinance to interfere with or abrogate or annul any easements, covenants, or other agreements between parties. However, where this ordinance imposes greater restriction on the subdivision and/or use of building or land, or requires more open spaces or more stringent development standards than required by other resolutions, ordinances, rules or regulations, or by easements, covenants, or agreements, the provisions of this ordinance shall govern. When the provisions of any other statute require more restrictive standards than are required by the regulations of this ordinance, the provisions of such statute shall govern.

**9.12 EFFECTIVE DATE**

This ordinance shall take effect and be in force from and after the date of its adoption by the City Council of the City of Florence, as indicated on the cover.

