

LEXINGTON COUNTY



SUBDIVISION REGULATIONS

June 30, 2005

**Subdivision Regulations
Lexington County, South Carolina**

Table of Contents

ARTICLE 1 - PURPOSE, AUTHORITY AND JURISDICTION	1
1.10 Purpose	1
1.20 Authority.....	1
1.30 Jurisdiction.....	1
ARTICLE 2 - DEFINITIONS.....	3
2.10 Rules of Construction.....	3
2.20 Public Officials, Bodies and Agencies.....	3
2.30 Definitions	3
ARTICLE 3 - PROCEDURES	7
3.10 Development Review Meeting (Optional).....	7
3.20 Submission of Preliminary Plats	7
3.30 Submission of Final Plats.....	8
3.40 General Requirements.....	9
3.50 Appeal of Action.....	9
ARTICLE 4 - PLAT REQUIREMENTS	11
4.10 Preliminary Plat.....	11
4.20 Final Plat.....	11
ARTICLE 5 - GENERAL REQUIREMENTS OF THE SUBDIVISION.....	13
5.10 Conformance to Right-of-Way Plan	13
5.20 Flooding and Drainage Requirements	13
5.30 Roads	14
5.40 Lots.....	15
5.50 Subdivision Name.....	16
5.60 Improvements	16
5.70 Variance from the Requirements of these Regulations.....	18
ARTICLE 6 - STATUS OF SUBDIVISIONS.....	21
6.10 Preliminary Plat.....	21
6.20 Bonding.....	21
6.30 Final Plat.....	22
ARTICLE 7 - COVENANTS	23
7.10	23
ARTICLE 8 - LEGAL STATUS	25
8.10 Violation and Penalty	25
8.20 Enforcement	25
8.30 Conflict with Other Laws	25
8.40 Separability	26
8.50 Amendment	26

8.60 Effective Date	26
APPENDIX - STANDARDS AND POLICIES	27
Installation of Fire Hydrants in New Subdivisions	29
Private Road Policy	31
Access Policy	37
Road Section Criteria for Private Roads	51

ARTICLE 1 - PURPOSE, AUTHORITY AND JURISDICTION

1.10 Purpose

These regulations are established to promote harmonious land development within the unincorporated area of Lexington County, South Carolina; to provide for standards that will, among other things, coordinate proposed road locations as part of subdivisions with other existing or planned roads; to ensure the adequate and timely provision of streets, utilities, and common facilities; and to encourage an environment in the best interest of the health, safety, convenience, and prosperity of the present and future citizens of the County while applying the resources of the County in an efficient and economical manner in maintaining that environment.

These regulations are to be used in conjunction with all other applicable guidelines, to include: Lexington County Stormwater Management Ordinance, Zoning Ordinance, and Land Development Manual, as well as the Access Policy and Private Road Policy of the Lexington County Planning Commission.

1.20 Authority

These rules and regulations are adopted under authority granted by Title 6, Chapter 29 of the South Carolina Code of Laws, 1976, as amended (South Carolina Local Government Comprehensive Planning Enabling Act of 1994).

1.30 Jurisdiction

These rules and regulations shall govern the subdivision of land within the unincorporated area of Lexington County, and any incorporated municipality within the County which contracts for these regulations to be administered therein under Section 6-29-330 of the South Carolina Code of Laws, 1976.

ARTICLE 2 - DEFINITIONS

2.10 Rules of Construction

The following rules of construction shall apply to these regulations:

- a. The particular shall control the general.
- b. The word “shall” is always mandatory and not discretionary.
- c. The word “may” is permissive.
- d. Words used in the present tense shall include the future, and words used in the singular shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- e. Unless the context clearly indicates the contrary, conjunctions shall be interpreted as follows:
 1. “And” indicates that all connected items, conditions, provisions or events shall apply.
 2. “Or” indicates that the connected items, conditions, provisions or events shall apply.
 3. “Either...or” indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.

2.20 Public Officials, Bodies and Agencies

All public officials, bodies and agencies to which reference is made are those of Lexington County, South Carolina, unless otherwise indicated.

2.30 Definitions

Except when definitions are specifically included in this section, or elsewhere specifically defined in the regulations, words in the text of these regulations shall be interpreted in accordance with the prevalent standard dictionary definition. The Development Administrator shall reserve the right to arbitrate any dispute arising from the interpretation of the language contained herein.

Building - A structure having a roof supported by columns or walls and intended for use on a permanent basis.

Building Setback Line - A line beyond which no foundation wall or part of any structure of any building shall project, with the exception of roof overhang and the subsurface projection of footings.

Development Administrator - That member of the staff of the Planning Commission who administers, interprets, and enforces the provisions of these regulations and who assists the Planning Commission and other agencies in the subdivision approval process.

Easement - Authorization by a property owner to the general public, a corporation, or a certain person or persons for the use of any designated part of his property for a specific purpose.

Flood - A temporary rise in the level of water which results in the inundation of areas not ordinarily covered by water. For the purpose of this Ordinance, a flood shall be construed to be any inundation which has a return frequency of 100 years or less, and shall be known as the base flood.

Lot - A tract, plot or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development.

Lot, corner - A lot bounded on two or more adjacent sides by streets, private ways, or portions of streets or ways, having an angle of intersection of 135 degrees or less.

Lot, double frontage - Any lot, other than a corner lot, which adjoins two street lines opposite to each other and parallel or within 45 degrees of being parallel to each other.

Lot, interior - A lot other than a corner or double frontage lot.

Lot Width - The horizontal distance between the side lot lines measured at the building setback line parallel to the street right-of-way line, or in the case of a curvilinear street, parallel to the chord of the arc between the intersection of the side lot lines and the street right-of-way.

Plat - A map or drawing upon which the plan for a subdivision or other land development is presented. The Preliminary Plat indicates the proposed layout of the lots, streets and improvements which the developer desires, and is submitted for tentative approval by the Planning Commission. The Final Plat, upon approval, is recorded in the Office of the Register of Deeds of Lexington County and reflects the as-built subdivision in fully approved form.

Re-subdivision - A combination or recombination of previously recorded lots or tracts of contiguous land for the purpose of creating additional lots or enlarging existing ones.

Right-of-Way Plan - The plan adopted by the Lexington County Planning Commission which defines and designates the various categories of roads within Lexington County according to potential right-of-way needs.

Road - The terms road, highway, street, avenue and the like shall be

interchangeable as designators of vehicular byways providing access to individual parcels of property, and that pedestrian facilities, bridges, tunnels, viaducts, drainage structures and other appurtenances commonly considered as a component part of a road shall also be included in the definition of the term. A "road" shall be the physical embodiment of such a byway irrespective of prior platting or planning.

a. Private Road: Those roads not maintained by a county, municipality, or the State of South Carolina. No road shall be designated as a private road, unless:

1. In a new development, such proposed road is defined as such by action of the Lexington County Planning Commission upon its satisfaction as to the physical and legal maintenance of such road; or,
2. The road existed prior to January 10, 1979, and accesses two or more parcels of land under different ownership, but is not in the County, State, or Federal Road Maintenance system. This type of private road shall not suffice as approved access for further subdivision of land without approval of the Planning Commission.

b. Road Classifications:

1. Arterial - A street of regional importance or a main road of the community which is expected to carry either heavy vehicular traffic volumes or high-speed traffic or both, or which has been designated as an Arterial on the adopted Right-of-Way Plan.
2. Collector - A street which is used or intended to be used for moving traffic from Local streets to Arterials, or which has been designated as a Collector on the adopted Right-of-Way Plan. Collectors may carry high volumes of traffic and may include the principal entrance and circulation streets of a subdivision.
3. Local - A street which is used or intended to be used for access to abutting properties, or which has been designated as a Local street on the adopted Right-of-Way Plan.

Road classifications and the limits to development on such roads are further defined in the Lexington County Zoning Ordinance.

Subdivision - The division of a tract of land or of a parcel of land into two or more lots, building sites or other divisions, for the purpose, whether immediate or future, of sale, lease, or building development, which includes any of the following:

a. The creation of a new road or the alteration of an existing road,

- b. The need for drainage, sedimentation or flood control measures,
- c. The installation of a water delivery system, or
- d. The installation of a sewer system.

Subdivision includes re-subdivision which would involve the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law, and includes combinations of lots of record.

Subdivision shall not include a) the division of a tract of land wherein each lot created is equal to the standards of the Lexington County Health Department regarding the use of individual wells and septic tanks or b) recombination or combination of lots where the total number of lots does not increase, provided that in either case the development does not involve any of the activities referenced in items (a) through (d) above.

When appropriate to the context, the term subdivision relates to the process of subdividing or to the land area being subdivided.

By legal definition, the term subdivision applies equally to proprietary ventures as well as familial division of property.

ARTICLE 3 - PROCEDURES

The process of obtaining approval for a subdivision is divided into two parts, approval of a Preliminary Plat and approval of a Final Plat.

Preliminary Plat approval is an approval by the staff of the Planning Commission which documents for the subdivider that what is proposed is in accord with these regulations and he may proceed to improve the property. This is the approval for the layout and development of the subdivision before any land is sold or transferred.

Final Plat approval is awarded when the subdivider has fulfilled his obligations with regard to the required improvements in accordance with the approved Preliminary Plat. The Final Plat is the plat of record recorded in the Office of the Register of Deeds of Lexington County.

3.10 Development Review Meeting (Optional)

- 3.11 Prior to the submission of the Preliminary Plat, the subdivider may wish to confer with the Development Administrator, Stormwater Manager and other governmental agency representatives, as appropriate, to determine whether he is proceeding under the proper guidelines as stipulated in these regulations, to consider the desirability or necessity of amending the proposed plan, to clarify the issues and to discuss any other matter pertinent to the subdivision as may aid in the disposition of the submittal.

3.20 Submission of Preliminary Plats

The following procedure shall govern the submission of Preliminary Plats to the Planning Commission:

- 3.21 Whenever any subdivision of land is proposed to be made and before any contract for sale, or any offer to sell said subdivision or any part thereof, is made, the subdivider, through his project engineer, shall file the necessary number of copies of the Preliminary Plat of said plan with the staff of the Planning Commission. The Preliminary Plat shall be prepared in accordance with the regulations set forth in Article 4 of these regulations and shall be submitted to the staff prior to starting any survey of streets and lots and before starting any land disturbance or construction work upon the proposed streets and before any plat of said subdivision is made in form suitable for recording. The staff of the Planning Commission shall determine whether a plat is in proper form and shall not receive and consider such a plat as filed until it is submitted in accordance with the requirements herein.
- 3.22 A filing fee must accompany the submission of the plats. The fee for filing for plat approval shall be as adopted by County Council.

- 3.23 The Preliminary Plat shall be acted on immediately upon receipt of all required approvals and all plat requirements as detailed in Article 4. In no case shall action be delayed longer than 60 days.
- 3.24 The Preliminary Plat shall not be approved by the staff of the Planning Commission until all public and private agencies to which copies of the Preliminary Plat were forwarded have indicated concurrence with the proposed subdivision.
- 3.25 Preliminary Plat approval shall be effective for two years from the date of the approval. Subdivisions, or phases thereof, which have not received Final Plat approval by that time, shall be reviewed by the staff of the Planning Commission to determine the status of the project. Five one-year extensions of the Preliminary Plat approval will be granted by the Planning Commission upon a recommendation by the staff that the subdivider continues to meet the obligations of the Preliminary Plat approval and provided there have been no amendments to these regulations that prohibit approval. Preliminary Plat approval may be revoked at any time by the Planning Commission should the subdivider fail to meet the criteria for development documented in the plat, or should one or more of the agencies involved in the approval process revoke their stated approval.

3.30 Submission of Final Plats

The following shall govern the submissions of Final Plats of subdivisions to the Planning Commission.

- 3.31 After the proposed subdivision has been prepared and the required improvements made in accordance with the approved Preliminary Plat, the subdivider shall submit the necessary copies of the Final Plat to the staff of the Planning Commission. The Final Plat shall be prepared in accordance with the stipulations of Article 4 of these regulations.
- 3.32 The Final Plat shall be acted on immediately upon receipt of all required approvals and plat requirements. In no case shall action be delayed longer than 30 days.
- 3.33 Upon the approval of the Final Plat by the staff of the Planning Commission, copies of the plats thus submitted shall be stamped with the appropriate certificate of the Planning Commission indicating Final Plat approval, and returned to the subdivider for recording as the official plat of record in the Office of the Register of Deeds for Lexington County.
- 3.34 The Final Plat shall not be approved by the Commission staff until all public and private agencies to which copies of the Final Plat were forwarded have indicated approval of the Final Plat including the necessary improvements noted thereon.

3.40 General Requirements

3.41 A record of all actions on subdivision plats shall be maintained as a public record. This shall include the grounds for approval or disapproval and any conditions attached to the action.

3.50 Appeal of Action

3.51 Staff action, if such action is authorized, for either approval or disapproval of a subdivision may be appealed to the Lexington County Planning Commission by any party in interest. The Planning Commission shall act on the appeal within 60 days. Action of the Planning Commission is final.

Appeal of the decision of the Planning Commission in such cases may be taken to Circuit Court within 30 days after actual notice of the decision.

ARTICLE 4 - PLAT REQUIREMENTS

4.10 Preliminary Plat

The Preliminary Plat shall meet the minimum standards of design set forth in the Land Development Manual. In general, at least the following shall be included:

4.11 Plat Information

- a. Information about the proposed development and the development team, to include: proposed name of subdivision, name of owner and/or subdivider, name of surveyor and engineer, and total acreage to be subdivided.
- b. Locational information such as: scaled vicinity map, graphic scale, and boundaries of the tract to be subdivided with all bearings and distances indicated.

4.12 Existing Conditions

- a. Identification of structures, restrictions, and other conditions that may have an impact on or be impacted by the proposed subdivision, to include: adjoining property and owner of record; existing buildings on the property to be subdivided; rights-of-way of streets, roads, railroads, and utility lines; off-site drainage systems; and existing sewers, water mains, drains, culverts, or other underground facilities.
- b. Topographic contours may be required by the Planning Engineer.

4.13 Proposed Conditions

- a. The physical development of the proposed subdivision to include: total number of lots, their size and proposed layout, layout of roads, drainage and utility easements, designation of any lots not intended for single-family residential use, and major contour changes in areas where substantial fill or cut is proposed.
- b. The plan for meeting water supply, waste disposal, and storm drainage needs of the proposed subdivision.
- c. Designation of any land to be used, reserved, or dedicated for public use.

4.20 Final Plat

The Final Plat shall conform substantially to the approved Preliminary Plat and also meet the minimum standards of design set forth in the Land Development

Manual. In general, at least the following shall be included in addition to the information required on the Preliminary Plat.

4.21 Plat Information

- a. Road names, block numbers or designation, and lot numbers.
- b. Sufficient data to determine and reproduce on the ground location bearing and length of every road center line, subdivision boundary line, lot line and block line, whether curved or straight. This shall include the radius, central angle and tangent distance for the center lines of curved streets. Curved property lines shall show the arc or chord distance radii.
- c. All dimensions to the nearest one hundredth (0.01) of a foot and angles to the nearest minute.
- d. Location and description of all monuments.

4.22 Information to Accompany Final Plat

- a. Final plan of sanitary sewer system detailing an “as-built” condition.
- b. Final plan of water distribution system detailing an “as-built” condition.
- c. Final plan of storm drainage system detailing an “as-built” condition.
- d. Final plan of road system detailing an “as-built” condition.
- e. Final approval to operate water distribution and sanitary sewer systems or final approval for installation of individual wells and/or septic tanks for each applicable lot.
- f. SC Department of Transportation encroachment permits for any driveways or roads accessing a state-maintained road.

4.23 Certifications

Various certifications by the owner and/or project engineer are required on all Final Plats. In addition, projects that require County acceptance of public road and storm drainage improvements or projects that lie within a municipality shall require certifications by staff of Lexington County and the affected municipality.

Information that must be included in these certifications can be obtained from the Development Administrator and should be executed on all applicable plats prior to the recording of the document.

ARTICLE 5 - GENERAL REQUIREMENTS OF THE SUBDIVISION

The subdivider shall observe the following requirements and principles of land subdivision.

5.10 Conformance to Right-of-Way Plan

All proposed subdivisions shall conform to the Right-of-Way Plan, or applicable portion thereof, which has been adopted by the Planning Commission.

5.11 Whenever a tract to be subdivided embraces any part of an Arterial, Collector or other road designated on the Right-of-Way Plan such part of the proposed road or right-of-way shall be platted in the location and the width indicated on the Plan.

5.20 Flooding and Drainage Requirements

All development shall be subject to the provisions of the Lexington County Stormwater Management Ordinance.

5.21 Areas Subject to Inundation by Flood Waters

5.211 Each lot in a subdivision subject to flooding which may be occupied shall:

- a. If to be occupied by a residential or retail commercial structure, contain a building site and access way to the road with a ground elevation equal to or greater than the flood elevation; or,
- b. If to be occupied by other than residential and retail commercial structures, possess an access from each building site to the frontage road with a ground elevation equal to or greater than the elevation of a flood with a return frequency of 25 years.

5.212 Finished floor elevation requirements for structures are established in the Lexington County Stormwater Management Ordinance and shall be adhered to for all subdivision.

5.213 The elevation of the center line of all new roads shall be established equal to or greater than the flood elevation.

5.214 All required public improvements, including streets and roads, drainage, water supply and sanitary sewers shall be in accordance with all applicable special conditions related to possible flooding as may be required by the public agency under whose jurisdiction and supervision such improvements are made.

5.22 Drainage

General drainage requirements are located in the Lexington County Stormwater Management Ordinance. Specific design criteria are included in the Lexington County Land Development Manual.

5.221 A drainage easement of sufficient width, as determined by the Stormwater Manager, shall be placed along all drainage ways. No structures shall be built within such easements without the permission of the proper authorities. In those instances where the natural drainage way is too large in size to be adequately protected by an easement, the subdivider shall designate the property as a reserve parcel on the subdivision plat. Such parcel shall be indicated on the Preliminary and Final Plats as: "Reserve Parcel: Not a legal building site."

5.30 Roads

The street layout shall be in conformity with a plan for the most advantageous development of the entire neighboring area. All proposed streets shall be in accordance with the specific guidelines of the County for acceptance into its maintenance system, in alignment with existing planned or platted streets with which they are to connect, and shall be consistent with the following:

5.31 Road Names and Addressing

The selection of names for roads within subdivisions and the addresses assigned thereto shall be completed in accordance to the Addressing Ordinance and Road Naming Ordinance for Lexington County, and the guidelines developed for their implementation.

5.32 Street Signs

The subdivider shall install required traffic control and street name signs. The location and design of such signs shall be approved by the Stormwater Manager's Office. Street name signs shall be installed at all intersections within a subdivision.

5.33 Street Layout

5.331 The street layout may include minor streets of considerable continuity, approximately parallel to and on each side of each major thoroughfare to avoid lots fronting on such thoroughfares.

- 5.332 The subdivision design must include a turn-around on some roads based on total length and number of lots. In general, there shall be a turn-around after every 20 lots in a residential subdivision or every 10 lots in a commercial or industrial subdivision. This restriction may be waived or amended by the Stormwater Manager as conditions warrant. More restrictive criteria apply to private, unpaved road subdivisions, as described in the Land Development Manual and the Private Road Policy.
- 5.333 When alleys are proposed within a residential subdivision, they should be designed for the primary purpose of carrying service traffic and provide a safe intersection with other roads as applicable.
- 5.334 All streets and alleys shall intersect at right angles (90 degrees) or as nearly thereto as possible. No street shall intersect any other street at an angle of less than 75 degrees (angle of intersection to be measured at the junction of the street center lines).
- a. The center lines of not more than two streets shall intersect at any one point.
 - b. Street jogs are to be avoided, but, where unavoidable, street jogs at intersections shall have a center line off-set of not less than 150 feet.
- 5.335 All specifications regarding the installation of County roads within a subdivision shall be determined by the Stormwater Manager's Office which shall approve all materials and construction practice, pavement and right-of-way widths, grades, vertical and horizontal curves, and any other design requirements for roads not specifically noted in these regulations.
- 5.336 Wherever a tract to be subdivided is proposed to ingress and egress from or onto an existing road of exceptional vertical or horizontal fluctuation, the Stormwater Manager's Office, taking into account traffic volume and speed, shall determine the appropriate point or points for such ingress and egress.
- 5.337 Traffic calming measures such as road width or layout, speed humps, or islands on streets proposed to be county-maintained may be developed only upon approval of County Council.

Such measures in private road subdivisions may be considered with the approval of the Stormwater Manager.

5.40 Lots

The size, shape and orientation of lots shall be appropriate for the location of the

proposed subdivision and for the type of development contemplated, and shall be consistent with the following standards:

5.41 Every lot shall have access to a road or an officially approved cul-de-sac.

5.42 Minimum lot sizes shall be determined through compliance with the Lexington County Building Codes, Lexington County Zoning Ordinance, regulations of the State Department of Health and Environmental Control, and requirements of the County Health Department governing use of individual wells and septic tanks.

5.43 Each proposed lot for residential use shall include plans for the development of a private driveway serving said lot. Driveways shall be located, designed and constructed in accordance with the Lexington County Zoning Ordinance and the Land Development Manual to ensure adequate sight distance and corner clearance.

5.50 Subdivision Name

Subdivision names are subject to the approval of the Development Administrator. To limit the possibility of confusion for residents, postal services, and emergency vehicles, in no case shall the name of a proposed subdivision duplicate or be phonetically similar to existing subdivision names.

5.51 A permanent sign structure at a designated principal access to the subdivision may be installed announcing the name of the subdivision, provided that such sign receives all necessary zoning and building permits.

5.60 Improvements

The following improvements are required in all subdivisions in addition to the other requirements stipulated in these regulations and according to the provisions listed for each:

5.61 Water Supply

All lots within a subdivision shall have provided a safe supply of water approved by and installed according to the specifications of the State Department of Health and Environmental Control and the County Health Department.

5.62 Waste Disposal

All lots within a subdivision shall have provided a sanitary means of waste disposal approved by and installed according to the specifications of the State Department of Health and Environmental Control and the County Health Department.

5.63 Hydrants

All subdivisions which have water systems with sufficient flows and pressure to support hydrants will be required to install them in accordance with the minimum standards and spacing requirements as published by Lexington County. The installation of the hydrants shall also meet the minimum requirements of the water service provider, if they are more restrictive.

5.64 Optional Improvements

The subdivider may desire to provide additional improvements in the subdivision according to the following:

5.641 Curbs and Gutters

Curbs and gutters, where not specifically required by the Stormwater Manager as a drainage control device, may be installed along the streets in a subdivision according to the specifications of the Stormwater Manager's Office and be accepted by the County for maintenance as a part of the street system.

5.642 Sidewalks

Sidewalks may be installed by the subdivider within the subdivision, provided they meet published standards. Engineered drawings submitted as part of the review process must include any proposed sidewalks. The location of sidewalks with respect to the right-of-way and the perpetual maintenance of sidewalks shall be in accordance with County policy.

5.643 Street Trees and Furniture

If the subdivider wishes to include trees or furniture along the street to enhance the appearance of the subdivision, such trees or furniture shall be indicated on the Preliminary Plat. The location of trees and/or furniture, as well as the specimen of trees, shall be approved by the Stormwater Manager to ensure that there will be no future conflict with the vision of motorists, pedestrians, etc., or with utility lines either above or below the ground surface.

5.644 Recreation Space

If the subdivider wishes to provide space for recreation for the occupants of the subdivision, such space should be so indicated on the Preliminary Plat and necessary provisions made for the maintenance of such space irrespective of dedication to the County.

5.645 Street Lighting

Street lights may be installed by the subdivider, provided that:

- a. If such lights are placed within the street right-of-way, they shall not be a part of the total improvements in such right-of-way accepted by the County for maintenance; and,
- b. The location of all proposed street lights must be indicated on the Preliminary Plat. Such lights are subject to the Light and Glare provisions of the Lexington County Zoning Ordinance.

5.646 Crosswalks

The subdivider may incorporate public crosswalks into the design, provided that:

- a. Such crosswalks are indicated on the Preliminary Plat and Final Plat; and,
- b. Such crosswalks are constructed according to the standards of the Stormwater Manager's Office.

5.647 Bike Trails and Pedestrian Ways

The subdivider may wish to delineate trails and paths through the subdivision for bicyclists or pedestrians. Such trails shall be perpetually maintained by the subdivider or a form of Homeowners Association. These proposed trails and paths must be indicated on the Preliminary Plat.

5.70 Variance from the Requirements of these Regulations

A variance may be granted by the Lexington County Planning Commission where it can be shown that there are extraordinary hardships in the way of complete compliance with these regulations.

5.71 Private Roads

Should the subdivider wish to retain ownership and maintenance of roads privately, he shall make application for such with the Planning Commission. The Planning Commission may permit such private ownership provided that the conditions for maintenance of such roads are deemed adequate.

5.711 The Stormwater Manager shall determine whether the road is physically stable, is accessible, and can be reasonably maintained.

5.712 A Road Maintenance Agreement shall be executed for the

perpetual maintenance of private roads. This document shall be included with the submission to the Planning Commission and, subsequently, recorded with the approved plat in the Office of the Register of Deeds for Lexington County.

5.713 Roads to be retained in private ownership shall be posted as "privately maintained roads" utilizing signs approved by the Stormwater Manager. All roads shall be named and signed in accordance with Sections 5.31 and 5.32.

ARTICLE 6 - STATUS OF SUBDIVISIONS

The legal status of subdivisions determines when in the process lots can be sold, conveyed or transferred; when individual lots can be improved with buildings; or when improvements to the infrastructure can be installed. This article describes the various stages and what privileges they each confer to the developer.

6.10 Preliminary Plat

- 6.11 Prior to Preliminary Plat submission, the tract shall be considered as a legal building site under single ownership and shall be accorded all rights and privileges for development as a single unit of land with regard to land disturbance and building permits and the transfer of ownership.
- 6.12 At the time of Preliminary Plat submission, the intent of the subdivider is officially recognized. No building permits may be issued until such time as the Preliminary Plat is approved. No ownership transfer, save of the entire tract, shall be recognized until Bonded or Final Plat approval is received. The subdivider may apply for a land disturbance permit to perform incidental site preparation prior to approval of the Preliminary Plat.
- 6.13 Upon the granting of Preliminary Plat approval, building permits may be issued for lots within the subdivision, provided such lots front on an existing publicly maintained road, or on a road substantially constructed in accordance with the approved Preliminary Plat.
 - 6.131 Preliminary Plat approval shall grant approval to the subdivider for the installation of all improvements within the subdivision and he may proceed to so install roads, water lines, sewer lines, and the like, in accordance with the Preliminary Plat.

6.20 Bonding

In lieu of completing the physical development and installation of the required improvements prior to Final Plat approval and recording, County Council may accept a bond with surety and conditions satisfactory to it, providing for actual construction and installation of such improvements and utilities within a specific period of time expressed in the bond.

- 6.21 The nature of the surety and procedures shall be as determined by the County Council to ensure that, in the event of default by the developer, funds will be used to install the required improvements at the expense of the developer.
 - 6.211 A Subdivision Agreement and Surety Bond document will be executed for all bonded projects in an amount equal to at least 150% of the cost of the improvement. In addition, a Supplemental Surety shall be posted in the form of a letter of credit, reservation of

funds, certified check, or other instrument readily convertible to cash in an amount equal to 100% of the cost of the improvement.

6.22 The bonding of a subdivision project prior to Final Plat approval shall authorize the sale, conveyance or transfer of lots within the subdivision, in addition to the use of the lots as legal building sites.

6.221 Reduction of the bond amount prior to Final Plat approval may be accomplished upon the recommendation of the Stormwater Manager based upon portions of the public improvements being adequately installed.

6.30 Final Plat

Upon the approval and recording of the Final Plat, the subdivision lots are granted full privileges as individual building sites and may be sold, conveyed, or transferred as legal properties.

6.31 The acceptance by the County for maintenance of the required public improvements shall be a fact at or before the recording of the Final Plat. All improvements to be accepted by the County for public maintenance shall be indicated as such on the Final Plat.

ARTICLE 7 - COVENANTS

- 7.10** The subdivider may desire to restrict the use of lots within the subdivision, guarantee a minimum building floor area, control the use of fencing or landscaping, or in other ways control the development of the subdivision by recording covenants or deed restrictions applicable to every lot within the subdivision.
- 7.11 Such covenants or restrictions shall not violate any law existing within the County or the State of South Carolina.
- 7.12 Such covenants or restrictions should be recorded before or at the recording of the Final Plat of the subdivision, or, if the subdivision is bonded, at the time of the acceptance of the bond by the County.
- 7.13 Enforcement of covenants and deed restrictions is solely the responsibility of the developer and/or homeowners. County staff cannot legally enforce this private contract.

ARTICLE 8 - LEGAL STATUS

8.10 Violation and Penalty

8.11 In accordance with the laws of the State of South Carolina, no subdivision plat for development within the jurisdiction of these regulations may be filed or recorded in the Office of the Register of Deeds, and no building permit may be issued until the plat or plan bears the stamp of approval and is properly signed by the designated authority.

8.111 The submission for filing or the recording of a subdivision plat or other land development plan without proper approval is declared a misdemeanor and, upon conviction, is punishable as provided by law.

8.12 The owner, or agent for the owner, of any property being developed within the County may not transfer title to any lots or parts of the development unless the subdivision has been approved by the Planning Commission or their designee and an approved plan or plat has been recorded in the Office of the Register of Deeds of Lexington County. A transfer of title in violation of this provision is a misdemeanor and, upon conviction, must be punished in the discretion of the court. A description by metes and bounds in the instrument of transfer or other document used in the process of transfer does not exempt the transaction from these penalties. The County may enjoin the transfer by appropriate actions.

8.13 After notification of the adoption of these regulations, the Office of the Register of Deeds for Lexington County shall not accept, file, or record any subdivision plat which has not been approved by the Planning Commission as required under these regulations.

8.131 Should any public official violate these provisions he shall, in each instance, be subject to the same penalty as provided in Section 8.111 and the affected governing body, private individual, or corporation has rights and remedies as to enforcement or collection as are provided, and may enjoin any violations of them.

8.20 Enforcement

Whenever it shall come to the attention of the governing authority that any provision of these regulations has been or is being violated, the County may immediately institute suit and prosecute the same to final judgment.

8.30 Conflict with Other Laws

In interpreting and applying the provisions of these regulations, the requirements shall be considered as the minimum requirements for the subdivision of land within the jurisdiction of Lexington County. It is not the intent of these regulations

to interfere with, abrogate or annul any easements, covenants or other agreements between parties, provided, however, that where these regulations impose a greater restriction upon the use of property or premises or upon the buildings thereon, or require greater space than is imposed by the other resolutions, rules or regulations, or by easements, covenants or agreements, or by ordinances, the provisions of these regulations shall prevail.

8.31 All ordinances and resolutions regulating the subdivision of land adopted prior to the effective date of these regulations are hereby repealed.

8.40 Separability

Should any section, clause or provision of these regulations be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of these regulations as a whole or any part thereof other than the part declared to be unconstitutional or invalid; each section, clause or provision herein being declared separate.

8.50 Amendment

These regulations may be amended in the same manner as adopted, after a public hearing, giving at least thirty days notice of the time and place by publication in a newspaper of general circulation in the County.

8.60 Effective Date

These regulations shall take effect and be enforced from and after April 27, 1999, the public welfare demanding it; provided, however, these regulations shall not apply to any subdivision or part thereof as to which design approvals have heretofore been obtained from the appropriate governmental agencies.

APPENDIX - STANDARDS AND POLICIES

The following Standards and Policies, while not a part of the official text of the Lexington County Subdivision Regulations, are furnished as applicable guidelines to be used in conjunction with the Subdivision Regulations as stated in Section 1.10 of said Regulations.

Table of Contents

I. Installation of Fire Hydrants in New Subdivisions.....29
II. Private Road Policy31
III. Access Policy.....37
IV. Road Section Criteria for Private Roads.....51

Lexington County Standards for the Installation of Fire Hydrants in New Subdivisions

Fire hydrants will be installed in all newly developed subdivisions that have sufficient flows and pressure in the water system. These hydrants will also be installed in accordance with the standards and spacing requirements of the water system provider and the South Carolina Department of Health and Environmental Control; however, in all cases the installation of the hydrants shall meet the following minimum requirements:

Minimum Flow and Pressure Requirements

The minimum calculated hydrant flow shall be 500gpm (gallons per minute) over and above the peak hourly flow of the development. 20psi (pounds per square inch) minimum residual pressure is required at 100% of the peak hourly flow.

Location and Spacing Requirements

Fire hydrants shall be located at street intersections and spaced apart no greater than the distances in the following chart:

Spacing	Type of Subdivision
1,000 feet	Low density residential subdivisions (4 units or less per acre)
600 feet 500 feet	High density residential subdivisions (5 units and over per acre) single-family homes apartments, dormitories, condominiums, etc.
500 feet	Small, isolated commercial subdivisions
500 feet	Large shopping centers and high-density commercial subdivisions
500 feet	Industrial subdivisions

Effective Date: November 13, 2002



Lexington County Planning Commission

County Administration Building (803) 785-1454
212 South Lake Drive, Suite 302 Lexington, South Carolina 29072

Private Road Policy

[April 16, 2009 - date of last revision]

Persons desiring to establish private roads for the purpose of subdividing property shall follow the procedures outlined below.

PRELIMINARY PLAT: "Private road subdivisions" shall follow the same submission and platting procedures as outlined in the Lexington County Subdivision Regulations for standard subdivisions. However, since the roads are proposed as privately maintained, the review process is altered slightly. The Lexington County Planning Commission is authorized by those regulations to approve such a project only upon its satisfaction as to the physical and legal provisions for maintenance of the roads in the subdivision. The Commission requires a review of the preliminary plat drawings and documents by the staff of Lexington County to determine compliance with the following guidelines.

Road Layout

1. "Through roads" which connect existing roads are not allowed.
2. Road alignments, which create inadequate sight distances, are prohibited.
3. Requirements for road names, signs, and layout shall be the same as found in the Lexington County Subdivision Regulations, Stormwater Ordinance, and Land Development Manual.
4. Road rights-of-way shall be of sufficient width to allow adequate maintenance of any proposed road to include associated utilities and storm drainage systems. In most cases this will require a minimum 50-foot width on the roadway and 100-foot diameter on any cul-de-sacs; however, the publication called *Road Section Criteria for Private Roads* contains criteria for alternate designs utilizing narrower roadways and reduced rights-of-way. Projects proposed with less right-of-way than this publication must receive a variance from the Commission by demonstrating the ability of the layout to accommodate road, utility, and storm drainage maintenance.
5. Road rights-of-way shall not conflict with previously executed public rights-of-way (utility, rail, or road).

Road Design

1. Roads shall be designed so that maintenance costs to future residents shall be minimal. Sufficient engineering drawings and documents must be submitted in order for this determination to be made.
2. The geometric layout/design shall conform to the minimum standards for Lexington County. Road widths shall conform to the criteria contained in the publication called *Road Section Criteria for Private Roads*.
3. Dead end roads shall terminate in a turnaround, which meets the minimum criteria published by the Planning Commission.
4. Roads across pond dams are strongly discouraged.
5. Roads proposed to be paved must be designed to meet the standards of Lexington County for sub-base, base, road width, and pavement materials. Within a paved road subdivision there are no limits on the number of lots or length of the roadway.

6. The following are the minimum standards for all roads proposed to be unpaved:
 - a. Access must be from an existing publicly maintained unpaved road unless the subdivision is being proposed to settle family affairs.
 - b. Maximum road length shall be 1500 feet.
 - c. There shall be no more than 10 lots using the roadway for access; however, the Commission may limit the number of lots further based upon the size of the parcels and the potential for multiple dwelling units on each lot, unless restrictions are placed on the parcels limiting each to one dwelling unit.
 - d. Slopes shall be designed such that the calculated stormwater velocities on the roadway surface and in the roadside ditches are less than 2.5 feet per second for sandy loam soils and 4.0 feet per second for clay soils.
 - e. If the project is proposed to use an existing unpaved road surface, the following criteria must be met:
 - * The geometric layout shall be considered safe by the Stormwater Manager.
 - * The road surface shall be smooth and compacted, free from holes and/or ponding water.
 - * The road area shall be sloped or graded in such a manner that surface stormwater will be directed away from the roadway.
 - f. If the project is proposed to use a new unpaved road surface, then the following criteria must be met:
 - * The geometric layout/design shall conform to the minimum standards for Lexington County.
 - * The road surface shall be graded to conform to a farm-to-market type cross section.
 - * The road surface shall be free of debris and compacted to 95% of the standard density.

Storm Drainage System

1. The project shall be designed to properly handle storm drainage entering and leaving the site.
2. Sediment and erosion control measures shall be required on all grading.
3. Open ditches will be allowed outside the road right-of-way when the proposed ditch section has side slopes which are 3:1 or flatter. Steeper slopes may be allowed if there is a good stand of grass.
4. Steeper side slopes may also be allowed on major drainage channels as identified in the Lexington County Stormwater Ordinance if they are submitted with a design treatment approved by the Stormwater Manager or left in their natural condition with appropriate easements.

If these guidelines are met, the project can proceed without Planning Commission review. Projects proposed with other than the above standards must receive a variance from the Commission. The proposed designs must demonstrate the ability to ensure road, utility, and storm drainage maintenance, and to accommodate access by service vehicles, school buses, and emergency vehicles.

EXISTING PRIVATE ROAD SUBDIVISIONS: An existing subdivision which has a privately-maintained road may be subject to a review of additional items by the staff and/or Planning Commission. Some of those issues are as follows:

1. If the existing subdivision pre-dates any of the conditions of this Policy, there may be a need to address as many of these requirements as is feasible.
2. If there is no existing Road Maintenance Agreement, such a document will be proposed (and executed if approved) that involves as many of the existing property owners as possible. The Commission may decide that all property owners need to be involved in this decision.
3. If there is an existing Road Maintenance Agreement, that document must be amended if it contains such procedures. Such action shall be considered a pre-requisite to the implementation

of any approvals granted by the staff or the Commission.

4. The total number of allowed lots in the subdivision will be addressed at this time, if not previously considered.
5. Special considerations may be given if the additional subdividing is being proposed to settle family affairs, or is ordered by a Probate Judge in settling an estate.

CONDITIONS OF APPROVAL: Private road subdivision approval granted by the Commission or staff will remain valid for up to five (5) years from the date of issuance. An approval is transferable to a subsequent landowner(s) provided that all conditions of the approval are met.

ROAD AGREEMENT: A road maintenance agreement must be approved before a "Preliminary Plat Approval" can be given to a project. The attached sample agreement should be modified to suit the particular needs of a project, such as basing the costs in paragraph 3 on acreage or front-foot dimensions instead of lots. If these provisions are incorporated into a master deed or other document containing covenants and restrictions for the subdivision, that document may be submitted in addition to a road agreement. The developer should also note that this sample agreement contains certain provisions, which are considered essential by the Commission. The Planning Commission also requires that a property owners' association be chartered with the Secretary of State for South Carolina for the purpose of implementing this agreement and that bylaws be developed for the operation of that association.

FINAL PLAT: "Final Plat Approval" of a "private road subdivision" can be given only after completion of the following items. This approval is required before any property can be conveyed and therefore allows the plat of the project to be recorded in the Office of the Register of Deeds. The road maintenance agreement must be recorded with the plat at which time the Department of Community Development will require verification that the restrictions are being placed on the property owners adjoining the road.

1. Construction of the road and storm drainage system to the satisfaction of the Stormwater Manager.
2. If utilized, completion of any water and sewer systems.
3. Installation of traffic control and street name signs indicating each road to be a "privately maintained road." Installation standards for these signs should be obtained from the Stormwater Manager's Office.

NOTE: Escrowed funds are not mandatory on paved road projects, however, on unpaved roads the amount per lot shall not be less than \$100.

6. There shall also be an annual assessment upon each lot owner, which shall be due on July 1st of each year. Initially this assessment shall be _____ dollars per lot per year. This amount may be changed at any time by a two-thirds vote of the members of the Association. The obligation of each lot owner to pay this assessment shall be a continuing lien upon the lot, subject only to the lien on a bona fide first mortgage upon such real property held by a reputable financial institution; and said lien may be enforced by the Association in all respects as though secured by a recorded mortgage as provided by the laws of the State of South Carolina.

NOTE: For unpaved roads the escrow amount and annual assessment shall be equal to the annual maintenance cost divided by the number of lots. For paved roads the annual assessment shall be equal to the replacement cost of the roadway divided by the number of lots and also divided by 20, representing the life of the road.

7. This instrument is to be recorded in the Lexington County Office of the Register of Deeds, and the undersigned, (the owner/developer) , and all future owners shall cause the following statement to be placed in every contract and deed conveying lots out of this subdivision. This statement shall be signed by the grantee(s) and shall be placed immediately below the grantor's signature and shall be binding on all parties thereof. Failure of any subsequent purchaser to comply with this provision shall in no way diminish or impair the terms of this agreement and the conditions, benefits, and obligations imposed and granted thereunder.

"I, the undersigned, as purchaser of the above lot described in this deed/contract, acknowledge the existence of the road maintenance agreement as recorded in the Office of the Register of Deeds for Lexington County in Deed Book _____ at Page _____, do hereby confirm by acceptance of this deed/contract all the terms and conditions thereof. I understand that since the road described in that agreement is not being engineered and constructed according to Lexington County standards, it will not be the responsibility of Lexington County to maintain that road. I further acknowledge that the lot owners subject to that agreement shall be responsible for the maintenance and upkeep of that road."

8. It is agreed that said road shall be kept free of all obstructions so as to be open for the passage of fire, police, and other emergency vehicles, personnel, or equipment at all times; and that such responsibility lies with the respective property owners, their agents, guests, and employees.
9. That said roadway shall be posted as a "privately maintained road" prior to the conveyance of properties, and shall remain posted in that manner at all times.
10. These covenants and restrictions are to run with and bind the land, and shall ensure to the benefit of and bind property owners subject to this agreement, their respective legal representatives, heirs, successors, and assigns, for a term of twenty (20) years from the date this agreement is recorded in the Office of the Register of Deeds for Lexington County; after which time said agreement shall be automatically extended for successive periods of ten (10) years unless an instrument has been recorded whereby the owners of the lots have agreed to a change in this agreement.
11. Changes in this agreement either in whole or in part may be executed at any time by the recording of an instrument signed by a majority of the members of the Association.

Access Policy

LEXINGTON COUNTY PLANNING COMMISSION ACCESS POLICY

PURPOSE:

THIS ACCESS POLICY IS ESTABLISHED TO GUIDE THE COMMUNITY DEVELOPMENT STAFF AS THEY INTERPRET AND ENFORCE THE LEXINGTON COUNTY SUBDIVISION REGULATIONS RELATIVE TO THE MANNER AND EXTENT OF SUBDIVISION ALLOWED WITHOUT THE PROVISION OF NEW ROADS. THIS POLICY WILL BE IMPLEMENTED BY THE STAFF WITH ANY PROPOSED VARIANCES IN THIS POLICY PRESENTED TO THE PLANNING COMMISSION FOR A VOTE.

THIS POLICY HAS ALSO BEEN ESTABLISHED TO ENSURE THOUGHTFUL SUBDIVISION THAT DOES NOT NEEDLESSLY BURDEN EXISTING ROADS. IT TAKES STEPS TO ENSURE THAT LANDOWNERS HAVE ACCESSIBLE, MAINTAINABLE DRIVEWAYS. FACTORS SUCH AS ELEVATION, DRAINAGE, SLOPE, DIRECTION, VELOCITY, AND QUANTITY OF WATER WILL BE TAKEN INTO ACCOUNT IN DETERMINING THE SUITABILITY OF A FLAG LOT OR ACCESS EASEMENT. IN ADDITION, THE ABILITY FOR TWO VEHICLES TO SAFELY PASS OR AN EMERGENCY VEHICLE TO TRAVERSE THE ROAD WILL BE CONSIDERED.

A PRIMARY CONCERN WILL BE MINIMIZING POTENTIAL DAMAGE TO A PUBLIC ROAD RIGHT-OF-WAY. THE MAINTAINABILITY OF THE FLAG LOT OR ACCESS EASEMENT SERVING AS A DRIVEWAY WILL BE A SECONDARY CONCERN.

CRITERIA:

ON THE FOLLOWING PAGES ARE THE SPECIFIC CRITERIA OF THIS ACCESS POLICY ALONG WITH CORRESPONDING FIGURES ILLUSTRATING THEIR MEANING AND APPLICATION. THESE CRITERIA ARE INTENDED TO APPLY CUMULATIVELY; THAT IS, ALL CRITERIA MUST BE SATISFIED.

AS INDICATED ABOVE, IN ADDITION TO THE SPECIFIC ACCESS CRITERIA, THE STABILITY AND MAINTENANCE OF THE DRIVEWAY WILL BE ADDRESSED DURING STAFF REVIEW. THE SLOPE, SOIL, TYPE, AND LENGTH OF THE DRIVEWAY WILL BE TAKEN INTO CONSIDERATION, AS WELL AS THE VOLUME, VELOCITY, AND DIRECTION OF THE STORMWATER RUNOFF.

DRIVEWAYS MEETING THIS ACCESS POLICY WILL TYPICALLY BE DESIGNED WITH A MAXIMUM SLOPE OF 5-10 PERCENT, BASED ON THE SOIL TYPE AND DEMONSTRATED WATER VELOCITY. IF THE REQUIRED SLOPE CANNOT BE MET, STABILIZATION MEASURES WILL BE REQUIRED WHEREVER POSSIBLE. THE ACCESS SHOULD SLOPE AWAY FROM ANY INTERSECTING PUBLICLY-MAINTAINED ROAD.

DEFINITIONS:

ACCESS – A WAY OR MEANS OF APPROACH TO PROVIDE PHYSICAL ENTRANCE TO A PROPERTY.

ACCESS EASEMENT – A PROPERTY RIGHT FOR VEHICULAR ACCESS GRANTED BY ONE PARCEL OWNER TO AN ADJACENT PROPERTY OWNER.

DRIVEWAY – A VEHICULAR ACCESS CONNECTING A SINGLE PARCEL (AND POTENTIALLY A SECOND PARCEL VIA AN ACCESS EASEMENT) TO A ROAD.

ROAD – A VEHICULAR ACCESS (WHICH IS RECOGNIZED BY THE COUNTY AS PUBLICLY OR PRIVATELY MAINTAINED) SERVING THREE OR MORE PARCELS.

LANDLOCKED PARCEL – A PARCEL WHICH DOES NOT HAVE FEE SIMPLE TITLE FRONTAGE ON A ROAD RIGHT-OF-WAY.

FLAG LOT – A LOT WITHOUT FEE SIMPLE TITLE FRONTAGE ON A ROAD RIGHT-OF-WAY EXCEPT FOR A NARROW STRIP OF LAND SERVING AS A DRIVEWAY.

SIGHT DISTANCE – THE MINIMUM DISTANCE MEASURED FROM A STOPPED VEHICLE AT AN INTERSECTION WHICH ALLOWS THE DRIVER TO SEE APPROACHING TRAFFIC FROM BOTH DIRECTIONS WITHOUT OBSTRUCTION.

REV. 6/10/2009

1.

ANY PART OF A PROPOSED SUBDIVISION THAT ACCESSES A STATE-MAINTAINED ROAD MUST COMPLY WITH THE PROVISIONS SET FORTH BY THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION. AN APPROVED ENCROACHMENT PERMIT FOR SUCH ACCESS MUST BE SUBMITTED TO THE COUNTY OF LEXINGTON PRIOR TO THE APPROVAL OF A SUBDIVISION PLAT.

FOR INFORMATION ON SCDOT REQUIREMENTS, PLEASE REFER TO:

ACCESS AND ROADSIDE MANAGEMENT STANDARDS
PUBLISHED BY THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
TRAFFIC ENGINEERING
955 PARK STREET, PO BOX 191
COLUMBIA, SC 29202-0191
www.scdot.org

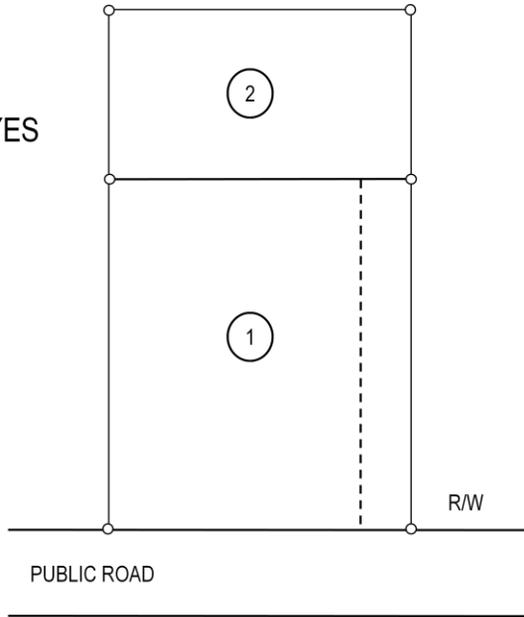
FOR INFORMATION ON ENCROACHMENT PERMITS, PLEASE CONTACT:

SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
DISTRICT ONE ENGINEERING
LEXINGTON MAINTENANCE OFFICE
(803) 359-4103

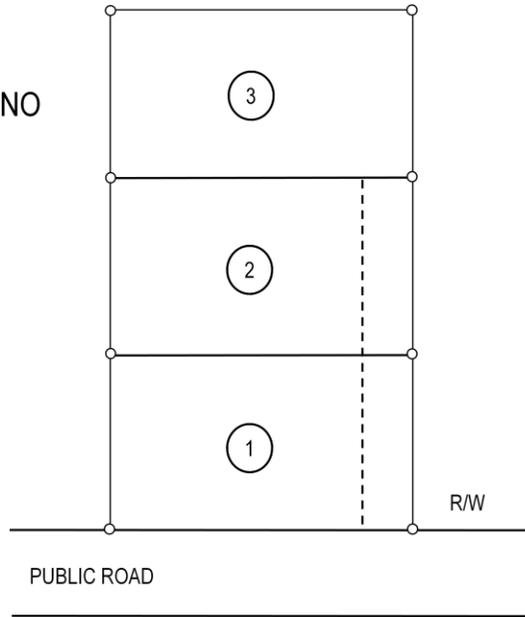
2.

IF AN ACCESS EASEMENT IS USED TO PROVIDE A DRIVEWAY FOR A LANDLOCKED PARCEL, THAT ACCESS EASEMENT MAY ONLY BE DESIGNATED OVER ONE PARCEL.

YES



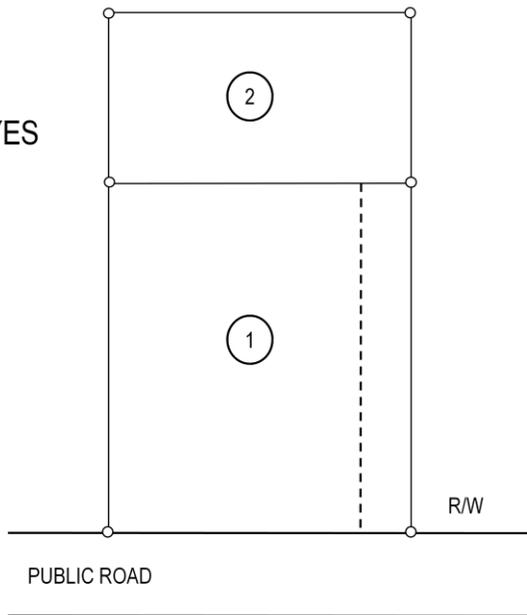
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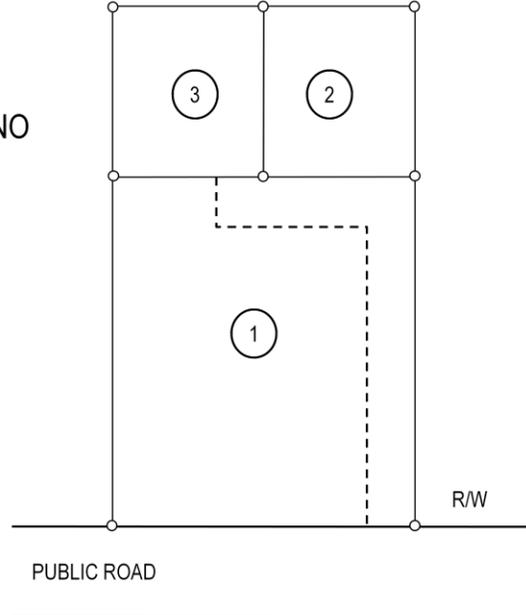
3.

IF AN ACCESS EASEMENT IS USED TO PROVIDE A DRIVEWAY FOR A LANDLOCKED PARCEL, THAT ACCESS EASEMENT MAY NOT SERVE ANOTHER LANDLOCKED PARCEL.

YES



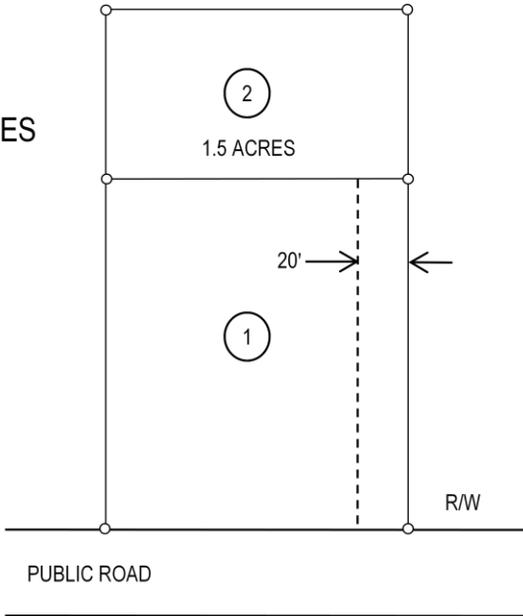
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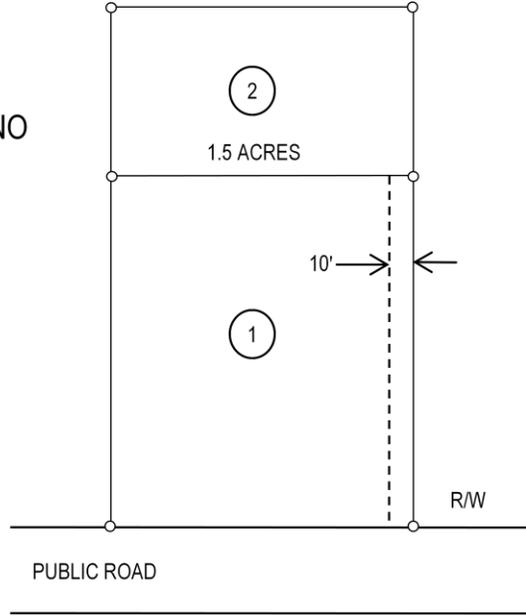
4.

AN ACCESS EASEMENT SERVING A LANDLOCKED PARCEL LESS THAN 2 ACRES SHALL BE AT LEAST 20 FEET WIDE ALONG ITS ENTIRE LENGTH.

YES



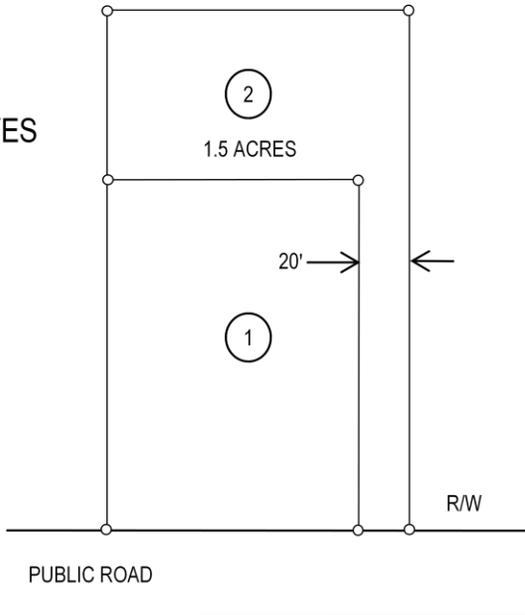
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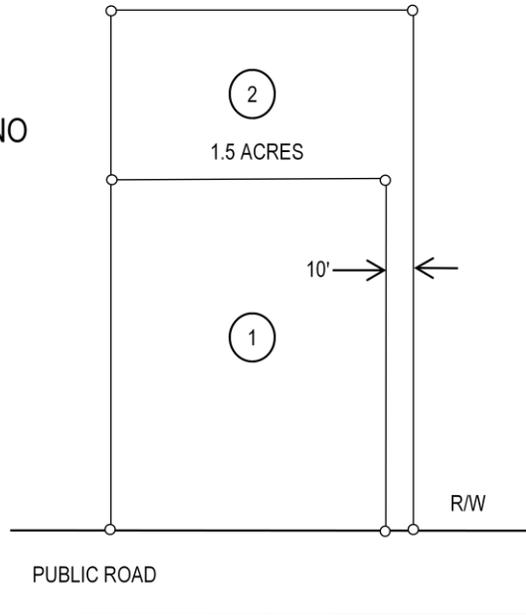
5.

THE DRIVEWAY PORTION OF A FLAG LOT SERVING A PARCEL LESS THAN 2 ACRES SHALL BE AT LEAST 20 FEET WIDE ALONG ITS ENTIRE LENGTH.

YES

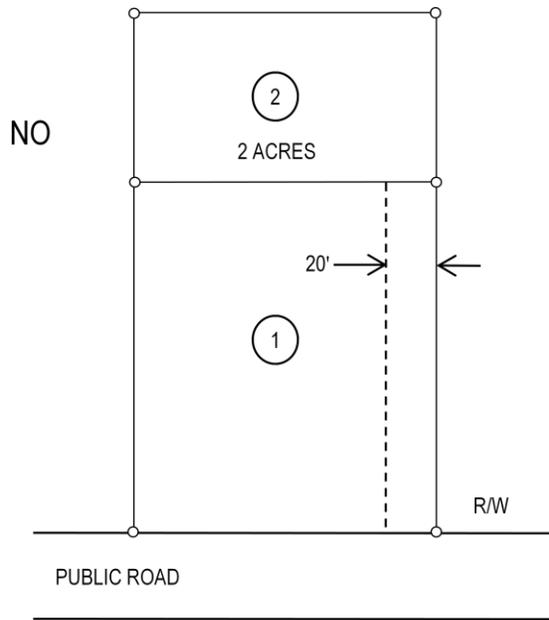
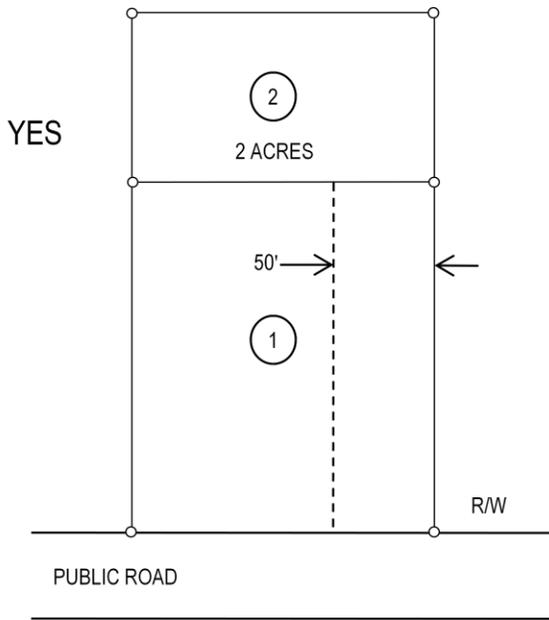


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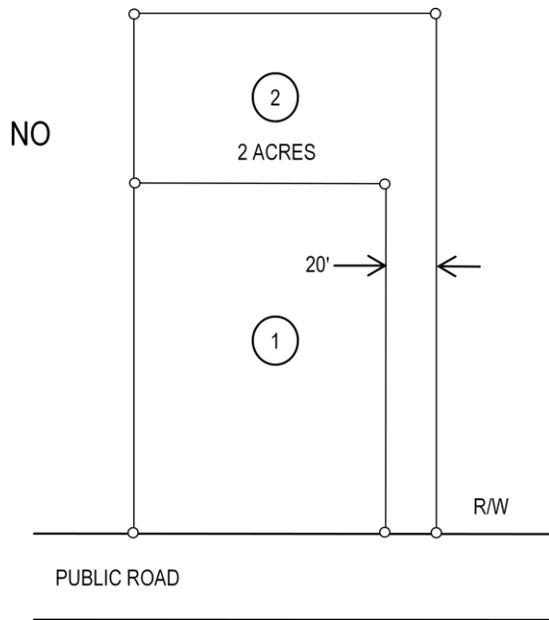
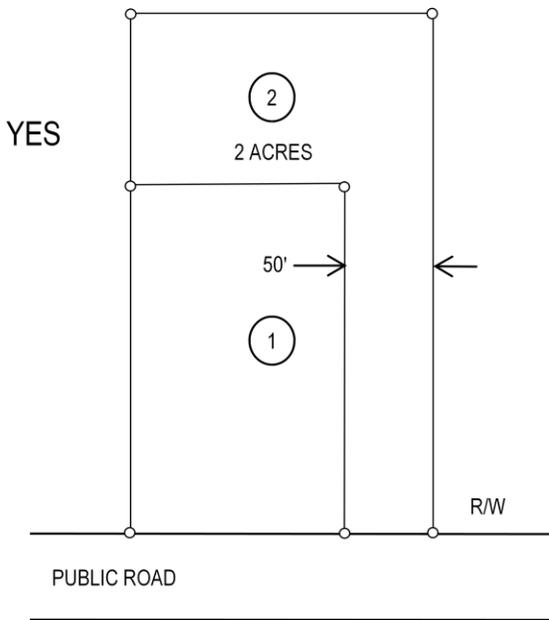
6.

AN ACCESS EASEMENT SERVING A 2 ACRE OR LARGER LANDLOCKED PARCEL SHALL BE AT LEAST 50 FEET WIDE ALONG ITS ENTIRE LENGTH.



7.

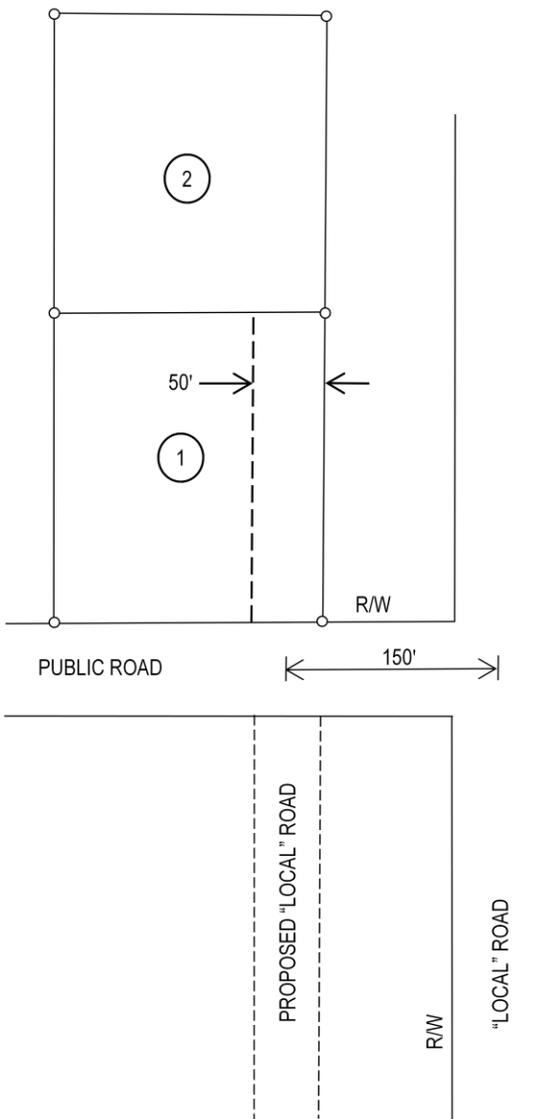
THE DRIVEWAY PORTION OF A 2 ACRE OR LARGER FLAG LOT SHALL BE AT LEAST 50 FEET WIDE ALONG ITS ENTIRE LENGTH.



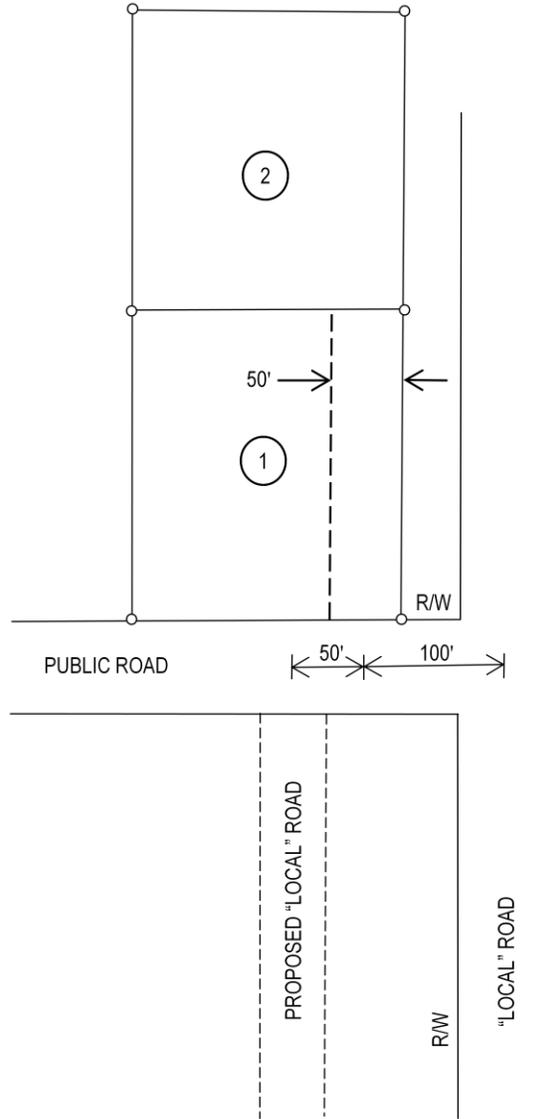
8.

AN ACCESS EASEMENT SERVING A 2 ACRE OR LARGER LANDLOCKED PARCEL SHALL BE DIRECTLY ALIGNED WITH OR SEPARATED AT LEAST 150 FEET FROM ANY EXISTING OR PROPOSED "LOCAL" ROAD, AS MEASURED FROM CENTERLINE TO CENTERLINE. IF THE EXISTING OR PROPOSED ROAD IS A "COLLECTOR" ROAD THEN THE REQUIRED SEPARATION IS 175 FEET. FOR AN "ARTERIAL" ROAD THE MINIMUM DISTANCE IS 200 FEET. ADEQUATE SIGHT DISTANCE SHALL BE PROVIDED FROM THE DRIVEWAY ALONG THE INTERSECTING ROAD RIGHT-OF-WAY, AND THE ACCESS EASEMENT SHALL HAVE AN ANGLE OF INTERSECTION OF NOT LESS THAN 75 DEGREES.

YES



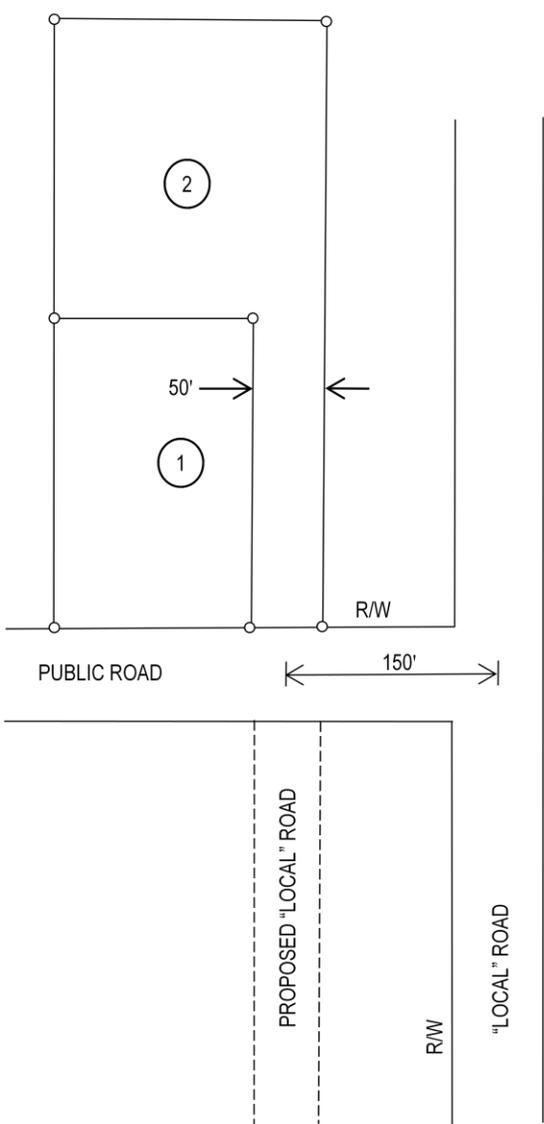
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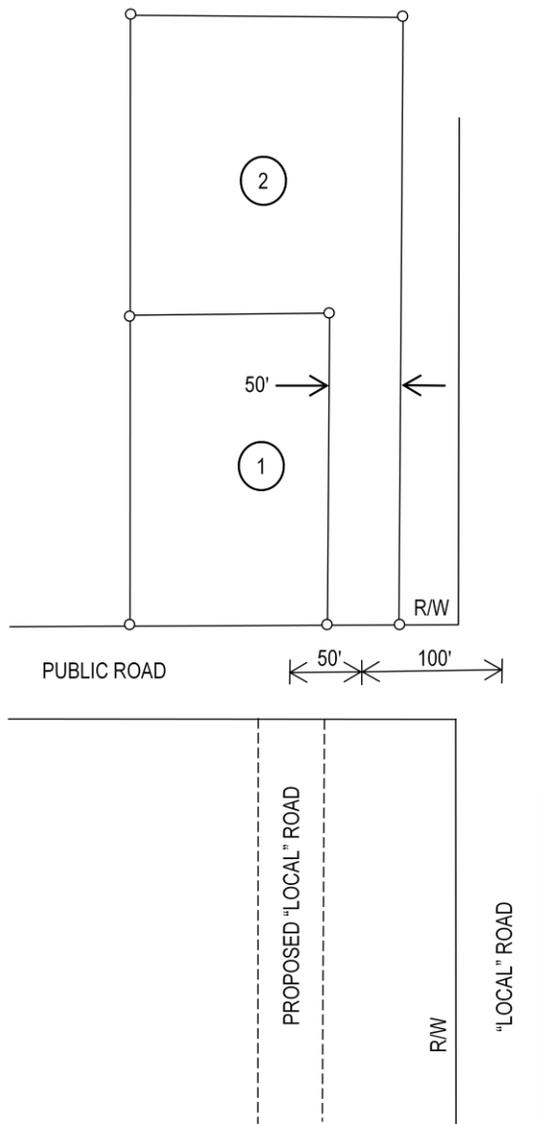
9.

THE DRIVEWAY PORTION OF A 2 ACRE OR LARGER LANDLOCKED PARCEL SHALL BE DIRECTLY ALIGNED WITH OR SEPARATED AT LEAST 150 FEET FROM ANY EXISTING OR PROPOSED "LOCAL" ROAD, AS MEASURED FROM CENTERLINE TO CENTERLINE. IF THE EXISTING OR PROPOSED ROAD IS A "COLLECTOR" ROAD THEN THE REQUIRED SEPARATION IS 175 FEET. FOR AN "ARTERIAL" ROAD THE MINIMUM DISTANCE IS 200 FEET. ADEQUATE SIGHT DISTANCE SHALL BE PROVIDED FROM THE DRIVEWAY ALONG THE INTERSECTING ROAD RIGHT-OF-WAY, AND THE ACCESS EASEMENT SHALL HAVE AN ANGLE OF INTERSECTION OF NOT LESS THAN 75 DEGREES.

YES



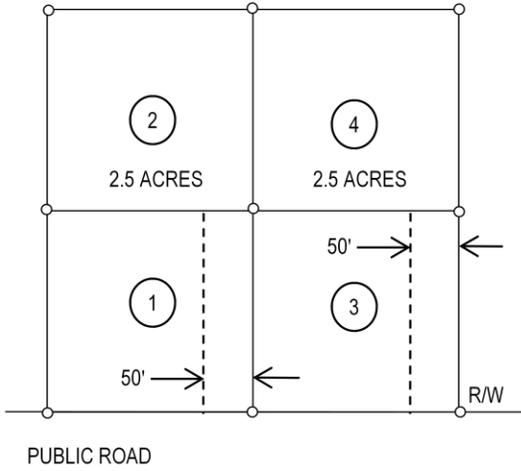
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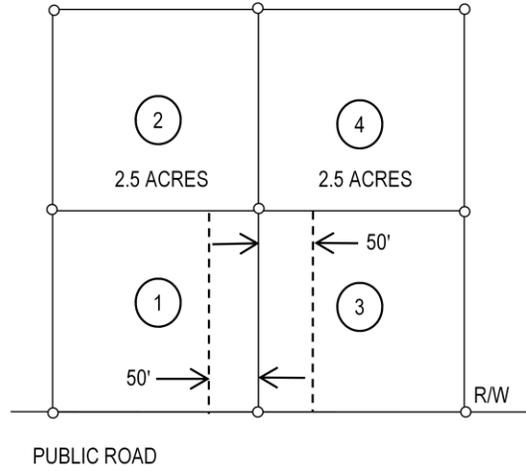
10.

AN ACCESS EASEMENT SERVING A LANDLOCKED PARCEL MAY NOT BE CONTIGUOUS TO AN ACCESS EASEMENT SERVING ANOTHER LANDLOCKED PARCEL UNLESS BOTH LANDLOCKED PARCELS ARE LESS THAN 2 ACRES EACH.

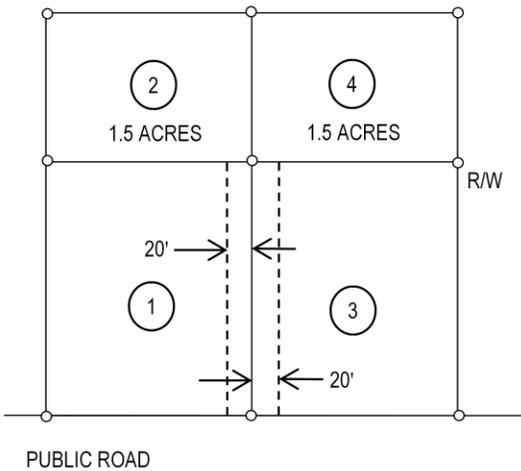
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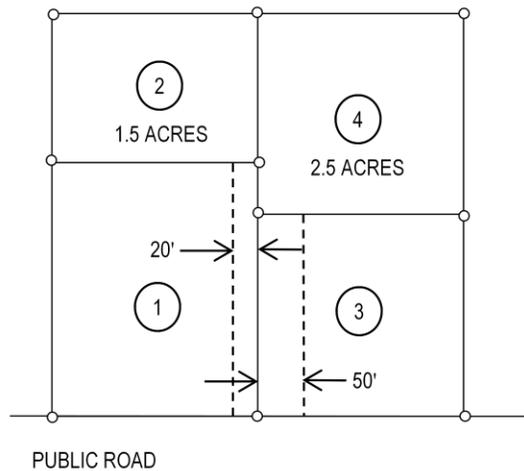
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YES



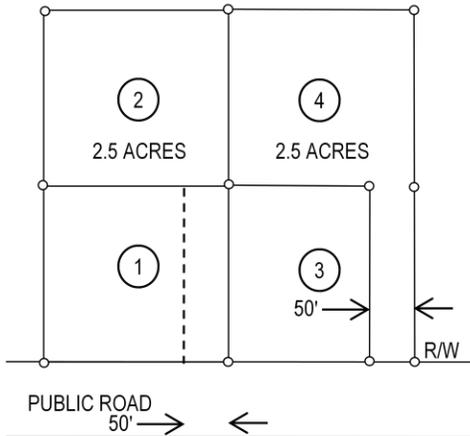
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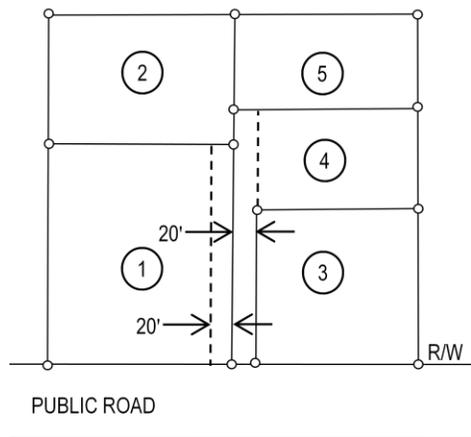
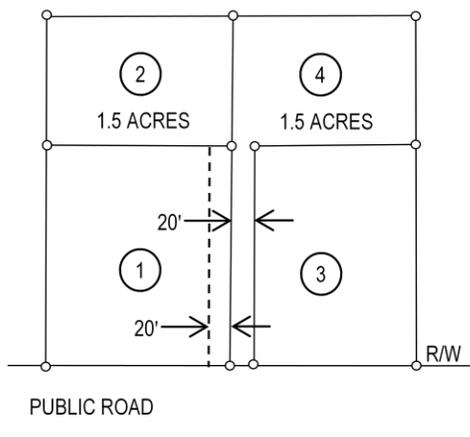
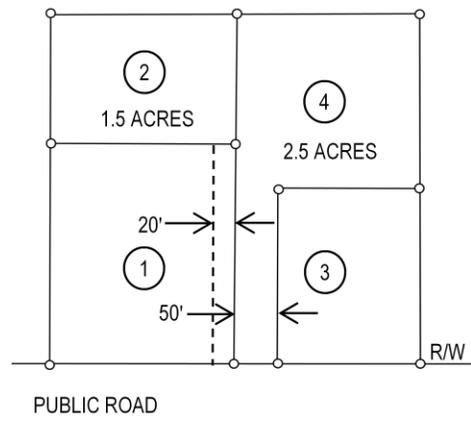
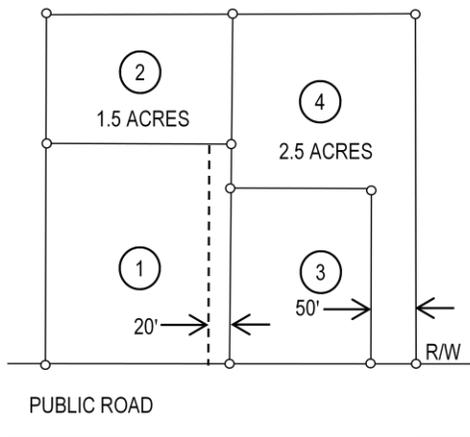
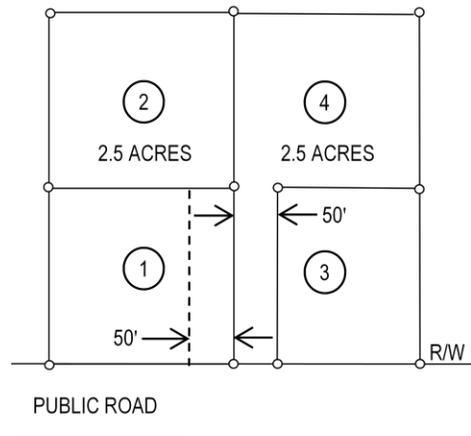
11.

AN ACCESS EASEMENT SERVING A LANDLOCKED PARCEL MAY NOT BE CONTIGUOUS TO THE DRIVEWAY PORTION OF A FLAG LOT UNLESS BOTH PARCELS ARE LESS THAN 2 ACRES EACH. THE DRIVEWAY PORTION OF A FLAG LOT SO PAIRED MAY NOT SERVE AS AN ACCESS EASEMENT FOR ANOTHER PARCEL.

YES



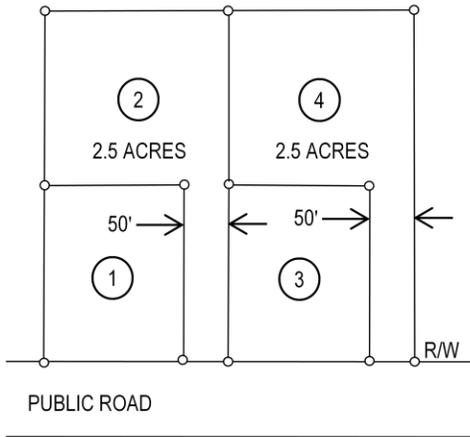
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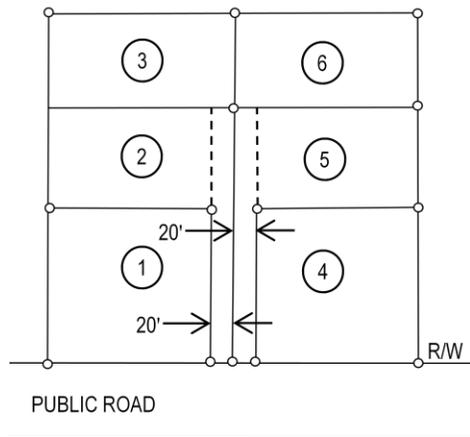
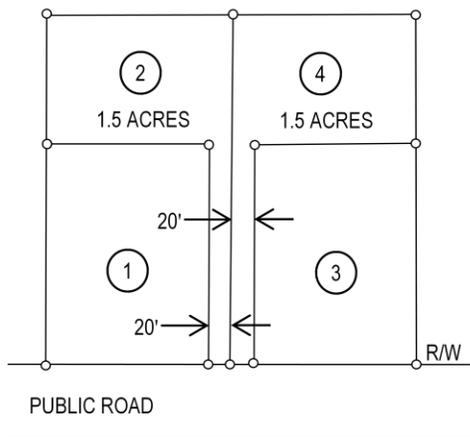
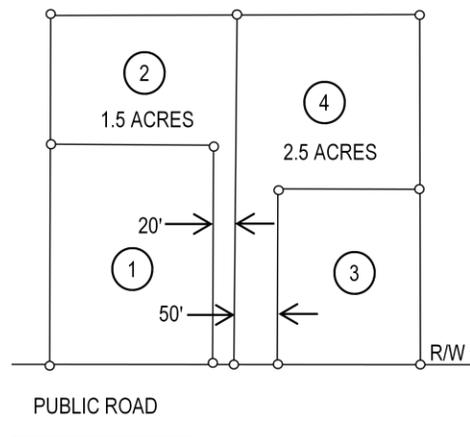
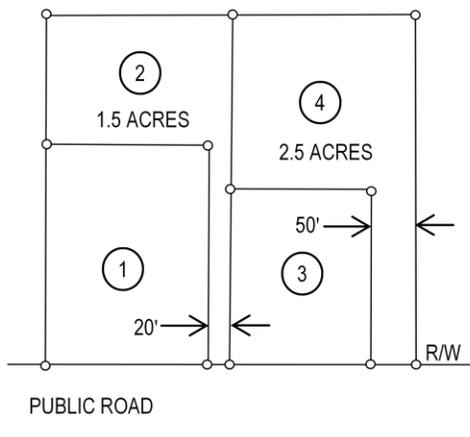
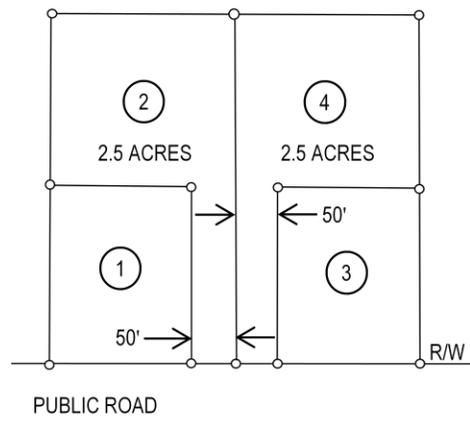
12.

THE DRIVEWAY PORTION OF A FLAG LOT MAY NOT BE CONTIGUOUS TO THE DRIVEWAY PORTION OF ANOTHER FLAG LOT UNLESS BOTH FLAG LOTS ARE LESS THAN 2 ACRES EACH. THE DRIVEWAY PORTION OF FLAG LOTS SO PAIRED MAY NOT SERVE AS ACCESS EASEMENTS FOR OTHER PARCELS.

YES



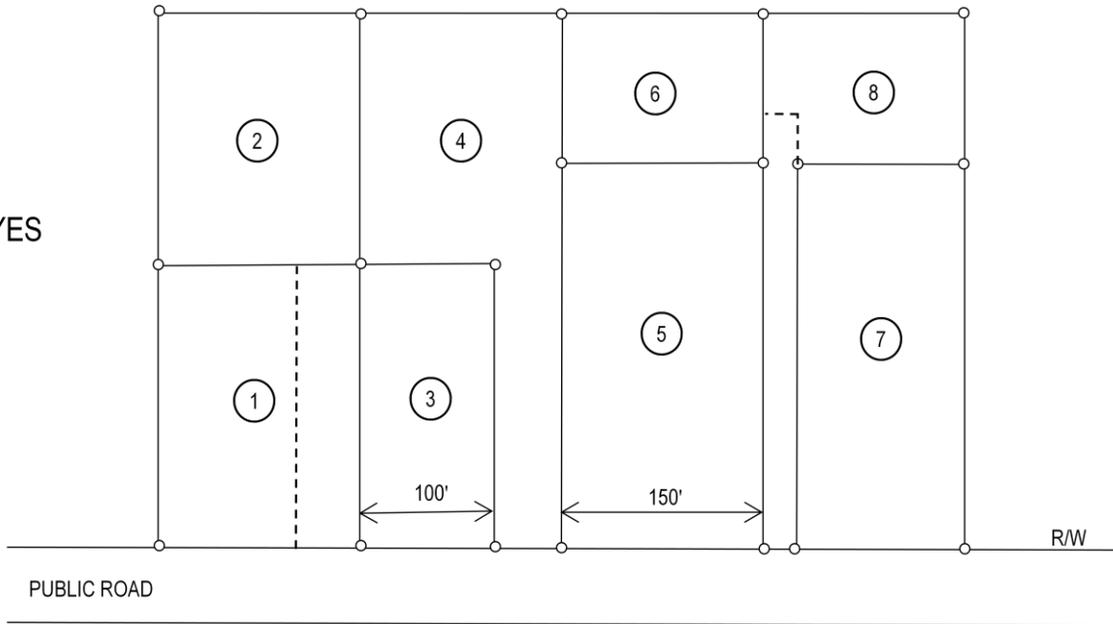
NO



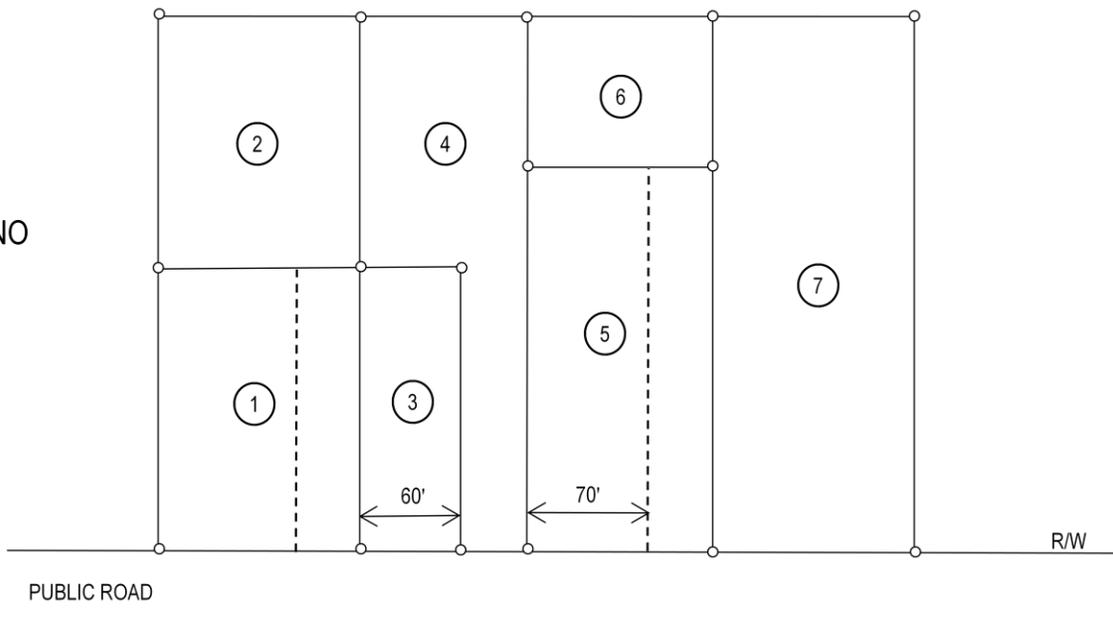
13.

SUCCESSIVE ACCESS EASEMENTS OR FLAG LOT DRIVEWAYS, WHETHER SINGLE OR PAIRED, ALONG A CONTINUOUS ROAD RIGHT-OF-WAY BOUNDARY SHALL BE SEPARATED BY AT LEAST ONE PARCEL WITH A MINIMUM OF 100 FEET OF FRONTAGE ALONG THE SAME ROAD RIGHT-OF-WAY BOUNDARY.

YES



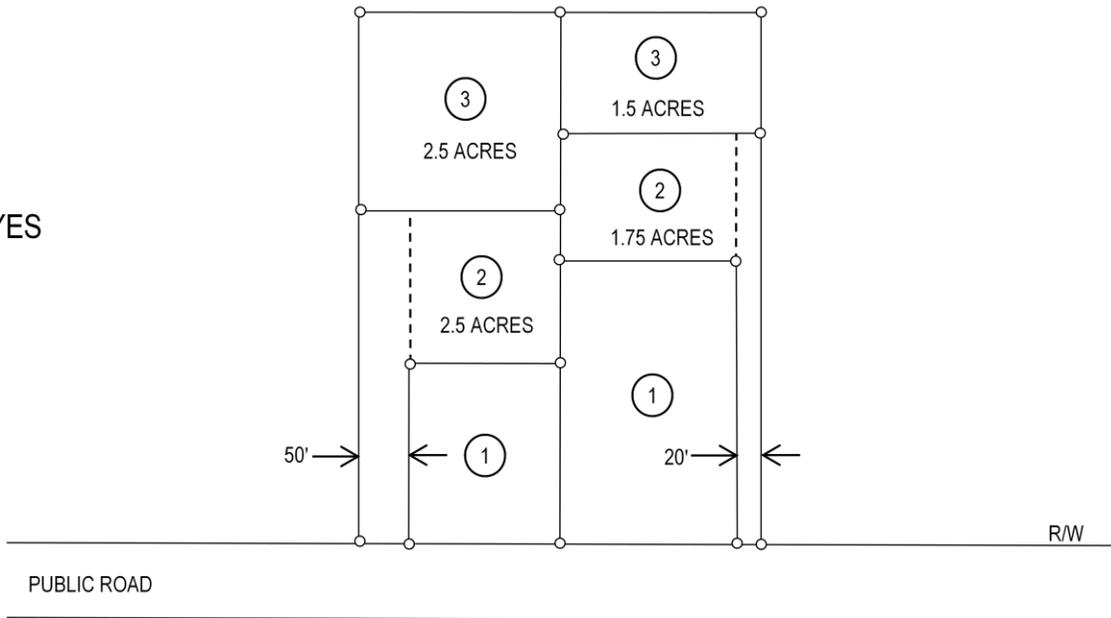
NO



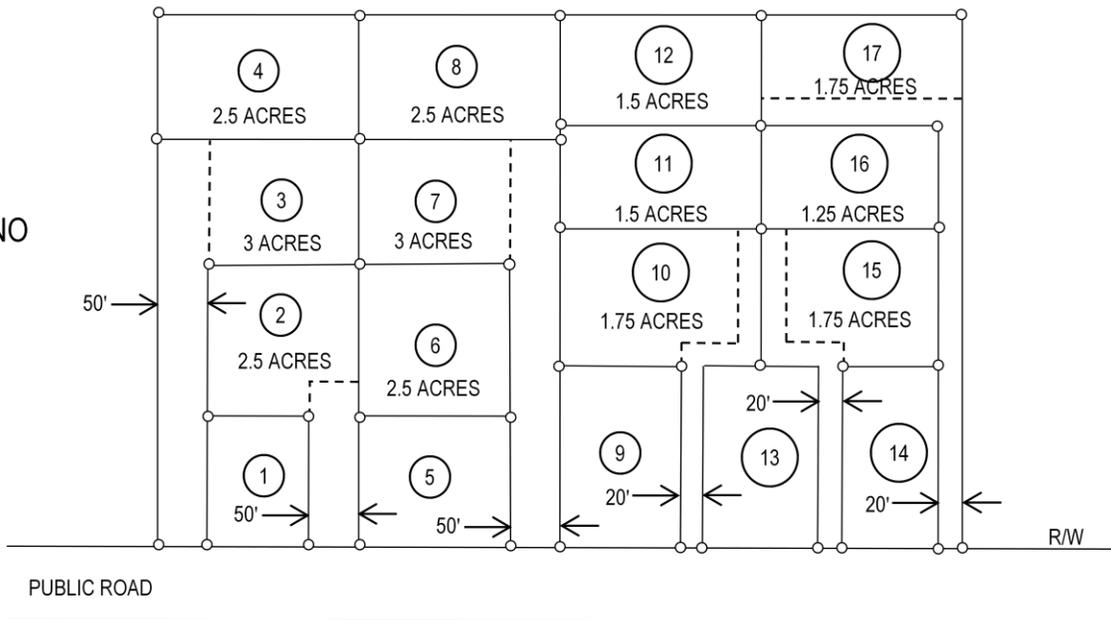
14.

NO MORE THAN TWO THREE-TIERED GROUPS OF PARCELS SERVED BY ACCESS EASEMENTS OR FLAG LOT DRIVEWAYS MAY BE ALLOWED AT THE SAME LOCATION, AS PART OF THE SAME OVERALL DEVELOPMENT PLAN.

YES

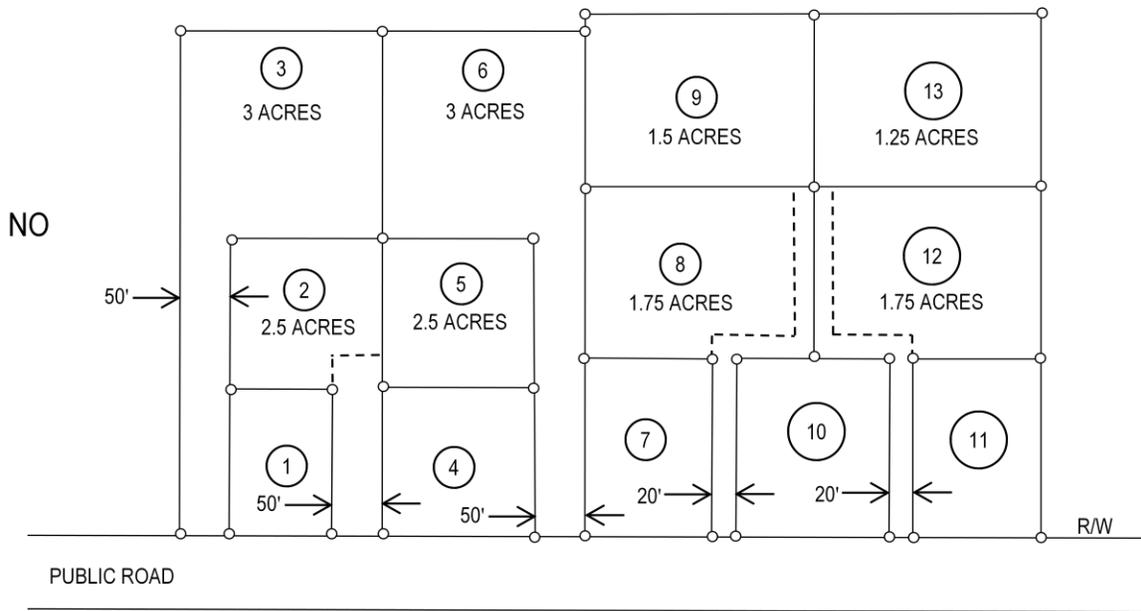
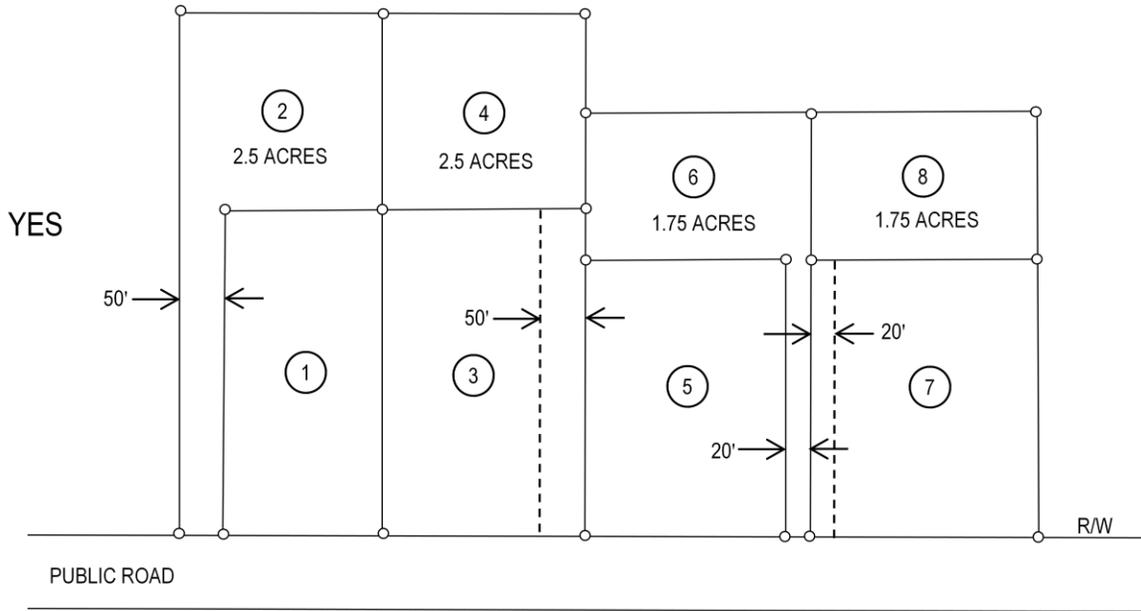


NO



15.

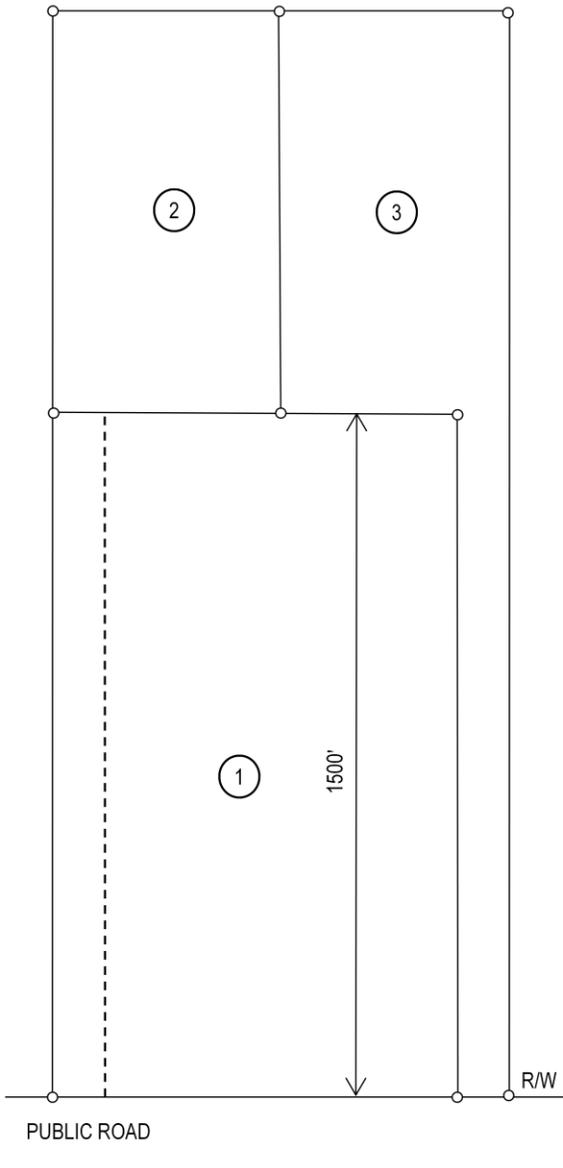
SUCCESSIVE ACCESS EASEMENTS OR FLAG LOT DRIVEWAYS (MORE THAN TWO AT THE SAME LOCATION) MAY BE NO MORE THAN TWO TIERS BEHIND THE ROAD RIGHT-OF-WAY THAT IS BEING ACCESSED. PARCELS MEETING THIS POLICY WILL BE DESIGNED TO MINIMIZE THE NUMBER OF ACCESS POINTS TO THE MAIN ROAD.



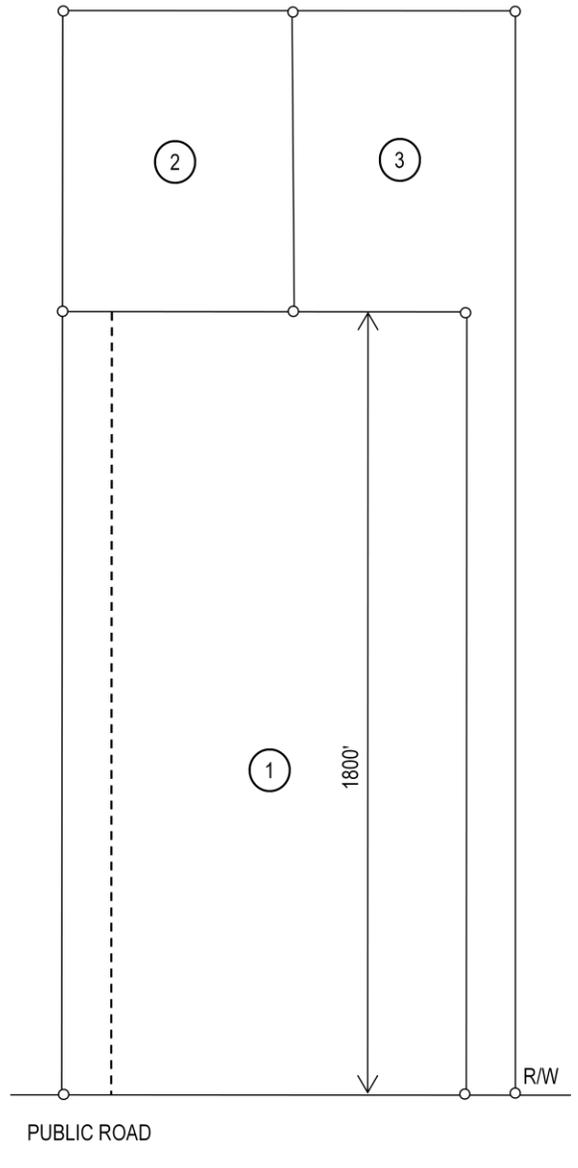
16.

NEITHER AN ACCESS EASEMENT NOR A DRIVEWAY PORTION OF A FLAG LOT SHALL EXCEED 1500 FEET IN TOTAL LENGTH, EXCEPT ON THE BASIS THAT THE ACCESSED PARCEL SHALL NOT BE FURTHER SUBDIVIDED. (STAFF, IN ITS DISCRETION, MAY REFER SUCH PLATS TO THE PLANNING COMMISSION FOR APPROVAL.)

YES



NO



LEXINGTON COUNTY PLANNING COMMISSION

Road Section Criteria for Private Roads

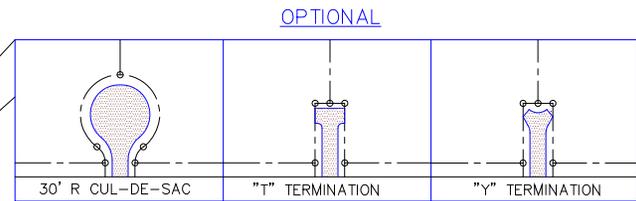
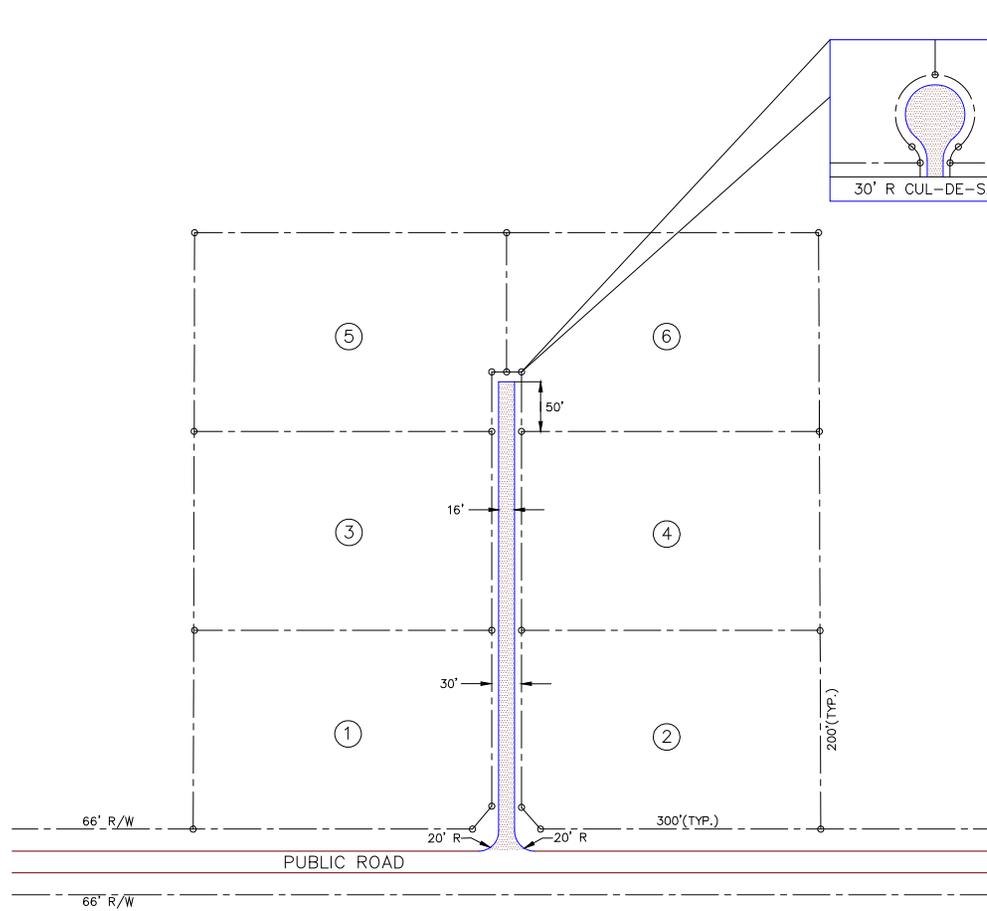
Recognizing that different road widths and designs may be desirable for different circumstances, the Lexington County Planning Commission has set forth the attached criteria as acceptable standards for road width, right-of-way, and riding surface on private roads within the unincorporated area of Lexington County.

Several factors must be taken into account when selecting a road design. They include safe passage by emergency vehicles, adequate parking (on or off-street), type of sidewalk, type of curbing, use of traffic-calming devices, length of road, average daily traffic (ADT), and accommodation of utilities and storm drainage.

Maximum design considerations such as length, ADT, etc. are included on the attached road section examples, as applicable.

Private roads that meet these criteria may be approved by the engineering staff of the Stormwater Manager's Office of Lexington County. Any proposed roads that do not meet these criteria may be submitted to the Planning Commission for their consideration.

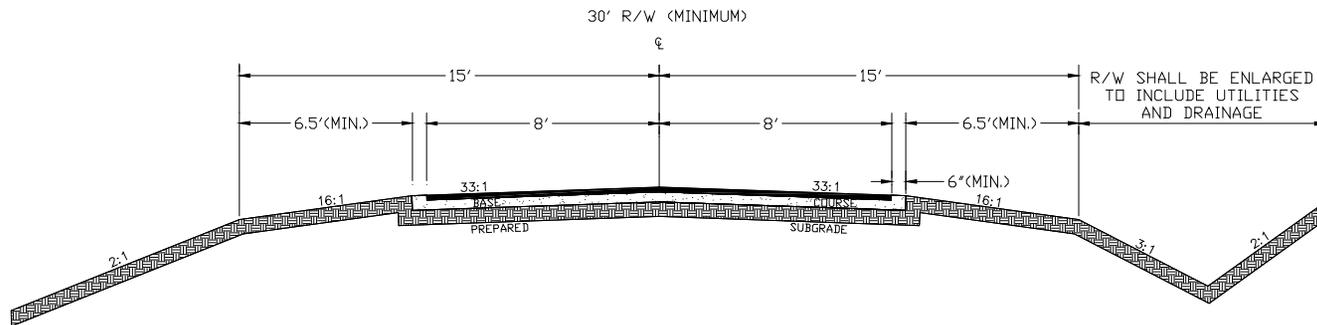
Additional requirements for private roads may be found in the Planning Commission's Private Road Policy.



- NOTES**
1. MAXIMUM LENGTH = 600'
 2. END OF ROAD MUST BE VISIBLE FROM PUBLIC ACCESS
 3. THREE TIER DEEP MAXIMUM

1

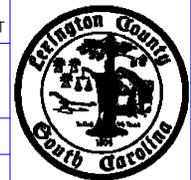
LEXINGTON COUNTY PLANNING & DEVELOPMENT		
RESIDENTIAL 3-TIER		
SCALE: NTS	DWG#: FLAGL.DWG	
DATE: 9/11/98	L.R.: NONE	

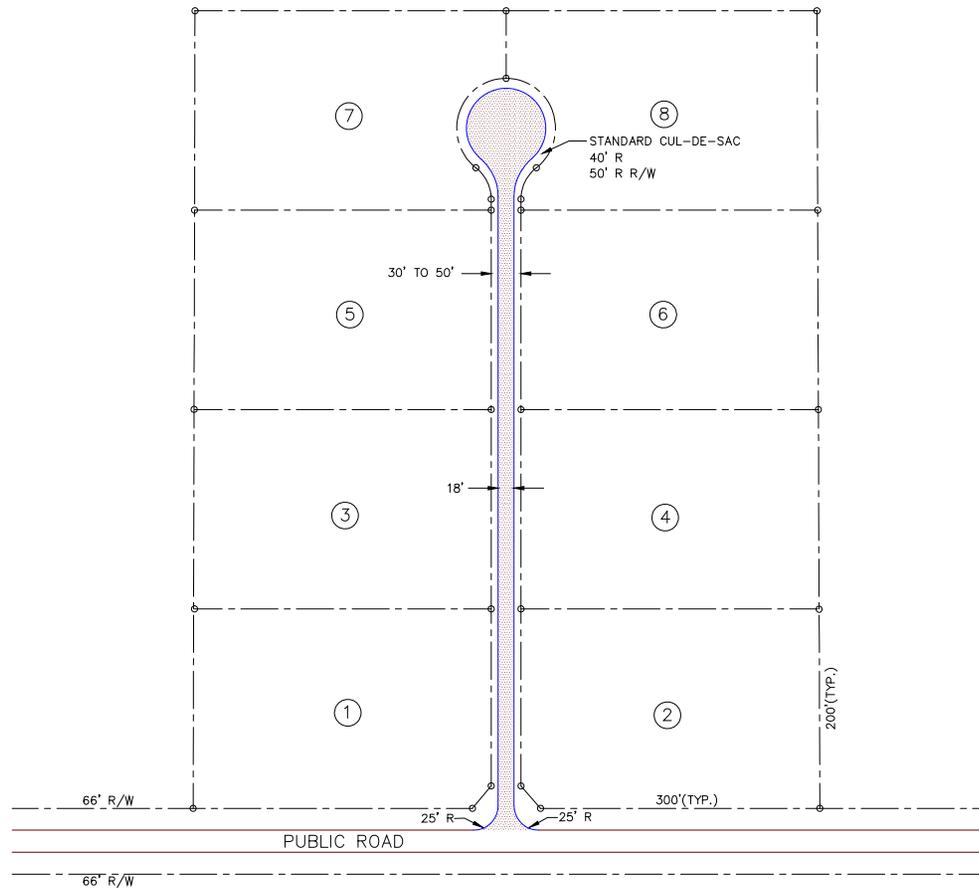


NOTE: MAXIMUM LENGTH = 600'

1A

LEXINGTON COUNTY PLANNING & DEVELOPMENT	
RESIDENTIAL 3-TIER	
SCALE: NTS	DWG#: A-15.DWG
DATE: 8/28/98	L.R.: NONE

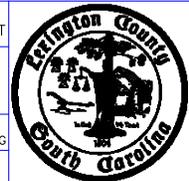


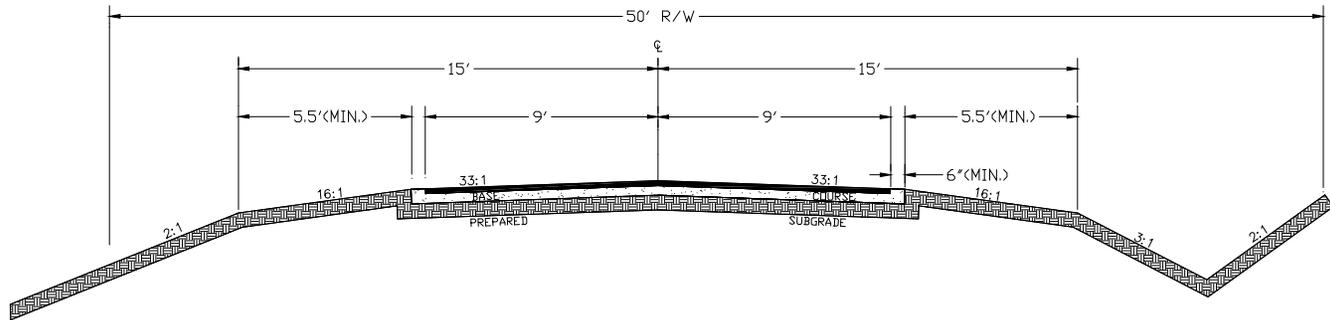


NOTE: FOR ROADS WITH ADT OF 250 OR LESS. (25 LOTS)

2

LEXINGTON COUNTY PLANNING & DEVELOPMENT	
RESIDENTIAL ≤ 250 ADT	
SCALE: NTS	DWG#: FLAGL.DWG
DATE: 9/11/98	LR.: NONE



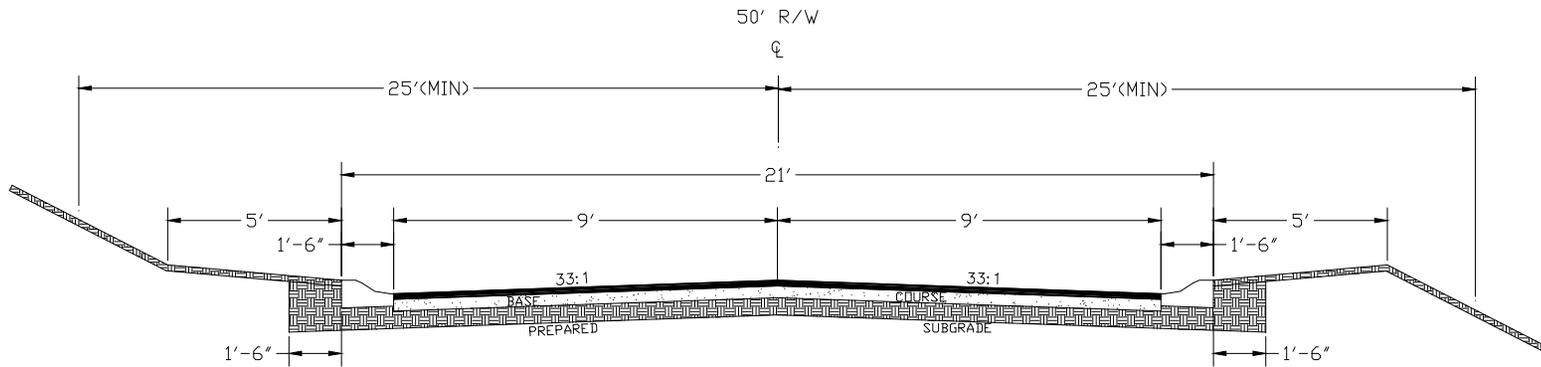


NOTE: FOR ROADS WITH ADT OF 250 OR LESS.

2A

LEXINGTON COUNTY PLANNING & DEVELOPMENT	
RESIDENTIAL ≤ 250 ADT	
SCALE: NTS	DWG#: A-15.DWG
DATE: 8/28/98	L.R.: NONE



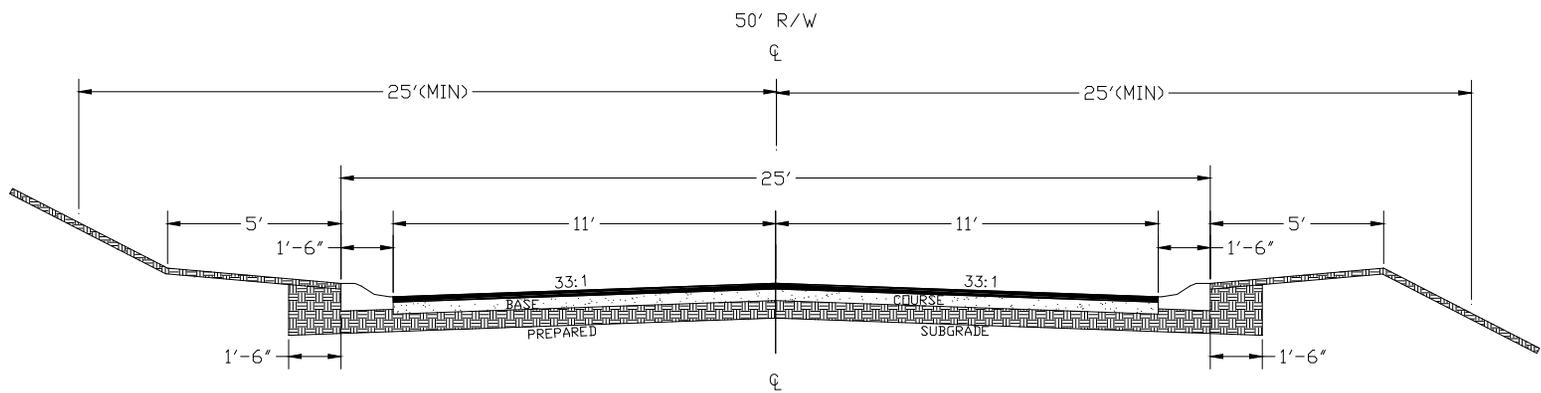


NOTE: FOR ROADS WITH ADT OF 250 OR LESS.

2B

LEXINGTON COUNTY PLANNING & DEVELOPMENT	
RESIDENTIAL WITH 18" ROLLED CURB ≤ 250 ADT	
SCALE: NTS	DWG#: A-4.DWG
DATE: 8/28/98	L.R.: NONE



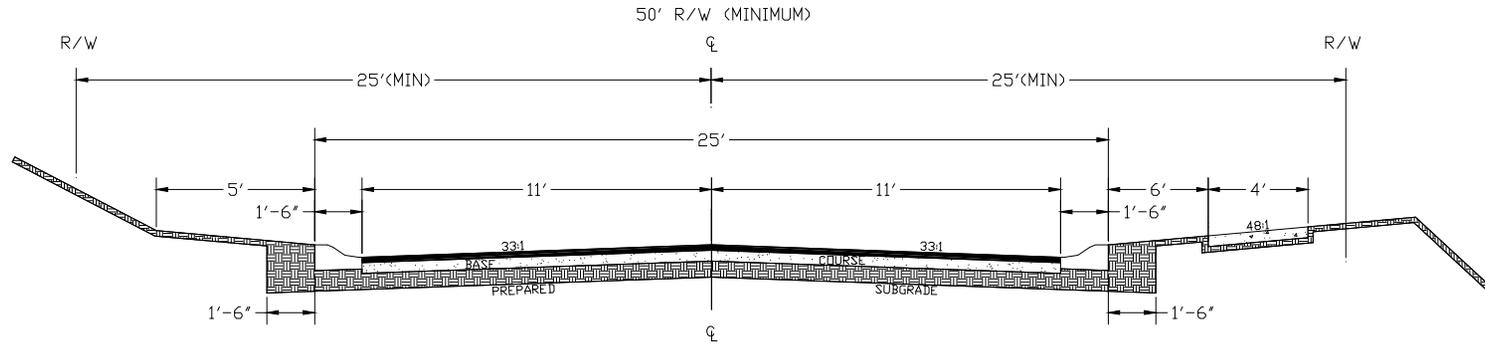


NOTE: FOR ROADS WITH ADT OF 251 TO 2000. (25-200 LOTS)

3A

LEXINGTON COUNTY PLANNING & DEVELOPMENT	
RESIDENTIAL WITH 18" ROLLED CURB	
SCALE: NTS	DWG#: A-4.DWG
DATE: 8/28/98	L.R.: NONE





NOTE: FOR ROADS WITH ADT OF
251 TO 2000. (25-200 LOTS)

3A (W/ SIDEWALKS)

LEXINGTON COUNTY
PLANNING & DEVELOPMENT

RESIDENTIAL
18" ROLLED CURB
WITH 4' SIDEWALK

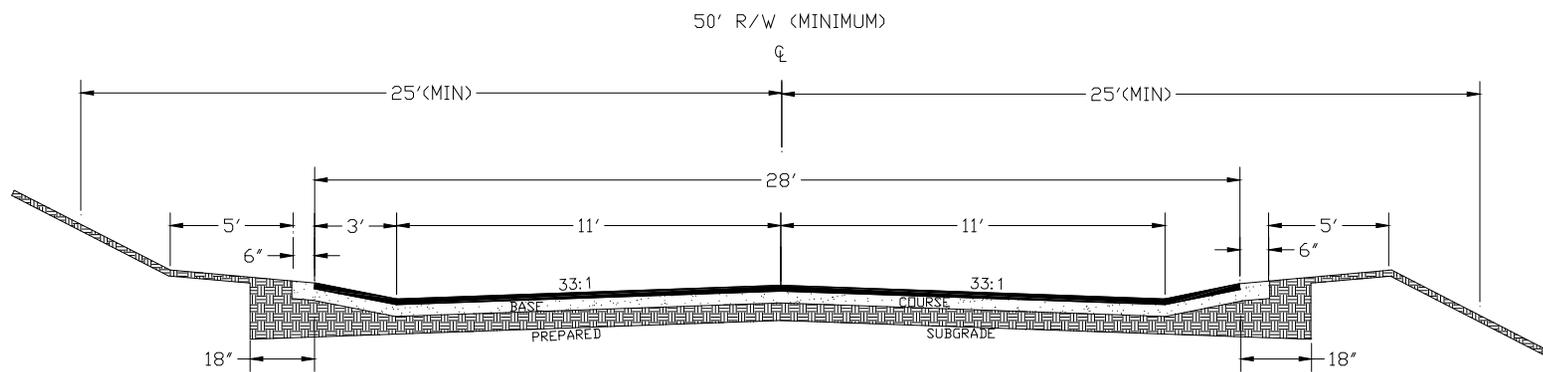
SCALE: NTS

DWG#: A-7A.DWG

DATE: 8/28/98

L.R.: NONE

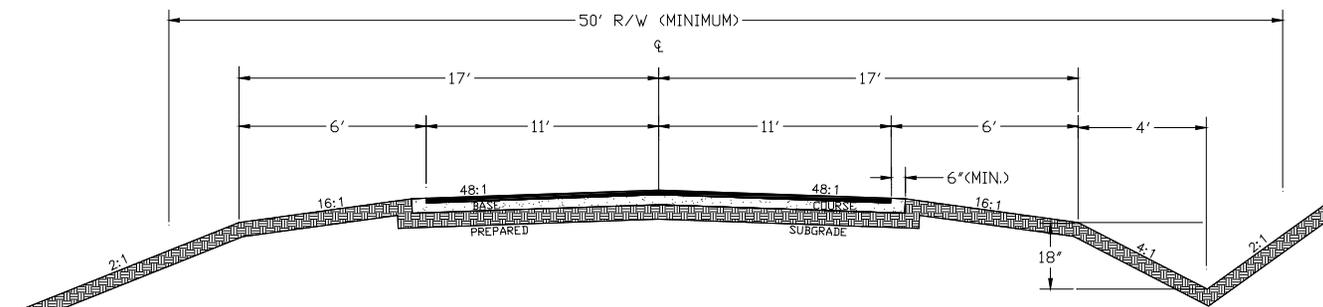




3B

LEXINGTON COUNTY PLANNING & DEVELOPMENT	
RESIDENTIAL WITH VALLEY GUTTER	
SCALE: NTS	DWG#: A-4C.DWG
DATE: 8/28/98	L.R.: NONE





3C

LEXINGTON COUNTY
PLANNING & DEVELOPMENT

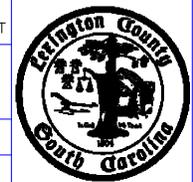
RESIDENTIAL
WITH DITCH

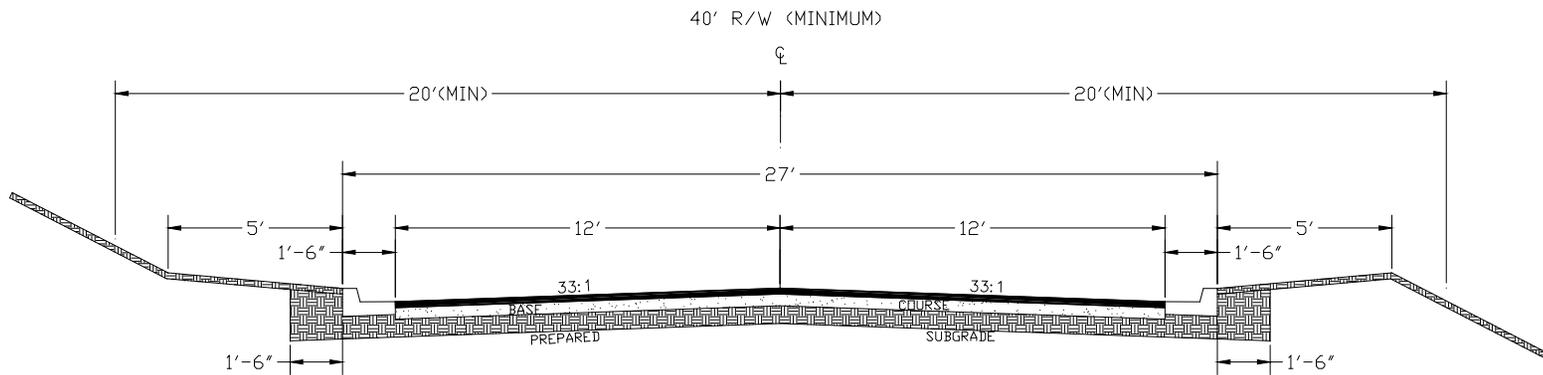
SCALE: NTS

DWG#: A-15.DWG

DATE: 8/28/98

L.R.: NONE





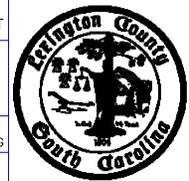
NOTES:

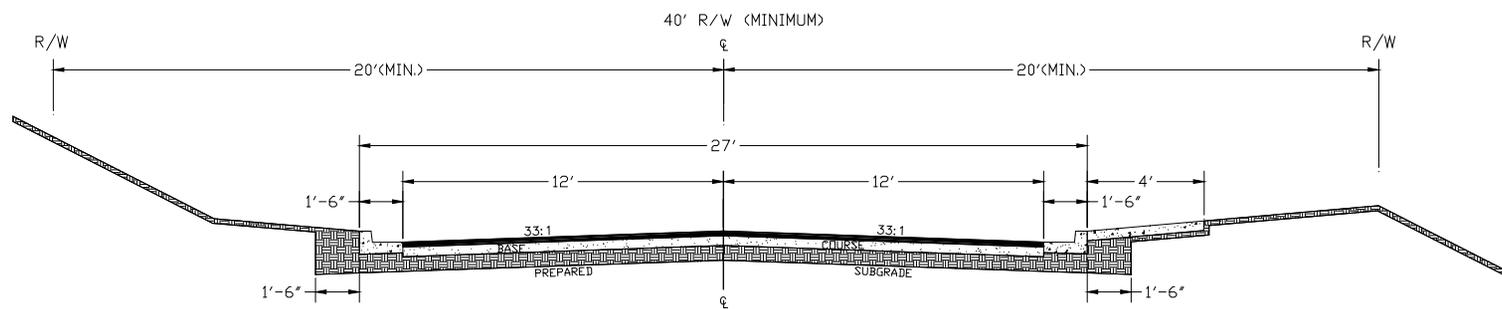
1. FOR 2000 ADT AND GREATER
2. NO ONSTREET PARKING
3. NO DIRECT LOT ACCESS*
4. MULTIPLE ACCESS POINTS REQUIRED

* DRIVE COURT IS ALLOWED.
MAXIMUM LENGTH 600'

4

LEXINGTON COUNTY PLANNING & DEVELOPMENT	
RESIDENTIAL COLLECTOR LIMITED ACCESS STREET (18" BARRIER CURB)	
SCALE: NTS	DWG#: A-4B.DWG
DATE: 8/28/98	L.R.: NONE





- NOTES:**
1. FOR 2000 ADT AND GREATER
 2. NO ONSTREET PARKING
 3. NO DIRECT LOT ACCESS*
 4. MULTIPLE ACCESS POINTS REQUIRED

* DRIVE COURT IS ALLOWED.
MAXIMUM LENGTH 600'

4 (W/ SIDEWALKS)

LEXINGTON COUNTY
PLANNING & DEVELOPMENT

RESIDENTIAL COLLECTOR
WITH 4' SIDEWALK

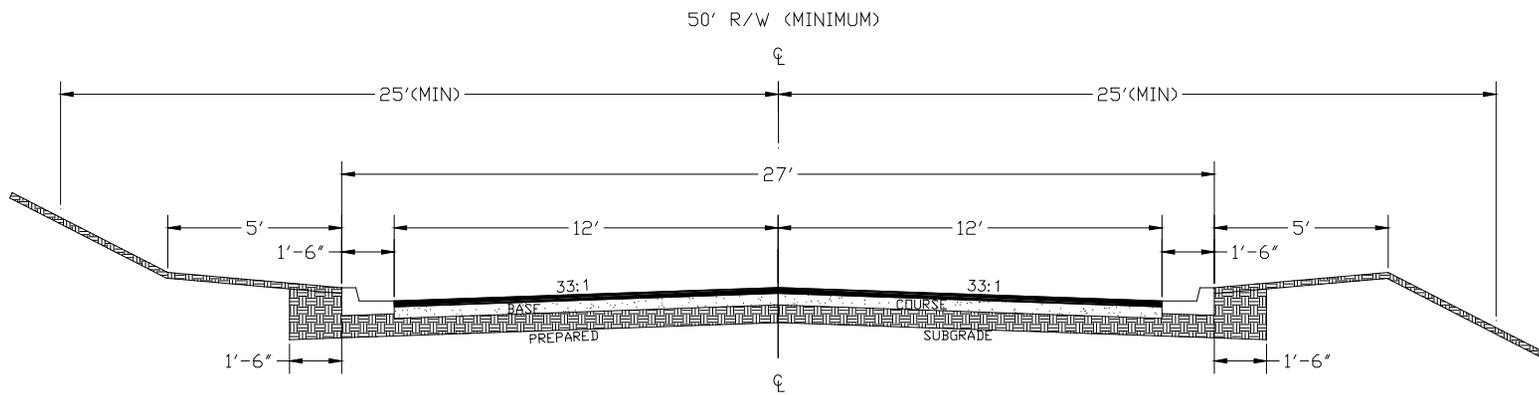
SCALE: NTS

DWG#: A-11A.DWG

DATE: 8/28/98

L.R.: NONE





5

LEXINGTON COUNTY PLANNING & DEVELOPMENT	
LIGHT COMMERCIAL/ INDUSTRIAL COLLECTOR (18" BARRIER CURB)	
SCALE: NTS	DWG#: A-4B.DWG
DATE: 8/28/98	L.R.: NONE

