

CHAPTER 155: LAND DEVELOPMENT REGULATIONS

GENERAL PROVISIONS.....	3
§ 155.001 TITLE.....	3
§ 155.002 AUTHORITY AND JURISDICTION.	3
§ 155.003 PURPOSE.....	3
§ 155.004 DEFINITIONS.	4
§ 155.005 COMPLIANCE.	6
PLAN AND PLAT PREPARATION AND REQUIREMENTS.....	8
§ 155.020 SUBMISSION AND REVIEW PROCEDURES.....	8
§ 155.021 SKETCH PLAN SUBMISSION AND REVIEW.	8
§ 155.022 SKETCH PLAN REQUIREMENTS.	9
§ 155.023 PRELIMINARY PLAT SUBMISSION AND REVIEW.	10
§ 155.024 PRELIMINARY PLAT REQUIREMENTS.....	11
§ 155.025 FINAL PLAT SUBMISSION AND REVIEW.	11
§ 155.026 FINAL PLAT REQUIREMENTS.....	13
§ 155.027 RECORDING OF FINAL PLAT.	14
§ 155.028 EXCEPTIONS.....	14
§ 155.029 IMPACT ASSESSMENTS.	15
§ 155.030 PLAT CERTIFICATES.....	15
DESIGN STANDARDS.....	16
§ 155.044 IMPROVEMENT PROCEDURES IN GENERAL.	16
§ 155.045 LOCATION.	16
§ 155.046 PROFESSIONAL LIABILITY.....	16
§ 155.047 BLOCKS AND LOTS.	17
§ 155.048 STREETS.....	21
§ 155.049 SIDEWALKS.	30
§ 155.050 EASEMENTS.	32
§ 155.051 STORM DRAINAGE AND FLOOD AREAS.	34
§ 155.052 INSPECTIONS.....	39
§ 155.053 SEWER AND WATER SUPPLY.....	41
§ 155.054 GREENSPACE PRESERVATION AND PROTECTION PLAN.....	44
ADDITIONAL REQUIREMENTS.....	46
§ 155.071 MARKERS.....	46
§ 155.072 ADDRESSING SYSTEM.....	47
ADMINISTRATION.....	49

§ 155.084 RECORDED RESTRICTIVE COVENANTS.....	49
§ 155.085 VESTED RIGHTS.....	50
§ 155.086 FEES.....	50
§ 155.087 AMENDMENTS TO LAND USE REGULATIONS.....	50
§ 155.088 STREETS, DRAINAGE SYSTEM AND STORMWATER CONTROL FACILITY FINANCIAL GUARANTEE.....	51
§ 155.999 PENALTY.....	52
APPENDIX A: PLAT CERTIFICATES	53
§ 1 PLAT CERTIFICATES.....	53
APPENDIX B: FORMS.....	56
§ 1 FINAL INSPECTION CHECKLIST.....	56
§ 2 INSPECTION FEE COMPUTATIONS.....	59
§ 3 OWNERSHIP CERTIFICATION.....	59
§ 4 OWNERSHIP AND INSPECTING ENGINEER CERTIFICATE.....	60
§ 5 RIGHT-OF-WAY DEEDS.....	60
§ 6 DRAINAGE EASEMENT.....	61
§ 7 TWO-YEAR WARRANTY.....	61
§ 8 MATERIALS AND WORKMANSHIP CERTIFICATION.....	62
§ 9 [RESERVED].....	62
§ 10 HOMEOWNERS' ASSOCIATION ARTICLES OF INCORPORATION.....	62
§ 11 HOMEOWNERS' ASSOCIATION DECLARATION OF COVENANTS.....	63
§ 12 INSPECTION PROFESSIONAL LOG.....	63
§ 13 CERTIFICATE OF COMPLIANCE.....	64
§ 14 DRAINAGE CERTIFICATIONS.....	65
§ 15 STORMWATER FACILITY MAINTENANCE AGREEMENT.....	66

GENERAL PROVISIONS

§ 155.001 TITLE.

This chapter shall be known as the Land Development Regulations of the town.

('81 Code, § 154.01) (Ord. passed 6-9-92; Am. Ord. 99012, passed 4-21-99; Am. Ord. 02045, passed 7-9-02))

§ 155.002 AUTHORITY AND JURISDICTION.

This chapter was prepared in pursuance of authority conferred by the S.C. Code of 1976, Title 6, Chapter 7. The provisions set forth herein shall apply throughout the incorporated areas of the town.

('81 Code, § 154.02) (Ord. passed 6-9-92; Am. Ord. 02045, passed 7-9-02)

Statutory reference:

Authority to establish land development regulations, see S.C. Code Title 6, Chapter 7

§ 155.003 PURPOSE.

The public health, safety, economy, good order, appearance, convenience, morals, and general welfare require the harmonious, orderly, and progressive development of land within the municipalities of the state. In furtherance of this general intent, the regulation of the land development is authorized for the following purposes, among others:

- (A) To encourage the development of economically sound and stable municipalities and counties.
- (B) To assure the timely provisions of required streets, utilities, and other facilities and services to new land developments;
- (C) To assure the adequate provision of safe and convenient traffic access circulation, both vehicular and pedestrian, in and through new land developments;
- (D) To assure the provision of needed open public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, transportation, and other public purposes; and
- (E) To assure, in general, the wise and timely development of new areas, and redevelopment of previously developed areas in harmony with the comprehensive plans of municipalities and counties.

('81 Code, § 154.03) (Ord. passed 6-9-92; Am. Ord. 99012, passed 4-21-99; Am. Ord. 02045, passed 7-9-02)

§ 155.004 DEFINITIONS.

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

ADMINISTRATIVE OFFICER. The Director of Planning and Development.

ANNUAL MEETING SCHEDULE. A schedule of all regular meetings of appointed and elected officials of the Town of Mount Pleasant, published no later than December of each year and which may be amended from time to time.

APPLICANT. The individual specified on an application form for any Sketch Plan, Plat, or other formal submittal to the Town as being the point of contact for such application.

CRITICAL AREA. Pursuant to Title 48 of the South Carolina Code of Laws, **CRITICAL AREA** includes coastal waters, tidelands, beaches, and the beach/dune system.

EASEMENT. A grant by the property owner of the use of a strip of land for a specific purpose. Ownership is retained by the property owner, who is responsible for the general upkeep and maintenance of the easement.

ENGINEER. A registered professional engineer in the state.

FINAL PLAT. A plat of all or part of a subdivision of property, including supporting data, showing all features and improvements required by these regulations, which substantially conforms to the approved Preliminary Plat. A **FINAL PLAT** is prepared after all required improvements, such as installation of infrastructure, are complete.

LAND DEVELOPMENT. A change in land characteristics through redevelopment, construction, subdivision into parcels, condominium complexes, apartment complexes, commercial parks, shopping centers, industrial parks, mobile home parks, or similar developments for sale, lease, or any combination of owner and rental characteristics.

LOT. A single parcel or tract of land as a part of a subdivision, or a tract of land of less than five acres.

METES AND BOUNDS. A system of describing and identifying land by measure and direction, bearing and distances, from an identifiable point of reference, such as a monument or other marker, to another marker.

PLAT. A drawing showing an actual subdivision of property into two or more lots, tracts or parcels.

PRELIMINARY PLAT. A plat of all or part of a subdivision of property showing all features and improvements required by these regulations, which substantially conforms to the approved Sketch Plan. A **PRELIMINARY PLAT** is prepared prior to the installation of required improvements, such as infrastructure.

PRELIMINARY STAFF REVIEW. A non-binding review of a Sketch Plan by Department of Planning and Development staff required prior to formal submittal of the Sketch Plan to the Planning Commission.

REGULATIONS. The whole body of regulations, text, charts, diagrams, notations, and references contained, or referred to, in this chapter.

SKETCH PLAN. A map of property indicating a proposed subdivision design, and which includes all information listed in the [Sketch Plan Approval Checklist](#) provided by the Department of Planning and Development, as may be amended from time to time.

STREET. For the purpose of this chapter, a street falls into one of the following categories that most accurately describes it:

(1) *Public street.* Vehicular way deeded to and accepted by the governing authority for perpetual maintenance, and includes:

- *Highways and thoroughfares.* Streets designed primarily to move large volumes of traffic and that provide for the movement of traffic;
- *Collector street.* A street used to collect and distribute medium traffic volumes between origin and destination points. Principal entrance and circulation streets of subdivisions also are classified as collectors; and
- *Minor street.* A street primarily used for abutting properties.

(2) *Private street.* Vehicular way held in private or corporate ownership, and one which is ineligible for public expenditures and/or public maintenance, and includes:

- *Alley.* An improved private right-of-way used primarily as a secondary means of access to the side or rear of properties whose principal frontage is on another street.

STREET, DEAD-END. Any street having one outlet for vehicular traffic and having no intersections aside from this single vehicular outlet. A Dead-end Street may be designed in such a manner as to permit its extension at a later date.

STREET, STUB. A street intended to be extended in conjunction with the subdivision and/or development of the adjacent parcel(s).

SUBDIVIDER. Shall carry the same meaning as the term **DEVELOPER** as used in this chapter.

SUBDIVISION. A division of a tract or parcel of land into two or more lots, building sites, or other divisions. The land is divided for sale, lease, or building development, whether immediately or in the future. The definition includes all land divisions involving a new street or change in existing streets. It includes re-subdivisions involving the further division or relocation of lot lines of any lot or lots within any previously approved or recorded subdivision, as well as combination of lots of record. The following exceptions are included within this definition only for the purpose of requiring that the local planning agency be informed and have a record of the subdivisions.

(1) Combining or recombining portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the ordinance standards.

(2) Dividing land into parcels of five acres or more where a new street is involved. The Planning Commission must receive plats of these exceptions as information and indicate that fact on the plats.

(3) Combining or recording entire lots of record where no new street or change in existing streets is involved.

SUBDIVISION PLAN. Maps or drawings upon which the subdivision is presented for approval, including both the plat showing the division of the site and the plans and specifications for the improvements that are required in conjunction with the division of the property.

WAIVER. A grant of relief from certain requirements of the Land Development Regulations by the Planning Commission. Such relief may only be granted where expressly permitted by this Chapter.

('81 Code, § 154.04) (Ord. passed 6-9-92; Am. Ord. 99012, passed 4-21-99; Am. Ord. 02045, passed 7-9-02; Am. Ord. 14047, passed 8-12-14; Am. Ord. 16038, passed 6-14-16; Am. Ord. 16082, passed 10-11-16)

§ 155.005 COMPLIANCE.

(A) *Compliance with state law.* All land subdivisions in the town shall be in accord within (Class A) Urban Land Surveys as promulgated by S.C. Code, 1976, Title 40, Chapter 21, as amended July 1, 1991, and described by the *Minimum Standards Manual for the Practice of Land Surveying in South Carolina*.

(B) *Conformance to plans.*

(1) Finished surfaces in all cases shall conform to cross sections, dimensions, and grades shown on the approved plans.

(2) Deviations from the plans.

(a) Any major deviations from the plans during construction or otherwise shall, in all cases, be approved by the Director of Planning and Development or his or her designee, and authorized, in writing, prior to the construction of all deviations.

(b) Minor variations may be made and shown on the as-built plans.

(3) Drainage systems in all cases shall conform to cross sections, dimensions, erosion control, and grades as shown on the approved plans.

(4) The developer shall furnish the services of a licensed professional to prepare the necessary plats, analyses and plans for ascertaining whether or not the work performed and materials used in conjunction with the public streets are in accordance with the requirements and intent of these specifications.

(a) Any work done or materials used without supervision or inspection of the licensed professional or his or her representatives may be ordered removed and replaced at the developer's expense.

(b) Failure to reject any defective work or material shall not in any way prevent later rejection, when such defect is discovered.

(c) Final inspection and acceptance of streets will be made by the Director of Planning and Development, or his or her designee, prior to approval.

(C) *Responsibility of developer.*

(1) The developer and contractor shall procure all permits and licenses, pay all charges, fees, and taxes, and give all notice necessary and incident to the due and lawful prosecution of the work.

(2) The developer shall at all times conduct the work in such a manner to:

(a) Provide for and insure the safety and convenience of the traveling public and of the residents along and adjacent to the streets or roads; and

(b) Offer the least practicable obstruction to the flow of traffic.

(3) The developer and contractor shall assume their responsibilities to the public, or particularly that portion of the public that patronizes or abuts his or her development, and the developer and contractor shall at no time relinquish such responsibility by inferring that the responsibility lies with the municipality of any other organization.

(4) Safeguarding the work.

(a) The developer shall provide, erect, and maintain in good condition, all necessary barricades, suitable and sufficient lights, danger signals, and other signs and take all necessary precautions for the protection and safety of the workers, contractors, the public and others in conformance with the *Uniform Manual of Traffic Safety*, federal, state, and local safety codes and regulations.

(b) The developer shall indemnify agents, and employees from all suits or claims of any character brought because of injuries or damages received or sustained by any person or property on account of operations of the developer; or on account of or in consequence of any neglect in safeguarding the work; or because of any act of omission, neglect, or misconduct of the developer or contractor.

(D) *Acceptance of dedication and maintenance of improvements.*

(1) The dedication of public space, parks, right-of-way, easements, or the like on the plat shall not constitute an acceptance of the dedication by the town.

(2) The acceptance of the dedication shall be indicated by the recording of appropriate legal documents.

('81 Code, Art. III intro, and §§ 156.004, 156.006 and 156.017) (Ord. passed 6-9-92; Am. Ord. 00035, passed 7-11-00; Am. Ord. 02045, passed 7-9-02; Am. Ord. 16082, passed 10-11-16)

PLAN AND PLAT PREPARATION AND REQUIREMENTS

§ 155.020 SUBMISSION AND REVIEW PROCEDURES.

(A) The following steps describe the procedure for obtaining approval of land subdivision within the town, except as otherwise permitted in § [155.028](#).

(B) The procedure includes:

- (1) Submission and review of a Sketch Plan;
- (2) Submission, review, and approval of a Preliminary Plat;
- (3) Submission, review, and approval of a Final Plat; and
- (4) Recording of a Final Plat.

(C) Step 2 shall be completed prior to clearing, grading or making any other street or other improvements, or installing any utilities.

(D) Step 3 shall be completed prior to building construction and/or sale or transfer of any lots within the subdivision, unless otherwise authorized by the Town.

('81 Code, Art. II intro) (Ord. passed 6-9-92; Am. Ord. 00063, passed 1-9-01; Am. Ord. 02045, passed 7-9-02; Am. Ord. 16082, passed 10-11-16)

§ 155.021 SKETCH PLAN SUBMISSION AND REVIEW.

(A) A Sketch Plan submittal shall be required prior to the filing of a Preliminary Plat.

(B) The purpose of the Sketch Plan is to assist the subdivider prior to extensive engineering work necessary for the preparation of a Preliminary Plat and Final Plat as required herein.

(C) *Preliminary Staff Review.*

(1) An Applicant shall prepare and submit a Sketch Plan for Preliminary Staff Review on or before the deadline date specified on the Annual Meeting Schedule.

(2) Incomplete submittals shall be returned to the Applicant without acceptance by the Town for review.

(3) Department of Planning and Development staff shall review the Sketch Plan and provide written comments to the Applicant prior to the next Planning Commission application deadline. Staff shall also schedule a meeting with the Applicant to review these written comments, with such meeting to occur prior to the next Planning Commission application deadline.

(D) *Planning Commission review.*

(1) Following the staff review, the Applicant shall submit the Sketch Plan to the Planning Commission, via the Department of Planning and Development, on or before the deadline date specified on the Annual Meeting Schedule.

(2) The Sketch Plan shall be accompanied by an application fee, as determined by Town Council and set forth on the Department of Planning and Development Fee Schedule.

(3) Incomplete submittals shall be returned to the Applicant without acceptance by the Town for review.

(4) The Planning Commission shall review and act upon the Sketch Plan within 60 days of the date on which it is scheduled or eligible to be considered.

(a) If no action is taken by the Commission within this time, the Sketch Plan shall be deemed to have been approved.

(b) The 60-day time limit may be extended by mutual agreement of the affected parties.

(5) The Planning Commission shall either approve, conditionally approve, or disapprove the Sketch Plan.

(a) If the Sketch Plan is conditionally approved or disapproved, the reasons for such action shall be stated in the Planning Commission's motion for the record.

(b) With a conditional approval, the Planning Commission may require the Applicant to resubmit the Sketch Plan to the Commission with all recommended changes before approval is effective.

(D) Planning Commission approval or conditional approval of a Sketch Plan shall be vested for a period of two years, subject to the rights and restrictions contained within § [156.049](#) (Vested Rights).

('81 Code, § 154.10) (Ord. passed 6-9-92; Am. Ord. 99012, passed 4-21-99; Am. Ord. 02045, passed 7-9-02; Am. Ord. 02068, passed 1-14-03; Am. Ord. 05035, passed 6-14-05; Am. Ord. 16082, passed 10-11-16)

§ 155.022 SKETCH PLAN REQUIREMENTS.

(A) The Sketch Plan shall be legibly drawn to scale.

(B) Said Sketch Plan shall include, at a minimum, the information listed in the [Sketch Plan Approval Checklist](#) provided by the Department of Planning and Development, as may be amended from time to time.

('81 Code, § 154.20) (Ord. passed 6-9-92; Am. Ord. 99012, passed 4-21-99; Am. Ord. 00052, passed 9-12-00; Am. Ord. 02045, passed 7-9-02; Am. Ord. 13027, passed 6-11-13; Am. Ord. 16082, passed 10-11-16)

§ 155.023 PRELIMINARY PLAT SUBMISSION AND REVIEW.

(A) The subdivider shall prepare and submit a Preliminary Plat, construction drawings, and a drainage report, to the Department of Planning and Development for the purpose of determining adherence of the subdivision to the approved Sketch Plan, relevant design standards, and improvement requirements.

(1) An Applicant shall prepare and submit a Preliminary Plat on or before the deadline date specified on the Annual Meeting Schedule.

(2) Incomplete submittals shall be returned to the Applicant without acceptance by the Town for review.

(3) The following are required to be included with the application and Preliminary Plat materials:

(a) Application fee; and

(b) Inspecting services fee.

(B) *Sixty-day time limit for review and response.*

(1) Staff shall review and act upon the Preliminary Plat within 60 days of the date of receipt of the complete submittal. If no action is taken by staff within this time, the Preliminary Plat shall be deemed to have been approved.

(2) The 60-day time limit may be extended by mutual agreement of the affected parties.

(C) Staff shall either approve, conditionally approve, or disapprove the plat.

(1) If the Preliminary Plat is conditionally approved or disapproved, the reasons for such action shall be provided, in writing, by the Director of Planning and Development or his or her designee.

(2) On approval with conditions, staff may require the Subdivider to resubmit the Preliminary Plat with all required changes before approval is effective.

(D) Approval of the Preliminary Plat does not constitute final approval.

(1) Preliminary Plat approval shall be authorization for the Subdivider to proceed with:

(a) The installation of the site improvements;

(b) The marking of lots and easements; and

(c) The preparation of the Final Plat.

(2) However, Preliminary Plat approval shall not authorize the sale or transfer of lots.

(3) Preliminary Plats shall be vested for a period of two years, subject to the rights and restrictions contained within § [156.049](#) (Vested Rights).

(E) *Appeals.* Approval or disapproval of the Preliminary Plat by the Director of Planning and Development or his or her designee may be appealed by any party of interest to the Planning Commission for review.

(1) Submittal of the appeal shall be made no later than 15 days after the decision for approval has been rendered, and shall be accompanied by a written explanation of the basis of the appeal.

(2) Failure to meet the filing deadline shall be considered a waiver of the right to appeal.

(3) The Commission shall act upon the appeal request within 60 days of the meeting at which the request is scheduled to be considered, which shall be the next meeting for which the normal 28-day application deadline can be met.

(4) The decision of the Commission shall be final.

(5) An appeal from the decision of the Commission may be taken to Circuit Court within 30 days after actual notice of the decision.

('81 Code, § 154.11) (Ord. passed 6-9-92; Am. Ord. 99020, passed 7-13-99; Am. Ord. 00063, passed 1-9-01; Am. Ord. 02045, passed 7-9-02; Am. Ord. 05035, passed 6-14-05; Am. Ord. 10071, passed 12-14-10; Am. Ord. 16082, passed 10-11-16)

§ 155.024 PRELIMINARY PLAT REQUIREMENTS.

(A) The Preliminary Plat shall be legibly drawn to prescribed scale.

(B) Said Preliminary Plat shall include, at a minimum, the information listed in the [Preliminary Plat Application Checklist](#) provided by the Department of Planning and Development, as may be amended from time to time.

('81 Code, § 154.21) (Ord. passed 6-9-92; Am. Ord. 02045, passed 7-9-02; Am. Ord. 13027, passed 6-11-13; Am. Ord. 16082, passed 10-11-16)

§ 155.025 FINAL PLAT SUBMISSION AND REVIEW.

(A) *Submittal package.* The subdivider shall prepare and submit a Final Plat to the Department of Planning and Development staff for approval.

(1) The Final Plat shall include, at a minimum, the information listed in the [Final Plat Application Checklist](#) provided by the Department of Planning and Development, as may be amended from time to time.

(2) Final Plat approval shall not be considered until all required on-site improvements have been completed, inspected, and approved by the proper officials, all fees paid, and a complete submittal package containing all documentation required by this chapter has been received by the Town.

(3) Partial submittals shall not be accepted.

(B) *Conformance with the Preliminary Plat.* The Final Plat shall substantially conform to the Preliminary Plat as previously approved by Department of Planning and Development staff.

(1) The Final Plat shall incorporate all modifications required by the staff in its review of the Preliminary Plat.

(2) However, the Final Plat may be submitted in sections, each covering a reasonable portion of the entire proposed subdivision as shown on the approved Preliminary Plat.

(C) *Sixty-day time limit for review and response.*

(1) Staff shall review and act upon the Final Plat within 60 days of the date of receipt of the complete submittal.

(2) The 60-day time limit may be extended by mutual agreement of the affected parties.

(D) *Approval.* If the Final Plat and all supplementary data comply with all applicable requirements of this chapter, the plat shall be approved, in writing, by the Director of Planning and Development or his or her designee, on a reproducible copy of the Final Plat.

(E) *Disapproval.*

(1) If the Final Plat is disapproved, the reasons for such action shall be provided, in writing, and signed by the Director of Planning and Development or his or her designee.

(2) If applicable, any modification required by staff, after Preliminary Plat review, as a prerequisite to approval of the Final Plat shall be noted on the Final Plat.

(F) *Appeals.* Approval or disapproval of the Final Plat by the Director of Planning and Development of his or her designee may be appealed by any party of interest to the Planning Commission for review.

(1) Submittal of the appeal shall be made no later than 15 days after the decision for approval has been rendered, and shall be accompanied by a written explanation of the basis of the appeal.

(2) Failure to meet the filing deadline shall be considered a waiver of the right to appeal.

(3) The Commission shall act upon the appeal request within 60 days of the meeting at which the request is scheduled to be considered, which shall be the next meeting for which the normal 28-day application deadline can be met.

(4) The decision of the Commission shall be final.

(5) An appeal from the decision of the Commission may be taken to Circuit Court within 30 days after actual notice of the decision.

(G) *Materials and workmanship certification/ as-built certification.* Materials and workmanship certification/as-built certification, as set forth in [Appendix B, § 8](#), of this chapter, is required before final plat approval or issuance, and shall accompany the permit in non-subdivision areas where improvements are made.

(H) *Two-year warranty.*

(1) The developer shall execute an agreement guaranteeing the required public street improvements against defect in workmanship and materials for two years after acceptance of such improvements by the town, as documented by the date of recording the initial plat with the RMC office.

(2) The agreement shall be submitted to the Director of Planning and Development or his or her designee.

(3) Along with the Director's recommendation, the Town may require a cash bond or other acceptable surety in an amount to be determined by the Director in addition to the agreement.

('81 Code, §§ 154.12, 156.013 and 156.016) (Ord. passed 6-9-92; Am. Ord. 97001, passed 2-11-97; Am. Ord. 02045, passed 7-9-02; Am. Ord. 13027, passed 6-11-13; Am. Ord. 16082, passed 10-11-16)

§ 155.026 FINAL PLAT REQUIREMENTS.

(A) Application for Final Plat approval shall be made in the Department of Planning and Development, and shall include such information as set forth in the [Final Plat Application Checklist](#) provided by the Department of Planning and Development, as may be amended from time to time.

(1) For large subdivisions, the Final Plat may be submitted for approval progressively in sections conforming to the approved Preliminary Plat.

(2) As-built plans shall be submitted at the time of application for plat approval or upon completion of the work.

(3) However, record drawings may be substituted with prior approval of the Town Engineer, if the work substantially conforms to approved construction plans.

(4) The Final Plat, accompanying data, and approval from the Town Engineer(s) or his or her designee(s) that all work has been satisfactorily completed, shall be submitted as a package.

(5) Incomplete submittals shall be returned without review.

(B) The Final Plat shall meet the requirements of the Charleston County RMC Office for recording and shall be submitted at a scale of one inch equals 100 feet or larger.

(1) Minimum plat size shall be 8 1/2 × 11 inches.

(2) Where necessary, the plat may be on several sheets, accompanied by an index sheet or key map insert showing the entire subdivision.

(3) Five copies of the plat shall be submitted.

('81 Code, § 154.22) (Ord. passed 6-9-92; Am. Ord. 02045, 7-11-02; Am. Ord. 13027, passed 6-11-13; Am. Ord. 16082, passed 10-11-16)

§ 155.027 RECORDING OF FINAL PLAT.

(A) (1) After the Final Plat has been approved by the staff, copies meeting all requirements shall be filed for recording by the Charleston County Register of Mesne Conveyance within 30 days of the date of final approval.

(2) If the Subdivider fails to arrange for the recording of the plat within such period, the actions of the staff shall be null and void, unless an extension of time is granted, in writing, by the staff upon written request by the Subdivider.

(B) (1) Recording of the Final Plat shall constitute an irrevocable offer to deed all streets and other public ways shown thereon to the Town (unless a notation stating that there is no offer of dedication of certain designated streets is placed on the plat by the Subdivider and approved by the Director of Planning and Development) and to dedicate, deed, or reserve, as specified by the Director, all park reservations, school sites, and other such areas to the public use.

(2) Recording of the plat, however, shall not impose any duty upon the Town, County, or State concerning improvement, maintenance, or acceptance of such streets or reserved areas, until the proper authorities have made formal acceptance of same by legal action.

('81 Code, § 154.13) (Ord. passed 6-9-92; Am. Ord. 2045, passed 7-9-02; Am. Ord. 16082, passed 10-11-16)

§ 155.028 EXCEPTIONS.

In the case of any proposed subdivision that involves minimal or no street construction or dedication of street rights-of-way, the following procedures may be followed to obtain review and approval of the plan. At the discretion of the Director of Planning and Development or his or her designee, this

exception may not apply when there are extenuating circumstances warranting review of the proposed subdivision by the Planning Commission. In such case, the procedure specified in 155.020 shall apply.

(A) The Subdivider shall submit one paper copy of a Preliminary Plat along with the other reports, documents, plans, and fees, as stated in §§ [155.023](#) and [155.025](#) of this chapter, to the Director of Planning and Development or his or her designee, who within 15 business days thereafter shall notify the Subdivider of any additions or modifications to the plat that may be necessary to comply with the standards of this chapter.

(B) Following notification from the Director of Planning and Development or his or her designee, the Subdivider shall then proceed with site development, marking of lots, easements and buffers, and preparation of a Final Plat.

(C) Upon completion of site development, a Final Plat shall be submitted.

('81 Code, § 154.14) (Ord. passed 6-9-92; Am. Ord. 02045, passed 7-9-02; Am. Ord. 16082, passed 10-11-16)

§ 155.029 IMPACT ASSESSMENTS.

(A) If an Impact Assessment for a residential subdivision is required pursuant to § [156.054](#) of the Zoning Code, the request is sent to Town Council, following Conceptual Plan and Impact Assessment review and recommendation by the Planning Commission.

(1) Town Council shall approve, or stipulate approval with conditions, or disapprove the request, pursuant to the provisions of § [156.054](#).

(2) Any stipulations, revisions, or conditions placed on the development by Town Council must be made prior to submittal of a Final Plat, or as specified by Town Council.

(B) Plans for review and coordination and other submittals are subject to the following:

(1) Plans for review and coordination that are submitted for Impact Assessments shall include the information required for Conceptual Plan submittal. In addition, they shall include a master drainage plan, a master sanitary sewer plan, and a master potable water distribution plan.

(2) All other submittal requirements are as stated in § [156.054](#) of the Zoning Code, and contained in the Impact Assessment Application Checklist, the requirements of which shall be compiled by Department of Planning and Development staff, and may be subject to alteration from time to time, as deemed necessary.

('81 Code, § 154.16) (Ord. passed 6-9-92; Am. Ord. 2045, passed 7-9-02; Am. Ord. 11050, passed 7-12-11; Am. Ord. 14047, passed 8-12-14; Am. Ord. 16082, passed 10-11-16)

§ 155.030 PLAT CERTIFICATES.

Requirements for plat certificates appear in [Appendix A](#).

('81 Code, § 154.23) (Ord. passed 6-9-92; Am. Ord. 02045, passed 7-9-02)

DESIGN STANDARDS

§ 155.044 IMPROVEMENT PROCEDURES IN GENERAL.

(A) Approval by the Director of Planning and Development, or his or her designee, of the Final Plat for recording shall be withheld unless and until the Subdivider has installed the required improvements as specified.

(B) Any authorized agent of the Planning Commission, the Town, or other affected public authority shall be granted the right of free access to the subdivision at all times, for the purpose of inspecting the construction and installation or improvements in accordance with approved plans and specifications and requirements of this chapter.

(C) (1) If exigencies of construction necessitate major changes in the approved plans and specifications, the Subdivider shall request approval of such changes by the Planning Commission or Department of Planning and Development staff, as applicable, prior to undertaking such changes.

(2) Minor changes may be made by the design professional and noted on the final plans as submitted to the Town.

('81 Code, § 154.40) (Ord. passed 6-9-92; Am. Ord. 02045, passed 7-9-02; Am. Ord. 16082, passed 10-11-16)

§ 155.045 LOCATION.

(A) No platting of land for residential use is to occur in areas subject to flooding by normal tides, swamps, marshes, or in other undrained areas unless suitable provision is made for satisfactory drainage.

(B) As a minimum, streets shall be elevated to allow passage during a five-year storm event.

('81 Code, § 154.30) (Ord. passed 6-9-92; Am. Ord. 02045, passed 7-9-02)

§ 155.046 PROFESSIONAL LIABILITY.

Nothing contained within this chapter shall relieve the design professional of his or her responsibility to provide sound design, or any liability for failure to provide sufficient inspection to insure that construction complies with the design.

('81 Code, § 154.31) (Ord. passed 6-9-92; Am. Ord. 02045, passed 7-9-02)

§ 155.047 BLOCKS AND LOTS.

(A) *Minimum requirements.* The following are considered the minimum requirements for meeting the terms of this section; however, the Planning Commission may grant a Waiver from one or more of the design standards contained in this Section where deemed appropriate, if all conditions specified in § 155.047(A)(1) through (4) are met.

(1) There are topographical constraints, such as the presence of wetlands or Critical Areas, or other unusual conditions, such as the presence of Historic Trees (as defined in Chapter 156 of the Mount Pleasant Code of Ordinances), pertaining to the particular parcel(s) of land that do not generally apply to other parcels in the vicinity and that are not the result of actions of the applicant;

(2) The applicant demonstrates that compliance with one or more provisions of this section is unreasonable, in conflict with the public interest, or a practical impossibility;

(3) The modification will not adversely affect the reasonable development of adjacent property; and

(4) In all cases, the public welfare and interests of the Town shall be protected and the general intent and spirit of the regulations preserved.

(5) Applications for a Waiver shall be accompanied by written justification explaining how all conditions are met. Financial disadvantage or mere inconvenience shall not be considered sufficient justification for a Waiver.

(6) Each Waiver request shall be evaluated on its own merits, and the granting of a particular Waiver shall not set a precedent for other Waiver requests.

(7) In approving a request for a Waiver from the provisions of this Section, the Planning Commission may impose reasonable conditions that will, in its judgement, justify such Waiver and ensure that the intent of these Land Development Regulations is upheld.

(8) A request for a Waiver may be made on its own or in conjunction with a Sketch Plan submittal. The Planning Commission shall review and act upon the Waiver request within 60 days of the date on which it is scheduled to be considered.

(B) *Blocks.* The length, width, and shape of blocks shall be determined with regard to:

(1) Provision of adequate building sites suitable to special needs of the type of use (residential, commercial, industrial, other) contemplated.

(2) Zoning requirements as to lots sizes and dimensions.

(3) Needs for convenient access, circulation, control, and safety of street traffic.

(4) Limitations and opportunities of topography and drainage features.

(5) Block lengths shall not exceed 1,400 feet.

(6) Eyebrow designs (partial circle cul-de-sacs) shall not be permitted.

(C) *Lots.*

(1) Lots shall be accessible by improved public streets, except as provided below.

(a) *Postage stamp lots.*

1. Individual units in attached buildings and the buildings themselves located in commercial and mixed use developments may be located on their own fee-simple lot, with access provided by a shared ingress/egress easement. The intent is to allow a fee-simple lot subdivision exclusive to the actual building pad or close proximity thereto in a “postage stamp” fashion within the larger parcel boundary. This necessitates elimination of the normal yard setback requirements and bufferyard requirements on these “postage stamp” lots.

2. The shared ingress/egress easement and all required parking for the use shall be located on property owned by a property owners’ association, with covenant restrictions insuring access and maintenance of the same, and a method of collecting sufficient funds through assessments to owners to cover the maintenance costs.

3. A copy of these restrictive covenants shall be approved by the town prior to subdivision of the property into fee-simple lots.

4. Qualification for subdivision pursuant to these provisions is contingent upon buildings located on the proposed lots meeting all applicable building and fire code provisions and an approved drainage plan.

(b) *Subdivision of residential lots containing more than one dwelling unit.*

1. Purpose. The purpose of these requirements is to provide for a one-time subdivision of an existing lot of record containing multiple dwelling units in order to enable the property owner to convey clear title to each lot and dwelling unit. This is in recognition of unique settlement patterns of coastal Lowcountry communities, where developed properties may contain more than one dwelling unit.

2. Applicability. The provisions contained within this section are only applicable to existing lots of record zoned RC-1, RC-2, RR, CC, R-1, or R-2 and which currently contain two or more detached dwelling units, but not accessory dwelling units approved and permitted by the town, and did so at the time of the adoption of Ordinance No. 12074. Applicants for subdivisions of residential lots containing more than one dwelling unit may be required to provide documentation, such as a certificate of occupancy or tax records, to this effect.

3. Reviewing authority. Plats submitted for subdivisions of lots containing more than one dwelling unit shall be reviewed by the Town Engineer, or his or her designee.

4. Standards. Each of the following standards must be met:

a. Regardless of total lot size and density provisions, each existing lot of record may be subdivided only one time and into not more lots than there are dwelling units. The subdivision plat shall clearly state that the parcels created by this process shall not be divided again, except in full compliance with all regulations in effect at that time.

b. Each lot should meet the minimum lot size and dimensional standards of the zoning district in which it is located. However, in recognition that many of the lots that contain multiple dwelling units and may be eligible for this subdivision were platted prior to existing Zoning Code regulations concerning minimum lot standards, lot size and dimensional requirements may be reduced by no more than 20% in order to accomplish the subdivision.

c. The lot shall be subdivided so that each existing dwelling unit meets the minimum setback requirements of the zoning district in which it is located. However, in recognition that many of the lots that contain multiple dwelling units and may be eligible for this subdivision were platted prior to existing Zoning Code regulations concerning minimum lot standards, setback requirements may be reduced by no more than 50% in order to accomplish the subdivision.

d. Flag lots are not permitted. However, lots may be located in a configuration similar to a flag lot (one in front of the other), with access to the rear lot provided through an access easement. Such access easement shall be a minimum of 12 feet in width and shall provide a minimum of 14 feet unobstructed vertical clearance so as to accommodate emergency vehicles, shall meet all applicable Fire Code provisions, and shall be approved in writing by the Fire Chief, or his or her designee. The access easement shall also be identified on the plat and shall run with the land in perpetuity.

e. The subdivision plat shall include a note stating that the town is not responsible for either construction or routine maintenance of the access easement.

f. Each lot must have Mount Pleasant Waterworks water and sewer service.

g. Each dwelling unit must have its own individual utility meters.

h. When access easements are required, joint access easements shall be utilized where possible.

i. Each lot shall have an individual address provided by the town.

j. All other applicable subdivision requirements shall be met.

(2) The lot size, width, shape, grade, and zoning orientation shall be in proper relation to:

(a) Applicable zoning requirements;

- (b) Street and block design;
- (c) Existing and proposed topographical conditions; and
- (d) The type of development and use contemplated.

(3) Flag lots shall not be permitted.

(4) The minimum lot width required for the zoning district must be met as measured at the front yard setback building line.

(5) However, the minimum front building line setback for cul-de-sac lots and the rear building line setback line for lots falling on a curve section of a dedicated street may be indicated where the lot meets the minimum width requirements and shown on the preliminary and final plats (or other plat submitted for recording).

(6) All lots served by public water and sewers shall meet the minimum area requirements for the zoning districts within which they are located.

(7) Lots that require the installation of individual wells and/or individual septic tanks shall be required to meet standards established by the County Health Department.

(8) Insofar as practical, side lot lines shall be at right angles to straight street lines, and radial to curved street lines.

(9) Excessive lot depth in relation to lot width shall be avoided.

(a) As a general rule, the depth of residential lots in all districts except the R-4 Medium Density Residential District, and TH Townhouse District shall not be less than one nor more than 2-1/2 times their width.

1. In the R-4 Medium Density Residential District, the depth of residential lots shall not be less than one nor more than three times their width. Due to the minimum lot area and dimensional requirements of this zoning district, lots platted at the minimum 40-foot width must be exactly 100 feet in depth in order to meet the minimum lot area requirement and not exceed the width to depth ratio.

2. In the TH Townhouse District, the width to depth ratio shall not apply. Due to the minimum lot area and lot width requirements of this zoning district, lots platted at the minimum width cannot meet the minimum lot area requirement without exceeding the width to depth ratio.

(b) Lot width shall be measured at the front building line setback, except as provided in division (C)(5) of this section.

(10) Corner lots shall be of sufficient size and shape to permit required building setback and orientation to both streets.

(11) Any remnants of land not meeting all the requirements of this chapter for a lot shall be incorporated either in existing or proposed lots or shall be legally deeded to public use, if acceptable to the town.

(12) Each proposed lot shall be so designed as to allow the development of a private driveway designed in accordance with § [156.052](#) serving the lot and sufficient space for off-street parking and loading.

(13) Only parallel parking shall be permitted within the right-of-way.

(14) Lot area. The minimum lot area as required herein shall consist of high ground land only, and shall not include land within the OCRM's designated critical area or portions of lots located in lakes, ponds, lagoons, or similar bodies of water, or other areas designated as wetlands on a certified plat of the property.

('81 Code, § 155.84) (Ord. passed 8-13-79; Am. Ord. passed 6-9-92; Am. Ord. 99012, passed 4-21-99; Am. Ord. 02045, passed 7-9-02; Am. Ord. 09088, passed 1-13-10; Am. Ord. 12074, passed 11-13-12; Am. Ord. 14047, passed 8-12-14; Am. Ord. 16038, passed 6-14-16) Penalty, see § [155.999](#)

§ 155.048 STREETS.

(A) General.

(1) The layout of the streets as to arrangement, character, width, grade, and location may be required to conform to the town's Comprehensive Plan and Official Map, to adjoining street systems or adjoining properties, and to the topography, natural features, and drainage systems to be provided.

(a) Connectivity to adjoining properties shall be required in most instances.

(b) Stub Streets for the future connection to adjoining lands, as approved by the Town, shall be constructed along with other streets in the development.

(c) Temporary endings shall be provided with a based turn around.

(2) Minor streets shall be so laid out that their use by through traffic will be discouraged.

(3) Where a subdivision abuts or contains an existing or proposed collector or through street, the Planning Commission may require marginal access streets, reverse frontage with screen planting, deep lots, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

(4) Half streets along property lines shall be prohibited.

(5) *Dead-end streets.* Dead-end streets reduce efficiency in the transportation network, limit emergency access to lots on the street, and can promote higher vehicle speeds due to the lack of intersections. The purpose in limiting the length of dead-end streets is to ensure that new development is designed to be inherently safe, walkable, and efficient for the facilitation of traffic and pedestrian movement.

(a) Dead-end streets, designed to be so permanently, shall be no longer than 800 feet, provided, however, that:

1. For low-density property with the zoning classifications of RC-1, RC-2, CC, RR, R-1, and R-2, a maximum length of 1,000 feet shall be allowed; and

2. Not more than 25 lots have sole access to the dead-end street.

(b) Street length shall be measured from the intersection of the centerline of the new street right-of-way and the edge of the existing street right-of-way, along the centerline of the new street, to the outermost pavement edge at the terminus of the new street.

(c) All permanent dead-end streets shall be provided at the closed end with a turnaround having a street property line diameter of 80 feet.

(d) The Planning Commission may grant a Waiver from the provisions of § 155.048(A)(5) herein above where deemed appropriate, if all conditions specified in § 155.048(A)(5)(d) 1. through 3. are met.

1. There are topographical constraints or other unusual conditions pertaining to the particular parcel(s) of land that do not generally apply to other parcels in the vicinity and that are not the result of actions of the applicant;

2. The applicant demonstrates that compliance with the provisions is unreasonable, in conflict with the public interest, or a practical impossibility; and

3. In all cases, the public welfare and interests of the Town shall be protected and the general intent and spirit of the regulations preserved.

4. Applications for a Waiver shall be accompanied by written justification explaining how all conditions are met. Financial disadvantage or mere inconvenience shall not be considered sufficient justification for a Waiver.

5. Each Waiver request shall be evaluated on its own merits, and the granting of a particular Waiver shall not set a precedent for other Waiver requests.

6. In approving a request for a Waiver from these provisions, the Planning Commission may impose reasonable conditions that will, in its judgement, justify such Waiver and ensure that the intent of these Land Development Regulations is upheld.

7. A request for a Waiver may be made on its own or in conjunction with a Sketch Plan submittal. The Planning Commission shall review and act upon the Waiver request within 60 days of the date on which it is scheduled to be considered.

(d) Should the Planning Commission grant a Waiver from these requirements, as provided in § 155.048(A)(5)(d), the following conditions shall apply, in addition to any and all conditions placed upon the approval by the Planning Commission:

1. A turnaround at the terminus of the street is required. Turnarounds for emergency vehicles may also be required at various intervals along the street. Determination regarding the necessity of such turnarounds shall be made in consultation with the Fire Department. All turnarounds shall meet National Fire Protection Association standards;

2. The street shall be designed in such a manner so as to limit vehicle speed. This could include design elements such as planter islands, medians, on-street parking, and/or raised crosswalks. All such design elements shall be the maintenance responsibility of the neighborhood Property Owners' Association. A note to this effect shall be included on all plans and plats submitted to the Town; and

3. Unless precluded by the manner in which adjacent properties have developed, opportunities for future vehicular connectivity shall be provided in one or more locations. The right-of-way for any Stub Street shall extend to the property line. The location of such Stub Street(s) shall be at the discretion of the Planning Commission, in consideration of practical potential development scenarios involving the adjacent parcel(s).

(6) No street name shall be used that will duplicate or be confused with the names of existing streets or subdivisions east of the Cooper River.

(a) Street names proposed by the subdivider shall be approved by E-911.

(b) The subdivider shall submit verification that he or she has obtained approval of the names from E-911.

(c) If the names of existing streets occur, the Planning and Development Department shall require the subdivider to substitute names free from duplication or confusion.

(d) The Planning and Development Department shall maintain an up-to-date file of all street names in use east of the Cooper River, and make such information available for guidance of subdividers.

(7) Alleys.

(a) Alleys shall be permitted where required to provide for service access, such as off- street parking, loading and unloading, consistent with and adequate for the uses proposed.

(b) Where provided, alleys shall be privately owned and appropriately noted on the final plat.

(8) Additional access to subdivisions.

(a) Roads of an existing subdivision shall not be used as the sole means of ingress and egress in developing a new subdivision or extending an existing one, unless granted by the Planning Commission.

(b) If, in judgment of the Planning Commission, the increased traffic and noise would create a safety hazard or otherwise be detrimental to residents of the existing subdivision, additional access shall be provided.

(9) Prior to acceptance by the town, rights- of-way and easements shall be stabilized, grassed, cleaned and neatly trimmed.

(10) Prior to acceptance by the town, streets and drainage systems shall be cleaned.

(11) Erosion and silt control measures shall be provided in accordance with applicable standards.

(12) Landscaping, signs, or other objects shall not interfere with needed sight distance.

(13) Private streets are not allowed for purposes of subdivision, unless otherwise provided in § [155.047](#)(C)(1)(a)-(d), in accordance with the provisions thereof.

(14) Street name signs and traffic control devices.

(a) Street name signs, pavement markings and other traffic-control devices shall be installed at all intersections and other locations by the subdivider.

(b) The design, construction, materials, and placement of all street name signs shall conform to the requirements of the town.

(c) Traffic control devices shall conform to the requirements of latest edition of the *South Carolina Manual on Uniform Traffic Control Devices*.

(B) *Licenses and permits required and complete plans to be furnished.*

(1) Before commencing any construction, clearing, or grading on any commercial or residential tract lot, streets, road or any lands within the town limits:

(a) All necessary licenses and permits shall be obtained; and

(b) Complete plans, consisting of general and specific drawings, specifications, and analysis, together with details to provide a comprehensive plan of the construction contemplated, shall be furnished to, and approved by, the town.

(2) Subdivision plans.

(a) Subdivision plans shall show:

1. Alignment;
2. Street and right-of-way width;
3. Street name;
4. A typical section;
5. North arrow; and
6. Original and proposed center and right-of-way line elevations.

(b) Cross sections at 50-foot maximum intervals may be submitted for the plotting of right-of-way elevations.

(3) Elevations and grades.

(a) Elevations are not to be assumed, but are to be tied into the closest Coast and Geodetic Survey benchmark, or to an approved benchmark that has been previously tied to the same.

(b) Data shall be platted to current datum.

(c) NGVD plans, profiles and grades shall be platted to a minimum scale of one inch equals 100 feet horizontal, and one inch equals two feet vertical.

(4) Details shall be furnished for all projects and shall include, as required, typical pavement sections, curb and gutter, inlet, manhole, frame, grate, sewer, painted stripes, signs, and walks.

(a) Pavement sections shall show the location of all utilities.

(b) Curb and gutter inlets will be used to intercept runoff from vehicular pavements where curb and gutter is used to control drainage.

(c) Grate or weir type inlets will be used in turf areas.

(5) An inspecting professional shall observe construction for compliance with plans and specifications approved by the town.

(a) If construction is found to be in compliance with the plans and specifications, the inspecting professional shall make the required certification as to the observation of construction.

(b) Should the inspecting professional find that construction is not in compliance with the plans and specifications, he or she should notify all concerned, including the Director of Planning and Development or his or her designee, that he or she will not make the required certification.

(c) The inspecting professional shall be a registered professional in the state and, therefore, is responsible for seeing that the observations of construction satisfy this requirement, including the intent, of the state laws, and that the public is protected.

(d) The inspecting professional is not an employee of the town, but rather a professional whose services are obtained by those undertaking the work.

(e) The inspecting professional shall be identified on the plans by name, firm name, address, and telephone number.

(f) In the event the inspecting professional is changed:

1. The named inspecting professional shall certify to the work completed;

2. The developer shall notify the Director of Planning and Development, or his or her designee, of the change in writing; and

3. A new named professional shall certify the remaining work done.

(6) All observations by the professional shall be logged, and a copy of the log shall be provided at the time of request for acceptance of the work by the town.

(7) As-built plans, as referenced in § [155.026\(A\)\(2\)](#), shall be furnished to the Director of Planning and Development, or his or her designee, upon completion of the work prior to final acceptance.

(8) For the development or construction on all individual lots, the certificate of compliance, as set forth in [Appendix B, § 13](#), at the end of this chapter, shall be signed by the property owner prior to the issuance of a building permit.

(C) *Licensed professional to do work.*

(1) Plans and specifications covering road, street, parking areas, drainage, and grading work will be accepted only from registered professionals qualified under state law.

(2) When submitting plans and analyses for road, street, drainage, and grading work, the professional shall place his or her seal on all documents.

(3) All work shall be based on surveys prepared by a professional licensed in the state and shall conform to Class “A” surveys, as defined by the State Board of Registration for Land Surveys.

(D) *Construction authorization.* Where no new construction of public streets are involved, the Preliminary Plat or site plan shall contain dated approval blocks for signatures of the water and sewer utility serving the proposed construction; the Town Fire Department; and the Director of Planning and Development.

(E) *Specifications.*

(1) All streets public and private, shown on the final plat shall be graded, constructed, and surfaced in accordance with standards and specifications contained in this section.

(a) The developer shall be responsible for correcting any and all deficiencies in streets, resulting from faulty design or construction, for a period of two years from the time the streets are accepted by the town, as evidenced by the recording of the final plat into the town's system.

(b) The developer, engineer and prime contractor must sign a notarized affidavit certifying that the streets have been built to all requirements of the town.

(2) All public street and public drainage construction shall be done in accordance with the latest edition of the *State Highway Department Standard Specifications for Highway Construction*, and this subchapter.

(a) Field and laboratory testing shall be provided by others.

(b) Field and laboratory test results shall be furnished to the town in accordance with the requirements provided by the Director of Planning and Development or his or her designee.

(3) Where private development facilities tie into public facilities, the work shall meet the requirements of this section.

(F) *Design standards.* All streets shall be designed and constructed in accordance with the following standards:

(1) French drains shall be installed along both sides of the roadway for all streets, except where the Director of Planning and Development, or his or her designee, approves in writing its omission based on data presented with a written request from the design professional.

(2) Minimum base course thicknesses.

(a) Minimum base course thickness shall be six inches, except in those areas where the roadway elevation is between elevations 6.5 and 10.0.

(b) Between elevations 6.5 and 10.0 the base thickness shall be: ten inches between elevations 6.5 to 7.5, and eight inches between 7.5 and 10.0 msl.

(3) Minimum wearing course thicknesses.

(a) The minimum wearing course thickness for minor streets shall be a total of 2½ inches compacted, which may be placed in two equal lifts of 1¼ inches compacted.

(b) Major roads shall have specific design calculations submitted for design thickness.

(c) Pavement designs may be provided with soil tests to demonstrate less wearing course thickness, if approved by Department of Planning and Development.

(4) No catch basins shall be permitted within the radius portion of street intersections.

(5) No manhole covers or water valves shall be permitted within the curb portion of the roadways.

(6) All divided roadways shall have a six- inch vertical curb and gutter along the median portion of such roads.

(7) All pipe trenches under pavement or which the 1:1 shear plane intersects a line two feet from the back of pavement shall be compacted in six- inch lifts to 98% modified proctor density.

(8) Geometric design elements for collector and arterial streets shall be in accordance with AASHTO design guidelines.

(9) Adequate design shall be provided and maintained on all streets.

(10) The minimum road elevation shall be elevation 6.5 msl.

(11) Concrete curbs and gutters.

(a) Concrete curbs and gutters shall be installed on all streets, street and driveway intersections under development and on public streets affected by any site being developed.

(b) Curbs, gutters and such additional pavement shall be designed and installed in accordance with the town's thoroughfare plan.

(12) Reserve strips or parcels controlling access to streets are prohibited.

(13) Street jogs with the centerline offsets of less than 125 feet shall be avoided.

(14) Compound curves are prohibited.

(15) When connecting street lines deflect from each other at any one point by more than ten degrees, they shall be connected by a curve street centerline radius that shall be a minimum of 100 feet on residential minor streets, and a minimum of 50 feet shall be provided between reversed curves on these streets.

(16) Street intersection radii.

(a) Streets shall be laid out so as to avoid acute angles between streets at their intersections.

(b) Small radius alignment on the approach to the intersections shall be avoided.

(c) Property lines at street intersections shall be rounded with a radius of not less than 20 feet.

(d) Larger radii or chambered corners will be required when such design is advisable to permit the construction of curbs of large radii.

(e) The minimum street intersection radius shall be 30 feet.

(f) Provide a larger radius when so advised.

(17) Street widths

(a) Street widths shall not be less than the following:

<i>Street Type</i>	<i>Right-of-way Width</i>	<i>Pavement</i> (back of curb to back of curb)
Minor circulation street	50 feet	24 feet
Collector and entry roads	60 feet	28 feet
Highways and thoroughfares		
Two lanes	80 feet	special
Four lanes	100 feet	design
Cul-de-sac	40-foot radius	30-foot radius

(b) Edge of pavement radius shall be not less than 30 feet at the intersection of highways or thoroughfares.

(c) Curb and gutter shall extend around the radius to the point of tangency.

(18) Streets and intersection approaches shall not be excessive in grade nor be less than 4/10 of 1%.

(19) Temporary dead-end streets shall be provided with a turn-around in accordance with subsection (17) above.

(20) Intersection signalization.

(a) The construction of new roadway intersections and existing roadway intersections on which traffic light signalization is installed initially or replaced in whole shall utilize “mast arm” type supports.

(b) The utilization of mast arm type supports shall also apply to the replacement of existing street light signals on projects involving intersection improvements or street widening.

(c) The utilization of mast arm type supports pursuant to the preceding requirements shall apply to all projects, including those resulting from private development and projects of public entities.

('81 Code, §§ 154.32 154.33, 154.42, 155.94, 156.001 - 156.003, 156.008 - 156.010) (Ord. passed 8-13-79; Am. Ord. passed 6-9-92; Am. Ord. passed 2-9-93; Am. Ord. 95012, passed 4-11-95; Am. Ord. 99012, passed 4-21-99; Am. Ord. 00063, passed 1-9-01; Am. Ord. 00064, passed 1-9-01; Am. Ord. 02045, passed 7-9-02; Am. Ord. 06027, passed 5-10-06; Am. Ord. 09088, passed 1-13-10; Am. Ord. 13027, passed 6-11-13; Am. Ord. 16038, passed 6-14-16; Am. Ord. 16082, passed 10-11-16) Penalty, see § [155.999](#)

§ 155.049 SIDEWALKS.

(A) *Appropriate pedestrian access required.* Appropriate pedestrian access shall be provided for all new developments and renovation or remodeling equaling 50% of the existing building's value and for subdivisions, either through the construction of concrete sidewalks or pedestrian path/bikeway systems, or a combination of the both, as provided in § [156.108](#) of the code.

(B) *General requirements for sidewalks.* In all cases where sidewalks are required, prior to the approval of a final plat for the property, sidewalks shall either be installed, inspected and deemed acceptable by the town, or the owner shall provide a performance bond, letter of credit, certified check, or other security acceptable to the town in the amount of 150% of the cost of construction as a guarantee that the work will be performed. However, in all cases where such sidewalks are required, they shall be installed no later than at the time of the two-year warranty inspection, as provided in [§ 7 of Appendix B](#) hereto.

(1) In conventional developments, sidewalks shall be placed in the right- of-way, parallel to the street located typically three feet from the back of the curb.

(2) In commercial and high-density residential developments, the sidewalk may abut the curb.

(3) Sidewalks in other developments shall be offset at least three feet from the edge of the curb.

(4) When a sidewalk is placed on one side of the street only, it shall be located, if possible, on the side without the water line.

(5) Cul-de-sac streets.

(a) Sidewalks on one side of the street shall terminate at the base of the radius on a cul-de- sac.

(b) No sidewalk shall be required on cul-de-sac streets having less fewer than three lots on one side of the street.

(6) In planned developments, the pedestrian system (other than any sidewalks to be owned and maintained by the town) may be located away from the road system to link dwelling units with other dwelling units, the street, activity centers and recreational areas.

(7) Pedestrian access requirements shall also apply to private streets, access ways and portions of parking lots that function as streets and thoroughfares.

(C) *Sidewalk specifications.*

(1) Sidewalks proposed for ownership and maintenance by the town shall be a minimum of four feet wide and four inches thick, constructed of Class “C” concrete having a 28-day compressive strength of 2,500 psi and meeting all applicable ADA standards.

(2) Hiking and bicycle paths.

(a) Dimensions, construction specifications, and surface materials of hiking and bicycle paths shall be determined, based upon the number and type of users, and the location and purpose of the path, subject to approval by the Planning Commission during the Sketch Plan review process.

(b) Graded areas shall be planted with grass or treated with other suitable ground cover.

(D) *Plan drawings.*

(1) The location of all pedestrian access systems shall be drawn to scale and clearly shown on the applicable drawings (either Sketch Plan, construction plans, or site plans) submitted for approval.

(2) Dimensions and specifications shall be shown on a typical detail section of the construction plans.

(E) *Responsibility and maintenance.*

(1) Concrete-paved sidewalks constructed within the right-of-ways of public streets shall become owned and maintained by the Town, subject to the standard two-year warranty provision.

(2) Pedestrian access systems other than concrete paved sidewalks, either constructed inside or outside of the right-of-way on a public street, shall be maintained by the subdivision's local homeowners' association.

(3) The construction of the pedestrian access system shall be the responsibility of the developer.

(4) Construction verification or guarantees, as described above in division (B), shall be submitted with the final plat.

(F) *Modification.* After review of the applicable Sketch Plan or Preliminary Plat, the Planning Commission may modify any of these requirements:

(1) In order to preserve topographical or natural features of the project area;

(2) To provide visual interest; or

(3) If the applicant requests such modification and can demonstrate that an alternative pedestrian system provides safe and convenient circulation in the spirit of these provisions.

('81 Code, § 155.94) (Ord. passed 8-13-79; Am. Ord. passed 6-9-92; Am. Ord. 95012, passed 4-11-95; Am. Ord. 99012, passed 4-21-99; Am. Ord. 00064, passed 1-9-01; Am. Ord. 02045, passed 7-9-02; Am. Ord. 07015, passed 6-12-07; Am. Ord. 13027, passed 6-11-13; Am. Ord. 16082, passed 10-11-16)
Penalty, see § [155.999](#)

§ 155.050 EASEMENTS.

(A) Drainage easements.

(1) Where a subdivision is traversed by a watercourse, drainage way, channel or stream, adequate acres for storm water or drainage easements shall be reserved, conforming substantially with the lines of such watercourses, and of sufficient width to carry off storm water and to provide for maintenance and improvement of such watercourses.

(2) Where practicable, drainage easements shall center along or be adjacent to a common property line.

(3) Drainage easements shall have a minimum width of 20 feet.

(B) Utility easements.

(1) Adequate areas of suitable size and location shall be allocated for utility easements.

(2) The location and size of such easements shall be agreed to by the public and private utilities involved, and shall center along or be adjacent to a common property line where practicable.

(C) Maintenance.

(1) Easements shall be deeded to the town for the purpose intended, as shown on the plat and stated in the deed of dedication.

(2) Maintenance activities will be provided by the town for the specific intended purpose only.

(3) The easement grants to the town to the right to enter, inspect, survey, and conduct needed activities related to the easements' purpose.

(4) The town has no obligation to repair, replace or compensate the easement owner for the trees, plants, grass, shrubs or other elements damaged or destroyed during the course of its activities.

(D) Lot owner's obligations.

(1) Drainage easements shall not be altered after Final Plat approval unless approved by the Director of Planning and Development or his or her designee.

(a) A site plan and such engineering calculations as are deemed necessary shall be submitted for approval prior to undertaking such work.

(b) Reshaping the topographical features or installation of fences or hard surfaces shall not be permitted within drainage easements containing swales.

(c) Installation of landscaping items, except for the planting and maintenance of low growing grass, shall not be allowed within drainage easements.

(d) Trees, shrubs, and other features remaining within drainage easements after construction by the subdivision developer are the maintenance responsibility of the lot owner.

(e) Facilities within sanitary sewer, water, utility, and other easements are subject to the requirements set forth in granting such easements.

(2) The Director of Planning and Development, or his or her designee, is authorized to assess alterations made to drainage easements.

(a) If remedial work is deemed necessary, the lot owner shall be notified by letter.

(b) The lot owner shall have 30 days in which to correct the conditions stated in the letter.

(c) A certificate of occupancy shall not be approved if unauthorized work is undertaken that alters the draining system during building construction.

(E) *Easements on common property.*

(1) Areas designated on approved plans and plats as common area property [also shown as HOA (homeowners' association), POA (property owners' association), or similar designations] are intended primarily for the common use and enjoyment of all subdivision residents.

(2) Easements that benefit all lot owners, such as access easements, drainage easements, utility easements and the like, shall be allowed over and through the common area property.

(3) Private easements that exclusively benefit adjoining lot owners, shall not be allowed over and through common area property, unless good and sufficient cause is shown that the provision of the easement will not interfere with or otherwise compromise the intended common use and enjoyment of the common area property by all lot owners.

(4) Any easements shall be initially established through the appropriate plan or plat approval process in conjunction with the initial establishment of the common area property.

(5) Subsequent new easements can only be established through the appropriate plan or plat approval process as was utilized to initially establish the common area property.

('81 Code, § 154.34) (Ord. passed 6-9-92; Am. Ord. 93066, passed 2-8-94; Am. Ord. 00056, passed 11-14-00; Am. Ord. 02045, passed 7-9-02; Am. Ord. 16082, passed 10-11-16)

§ 155.051 STORM DRAINAGE AND FLOOD AREAS.

(A) *Storm drainage.* A drainage system shall be designed and constructed by the Subdivider to provide for the proper drainage of the surface water of the subdivision, and the drainage area of which it is a part, to permit the unimpeded flow of natural watercourses.

(1) Design and construction standards.

(a) Drainage systems shall be designed and constructed by the Subdivider/developer consistent with the design principals and standards contained herein and established by SCDHEC-OCRM.

(b) Drainage systems in all cases shall conform to cross sections, dimensions, erosion control measures and grades as shown on the approved construction plans.

(2) The off-street drainage system shall include the watershed affecting the subdivision, and shall be extended to a natural watercourse or publicly maintained drainage facility that is adequate to receive the storm drainage.

(3) Where adequate existing public storm sewers are reasonably accessible as determined by the Director of Planning and Development or his or her designee, require that the system proposed for the land being subdivided be connected thereto.

(4) Detention/retention ponds, lakes, and the like.

(a) Where detention/retention ponds, lakes, and the like are incorporated as part of the drainage system, the designing engineer shall designate a minimum floor elevation.

(b) The minimum elevation shall be such that flooding shall not result from a 100-year flood and in accordance with the town's Flood Damage Prevention Chapter.

(5) Ditches.

(a) Open drainage ditches (a ditch is a waterway with side slopes 3:1 or steeper) shall not be permitted in the town.

(b) Existing ditches above the OCRM critical line shall be piped, filled, and regraded, when required by the Planning Commission based upon staff's recommendation.

(6) The Subdivider/developer shall be responsible for providing positive drainage for each lot individually as a part of the project development.

(a) Individual lot drainage shall be detailed on the construction plans and shall include, but not be limited to, yard drains for lawn areas, side and rear yard features to include swales and a piped system of inlets and other items necessary for the removal of water from the lot.

(b) It is not necessary to provide pad- ready lots during subdivision development.

(c) However, positive drainage is required for each lot prior to plat approval.

(d) Rear yard pipe systems are required and shall be designed to accommodate ten- year storm events.

(e) Inlets shall be designed to minimize debris clogging.

(7) Upon application for Preliminary Plat, the applicant shall submit such inspection fee for drainage systems based upon a per linear foot of roadway centerline as may be established by Town Council.

(8) Filling, grading, permanent erosion control features, and installation of drainage systems for lots and streets shall be provided prior to Final Plat approval.

(9) Prior to the termination of the two-year warranty period, an inspection of the piped drainage systems may be performed by a Town inspection official.

(a) This inspection will be to ensure that all piped drainage systems are free and clear of silt, sediment, and trash associated with construction activities prior to acceptance by the Town.

(b) Under the Two-Year Warranty included in [§ 7 of Appendix B](#), the developer is noted as responsible for maintaining free and clear drainage systems during the warranty period.

(c) Therefore the developer shall be responsible for:

1. Maintaining clean drainage systems during the two-year warranty period; and

2. All costs associated with cleaning the piped drainage systems.

(10) Failure to respond to cleaning requests shall result in the cessation of future phase work until such a time as the drainage system is cleared and accepted by the inspection official.

(B) *Flood areas.* If the area being subdivided, or any part thereof, is located within the boundary of a designated flood hazard area or coastal high hazard area, as delineated by the Flood Insurance Rate Maps of the town, adequate plans and specifications for protection from flooding shall be provided as herein required and as may be specified by the Planning Commission.

(1) Land subject to flooding.

(a) Any plat of a subdivision that contains land subject to flooding shall be accompanied by evidence that no appreciable expansion of the area subject to flooding would result from the proposed development of the land being subdivided, and that the proposed development will be adequately protected from inundation without appreciable interference with the flow of any watercourse or into an impounding basin.

(b) All such evidence, including surveys and specifications, shall be submitted with the preliminary plat and no plat shall be approved in the absence thereof.

(2) In no case shall any fill, levee, or other protective works be approved unless sufficient compensating adjustments of waterways, ditches, or impounding basins are made to prevent any appreciable expansion of flood hazard areas.

(3) Street elevations.

(a) No street shall be approved that would be subject to frequent inundation of flooding based on a five-year storm event.

(b) The minimum street elevation shall be 6 ½ feet.

(c) Low points in streets shall be designed to accommodate a 50-year flood frequency without stormwater over-topping the curb.

(4) Floor and mechanical system elevations.

(a) Minimum floor and mechanical system elevations shall be shown on the construction plans and plats for all lots.

(b) These elevations shall be either the elevations established by the Flood Damage Prevention Chapter in special flood hazard areas, or the elevations determined by the designer in conjunction with the project development.

(C) *Erosion, runoff, and sedimentation control.*

(1) Every subdivision shall be served by storm drainage facilities, including drain sewers, catch basins, culverts, impoundment ponds, and other facilities required to insure that the waters draining from the developed property, including that drainage from the property in its natural condition and that increased or diverted by reason of the development, shall not be delivered to the area drainage facilities in such volume or rate as to overtax the capacity of the facilities and cause flooding conditions in the event of a 100-year precipitation condition. All such drainage facilities shall be designed and installed in accordance with the regulations of the town.

(2) Engineering and construction on any land within the town shall be carried out in such a manner as to protect neighboring persons and property from damage or loss resulting from excessive stormwater runoff, soil erosion, or deposition upon private property or public streets of water-transported silt and debris.

(3) Drainage plans and studies shall be submitted for review by the Department of Planning and Development.

(a) These plans and studies shall be prepared by a design professional currently registered to practice in the state, with his or her stamp affixed.

(b) Profile for drainage pipes shall be included and will show existing ground line, finished grade, drainage structures, intersecting sanitary sewers and other intersecting underground utilities.

(c) Existing and proposed utility lines crossing the storm drain pipe shall be shown in the profile on their proper elevation.

(d) Pipes that conflict at crossings shall be adjusted with adequate details included.

(e) Grate inlets are not permitted in the right-of way of public streets.

(D) *Coordination required.*

(1) All land development activity must comply with the applicable sections of the latest edition of the *South Carolina Stormwater Management and Sediment Control Handbook for Land Disturbance Activities*.

(2) A stormwater approval letter from SCDHEC-OCRM shall be submitted to the town before construction approval or a Clearing and Grading Permit will be issued.

(3) No project shall receive final approval or acceptance by the town nor will a certificate of occupancy be issued for commercial projects, until such time as a statement is received from the project engineer certifying that construction is complete and in accordance with approved plans.

(E) *Drainage design guidelines.*

(1) Piped drainage systems and culverts.

(a) Piped collection systems for public streets (catch basins, inlets, cross drains, and longitudinal piping) shall be designed for the ten-year frequency storm event.

1. Catch basins and inlets shall be spaced so that the spread in the street for the design flow shall not exceed eight feet.

2. A check should be made at all low points to determine and minimize the impacts from less frequent storms.

3. All inlets shall be of the curb opening type and low point basins shall have double wings to provide for drainage flow in both directions entering the inlet.

(b) Road elevations in A and V zones shall allow passage during a five-year event as a minimum.

(c) Design of road culverts.

1. Road culverts, for example, pipes carrying storm water under a street or road from one side of the right-of-way to the other, shall be designed for a 100-year frequency flood event.

2. The area inundated under these conditions shall be contained within a defined drainage easement.

(d) The design flow, acres drained, and the hydraulic grade line for the design flow shall be shown on the plans.

(e) Design of pipes and culverts.

1. Pipes and culverts should be designed using the methods given in the hydraulic engineering circulars published by the Federal Highway Administration.

2. The Burkli-Ziegler and Talbot formulas shall not be used since they have questionable applicability to conditions in the town area.

3. All pipe joints shall be wrapped with filter fabric in 18-inch wide sections utilizing, at a minimum, fabric with a mass per unit area of: (English measure) 5.0 ounces per square yard and a thickness of 60 mils or (metric measure) 170.0 grams per square meter and a thickness of 1.5 millimeters.

(f) Energy dissipaters shall be provided, as needed, where excessive velocities occur.

(g) Use of reinforced concrete pipes.

1. Reinforced concrete pipes shall be used at public street locations and easements designated for maintenance by the Town.

2. Exceptions may be made by the Director of Planning and Development, or his or her designee, for those not at street locations, provided complete data is submitted.

(h) Non-corrosive pipes shall be used at all other locations, subject to a request with complete data as approved/disapproved by the Director of Planning and Development or his or her designee.

(2) Stormwater control facilities.

(a) A combination of storage and controlled release of storm water runoff shall be required for all development and construction that create the peak rate of runoff from the site, unless the designer certifies that no downstream damage will occur due to the increase runoff.

(b) Certifications are required at the time of approval.

(c) The peak release rate of storm water from all developments where detention is required shall not exceed the peak storm water runoff rate from the area in its natural undeveloped state for all intensities up to and including the 100-year frequency.

(d) The same methodology must be used for calculating the pre-development and post-development rates of runoff from a site.

(e) The “bowstring” method may be used for designing detention facilities for which the drainage area is less than three acres and a factor of two applied to the estimated volume.

(f) Reservoir routing techniques shall be used for designing all detention facilities for which the drainage area is three acres or larger.

(g) For mosquito control, ponds are to be designed to dry in three days or to contain a minimum permanent depth of 24-inches of water.

(h) All stormwater storage facilities within single-family residential subdivisions in the town are to be privately owned and maintained; provided, however, the owner(s) thereof shall grant to the town a perpetual non-exclusive easement that allows for public inspection and emergency repair, in accordance with the terms of a pond maintenance agreement, which is required hereunder and found in [§ 15 of Appendix B](#).

(F) *Drainage certifications.* Design certifications, as set forth in [§ 14 of Appendix B](#), shall be furnished with all proposed construction.

('81 Code, §§ 154.36, 154.43, 156.005, 156.011, 156.012) (Ord. passed 6-9-92; Am. Ord. passed 2-9-93; Am. Ord. 93066, passed 2-8-94; Am. Ord. 99012, passed 4-21-99; Am. Ord. 99016, passed 6-8-99; Am. Ord. 00035, passed 7-11-00; Am. Ord. 00063, passed 1-9-01; Am. Ord. 02045, passed 7-9-02; Am. Ord. 06016, passed 4-12-06; Am. Ord. 07015, passed 6-12-07; Am. Ord. 13027, passed 6-11-13; Am. Ord. 16082, passed 10-11-16)

§ 155.052 INSPECTIONS.

(A) *Schedule.*

(1) For both public streets and development projects, inspections of completed site work shall be conducted by a representative of the Director of Planning and Development or his or her designee.

(2) Each phase of the work shall be approved before starting the next phase.

(3) Prior to an inspection request, the inspecting professional shall verify the proper execution of the work.

(4) The following minimum number of inspections shall be conducted at the times indicated:

(a) Upon installation of initial erosion control devices;

(b) Upon completion of clearing and grubbing;

(c) Upon completion of pipe installation to include underdrains, drainage pipes, culverts, inlets and sediment control - pipe joints to be inspected shall have filter fabric wrap installed but the joint left exposed until the inspection is complete and approved, at that time the fabric wrap may be closed and the area backfilled according to design plans and specification;

(d) Upon obtaining the subgrade elevation;

(e) Upon completion of curbs and gutters;

(f) Upon completion of base placement and compaction;

(g) Upon completion of pavement;

(h) Upon final cleaning of the streets and drainage system and completion of grassing;

(i) Prior to termination of final plat warranty period and the town's acceptance of piped drainage systems.

(5) A minimum of one block length of street shall be prepared for each inspection segment.

(6) A minimum of 48 hours shall be given prior to the time of inspection by the town.

(7) The inspecting professional's log shall be submitted with the request for initial approval.

(B) *Inspection fee schedule.*

(1) Upon application for a Preliminary Plat, the Applicant shall submit such inspection fees for street construction and drainage systems, based upon a per linear foot of roadway centerline as may be established by the Town Council.

(2) Reinspection fees.

(a) Reinspection of previously inspected portions of the work shall be made at the rate of \$50 per reinspection.

(b) Reinspection and fees shall be due and payable prior to approval of a Final Plat.

(c) Failure to pay such fees as required shall cause the work not to be accepted by the Town.

(3) If more than one inspection is made per phase, the fee for each phase inspection for the subminimal work shall be \$50.

(C) *Video inspection by Subdivider/developer.* A video inspection of all storm drainage systems shall be performed by the Subdivider/developer prior to issuance of final plat and again before the end of the warranty period. The inspection shall be recorded and a copy of the inspection video to include inspection reports shall be delivered to the Director of Public Services for review and comment. The video shall be provided on CD/DVD or other electronic delivery system as technology allows. The inspection video and report shall be clearly labeled with the name of the Subdivider/developer, name of the construction project, phase of development, date of inspection(s), and name of inspecting company. The report shall include the sequence of inspection through the drainage system corresponding to the drainage summary on the development's construction plans.

('81 Code, §§ 156.014 and 156.015) (Ord. passed 6-9-92; Am. Ord. 00035, passed 7-11-00; Am. Ord. 02045, passed 7-9-02; Am. Ord. 06016, passed 4-12-06; Am. Ord. 16082, passed 10-11-16)

§ 155.053 SEWER AND WATER SUPPLY.

(A) *Sanitary sewage disposal.*

(1) The developer shall install public sanitary sewer lines where public sanitary sewer service is available within 500 feet of the property in accordance with the policy of Mount Pleasant Waterworks and Chapter 51, Water and Sewers, of the Mount Pleasant Code of Ordinances.

(2) Sanitary waste disposal systems shall be designed according to criteria approved by Mount Pleasant Waterworks.

(3) Septic tanks and fields shall be approved by the South Carolina Department of Health and Environmental Control.

(B) *Water supply.*

(1) The developer shall install water lines when public water service is available within 500 feet of the property.

(2) Installation shall include fire hydrants, valves, house connections, and other appurtenances.

(3) All work shall be in accord with the policy of Mount Pleasant Waterworks.

(4) Water supply systems shall be designed according to criteria approved by Mount Pleasant Waterworks.

(a) All fire hydrants shall be of a type accepted by Mount Pleasant Waterworks and the Mount Pleasant Fire Department:

1. Three-way with one 4 1/2-inch discharge and two 2 1/2-inch discharges;
2. With at least a 5 1/2-inch foot valve; and

3. On a minimum 8-inch water main.

(b) Fire hydrant spacing shall not exceed 300 feet to structures.

(5) New residential subdivisions shall be designed to ensure that all fire hydrants have the capability to flow at a minimum of 1,000 gallons of water per minute, at 20 pounds per square inch residual pressure.

(C) *Dry fire hydrants.*

(1) As referenced herein, **DRY FIRE HYDRANTS** shall refer to a pre-engineered system of piping with a Fire Department-approved connection adjacent to a water supply, to which a fire truck can attach a hose to draft water into its pump, and which at the opposite end terminates in pipe with a submerged strainer.

(2) Dry hydrants are designed to provide an alternate or supplemental water source to public water systems, and for emergency fire-fighting purposes.

(3) Dry hydrants may be installed in and adjacent to ponds, lakes, and other approved non-tidal water sources.

(a) All dry fire hydrants shall meet requirements of the National Fire Protection Association Standard 1231, "Water Supplies for Suburban and Rural Fire Fighting."

(b) Dry fire hydrants shall only be used as a temporary solution to achieve fire flows in urban and rural settings where there is no public water system available, and in urban settings with a public water system where the fire flow demand exceeds the capacity of the public water system.

(c) Dry fire hydrants shall be used as follows:

1. In urban areas served by a public water system, dry hydrants may be installed where their use does not exceed 33% of the building's required fire flow and in no case shall be greater than 1,000 foot roadway travel distance from the structure(s) to be protected.

2. In rural areas not serviced by a public water system, dry hydrants may be installed without travel distance requirements, based on individual case needs as approved by the Fire Chief or his or her representative.

3. Dry hydrants in rural and urban areas may remain the primary water source until such time as the area receives water service, or proper fire flow capacity, and then they shall be abandoned.

4. Dry hydrant(s) shall transfer with property ownership, with the new owner being responsible for maintenance and operation of hydrant(s) and water source per this section as if they were the original installer.

(d) Prior to installation, a dry fire hydrant application and permit form shall be filed with the Fire Chief, stating the reason for the request to install dry fire hydrant(s), along with providing NAPA Standard 1231 information regarding the hydrant's design and water supply.

(e) All applications for dry fire hydrants shall be accompanied by a letter of credit to ensure the dry fire hydrant(s) and water sources are maintained operational.

1. The letter of credit for each hydrant shall be in the amount of \$1,000, and each shall include a fee of \$135 per hydrant to cover the cost of inspection, annual testing and inspection of the water source by the Fire Department for each 36-month period.

2. All criteria hereunder shall be met prior to the town approving a permit.

3. Each permit shall be valid for 36 months, at which time a new dry fire hydrant application and permit form shall be filled out and submitted with the appropriate fee for permit renewal.

4. Renewals shall be limited to terms of three years.

5. Federal, state and local government entities are exempt from the fee and letter of credit requirements hereunder.

(f) The Fire Department shall test all dry hydrants and inspect water sources for visible problems on a semi-annual basis, with deficiencies being reported to the hydrant owner in the form of an order of correction.

(g) Failure to maintain the hydrant shall be a violation of this chapter and the Standard Fire Prevention Code.

(h) If a property owner or agent desires the dry hydrant to be tested annually by an outside source, they shall remit results to the Fire Department on forms provided.

1. However, the initial filing fee remains the same, and the Fire Department reserves the right to check the results and the water source, by inspection or testing if necessary.

2. The final determination pertaining to testing shall be made by the Fire Department.

('81 Code, §§ 154.37 and 154.44) (Ord. passed 6-9-92; Am. Ord. 96049, passed 11-12-96; Am. Ord. 98006, passed 3-10-98; Am. Ord. 99012, passed 4-21-99; Am. Ord. 02045, passed 7-9-02; Am. Ord. 16082, passed 10-11-16)

§ 155.054 GREENSPACE PRESERVATION AND PROTECTION PLAN. A Greenspace Preservation and Protection Plan shall be provided in accordance with these requirements for all new residential development consisting of five (5) acres and larger. The cumulative acreage of a multi-phased project in excess of five (5) acres and larger shall be subject to these requirements. Additionally, the provisions of this section shall not apply to nonresidential subdivisions or land zoned MF, Multi-family residential district.

- (A) *Intent and Purpose.* The desired outcome is to provide reasonable utilization of the property while achieving the intent and purpose of this Greenspace Preservation and Protection Plan, rather than to maximize the development capacity of the property.
- (1) *Intent.* The intent is to ensure that development is conducted in a manner that is harmonious with the natural environment and maximizes the quality and survivability of retained vegetation.
 - (2.) *Purpose.* The purpose is to identify those natural features which should be preserved so that development may occur around those features.
- (B) *Findings.* Mount Pleasant Town Council finds and declares the following:
- (1.) The existing Vegetation Requirements have resulted in the excessive removal of natural vegetation during land development; and
 - (2.) To remedy these conditions an amendment to these regulations is now necessary; and
 - (3.) These regulations will include a Tree and Topographical Plan which will form the basis of the arrangement of development on the property, as well as Additional Areas of Preservation to ensure the adequate preservation of natural vegetation along street frontage and internal to the development; and
 - (4.) Council now deems these provisions are in the best interest of the citizens of the Town of Mount Pleasant to accomplish these desires.
- (C) *Specific Requirements.*
- (1) A Tree and Topographical Exhibit is required to facilitate the preservation of valuable existing natural conditions.
 - (a.) A quantitative and qualitative analysis of the natural attributes of the property shall include the existing grade of the property and the quantity and quality of existing vegetation. A plan shall be submitted enumerating the stated attributes at Preliminary Staff Review and Sketch Plan application.
 - (b.) Applicant shall submit a site analysis with the following information:
 - (1) Property boundaries.
 - (2) Topography showing one-foot contours, ponds, ditches and any other significant natural drainage features.
 - (3) Survey of protected trees with:
 - (a) Illustrated protection zones, and
 - (b) Tree assessment per zoning code requirements.
 - (4) Wetland and critical area delineation, with existing buffers, if applicable.
 - (5) Existing easements.

- (6) Existing structures, roadbeds and paths.
- (2) Additional Areas of Preservation. The following additional areas of preservation within the proposed development are required based on the factors identified in (C)(1)(a) and (b) hereinabove,
- (a.) Street Frontage Areas of Preservation
1. A minimum 25-foot width natural and undisturbed buffer shall be provided on Collector and Entry Roads (60 feet ROW width or greater).
 2. In the absence of existing vegetation replanting is required based on the density and diversity of the representative sampling of 100 square feet (10 x 10) of existing natural vegetation within close proximity to the subject area, comprised of canopy and understory trees and shrubs.
 3. Easement Treatment – If future utility installation is anticipated, additional area shall be set aside so as not to interfere with the natural and undisturbed buffer. Penetration for utilities should be perpendicular to the buffer and limited to roadway access as a preferred option.
- (b.) *Internal Areas of Preservation.* A suitable amount of natural vegetation shall be preserved within new development based upon the following requirements.
1. Percentage Required.
 - a. For developments where the minimum lot size is less than 10,000 square feet, a minimum of 30 percent of the developable land shall be set aside for internal areas of preservation, although more may be required based upon site analysis provided by the Tree and Topographical Exhibit. For the purposes described herein, developable land shall not include fresh and saltwater wetlands, retention ponds and rights-of-way.
 - b. For developments where the minimum lot size is equal to or greater than 10,000 square feet, a minimum of 20 percent of the developable land shall be set aside for internal areas of preservation, although more may be required based upon site analysis provided by the Tree and Topographical Exhibit. For the purposes described herein, developable land shall not include fresh and saltwater wetlands, retention ponds and rights-of-way.
 2. Minimum Dimensional Requirements. The minimum dimensional requirement shall be that of the zoning district, and not less in size than the smallest building lot shown on plans or plats.
 3. Connectivity. Internal areas of preservation shall be integrated amongst the building lots and strategically connected with other greenspace requirements.
 4. Planting in the absence of existing vegetation shall be in accordance with the provisions of (C)(2)(a)2. Above.
 5. Terraced fill around ponds/wetland areas/buffers is encouraged to meet these requirements.
- (D) Street Frontage and Internal Areas of Preservation established pursuant to these requirements:
- (1) Shall be located on separate lots owned by a homeowner’s association.

(2) Canopy trees shall count towards the minimum 160 inches per acre of retained vegetation.

(3) Shall remain in an essentially undisturbed condition except for the following:

a. allowed clearing of an eight (8) foot width corridor for the installation of low-impact physical improvements limited to pervious pedestrian trails and pedestrian benches; and

b. one (1) open recreational field per development no larger than 4,000 square feet to allow for active recreation and neighborhood sports.

(E) Review and Approval Procedure.

(1) A Greenspace Preservation and Protection Plan conforming to the requirements contained herein shall be submitted at Preliminary Staff Review and Sketch Plan application.

(2) Staff will review the same for adherence to the stated Intent and Purpose, with such review forming the basis for a recommendation to the Planning Commission.

(3) The Planning Commission shall approve, disapprove or modify the plan as deemed appropriate.

(F) Appeals from a final decision of the Planning Commission may be filed in accordance with procedures established by applicable law.

ADDITIONAL REQUIREMENTS

§ 155.071 MARKERS.

(A) *Street markers.*

(1) All changes in direction (P.C., P.T., and the like) of street centerlines shall be marked with a large nail or spike in the pavement.

(2) The radius center point of cul-de-sacs shall be marked with a large nail or spike.

(3) The points thus marked in divisions (A)(1) and (A)(2) above shall be shown on the final plat, along with such bearings and distance ties as needed for their use in locating lot corners.

(B) *Drainage easement markers.* All changes in direction and all intersections with street right-of-way and lot lines shall be marked as directed in division (C)(1).

(C) *Lot markers.*

(1) Lot corners.

(a) Lot corners shall be marked with 1/2-inch diameter, 18-inch long iron rods, except that where the distance, as measured along the street right-of-way, exceeds 500 feet between markers, additional markers shall be installed.

(b) Intervisible corner markers shall be shown on the final plat, along with the bearing and distance for these intervisible markers noted on the plans.

(2) The intersection of lot lines and right-of-way lines of drainage easements shall be marked with 1/2-inch iron rods as in division (C)(1) above.

(D) *Benchmarks.* Benchmarks shall be monumented and complete descriptions and elevations given on the final plat.

(E) *Buffer and critical line attachment markers.* All changes in direction in direction of buffers and the OCRM Critical Line shall be marked with 1/2-inch iron rods.

('81 Code, § 154.41) (Ord. passed 6-9-92; Am. Ord. 02045, passed 7-9-02)

§ 155.072 ADDRESSING SYSTEM.

(A) *Uniform numbering system adopted.*

(1) A uniform system of numbering properties and principal buildings, as shown on the maps identified by the title, "Uniform Numbering System Map, County of Charleston, S.C.," dated September 30, 1983, (hereinafter referred to as "property number map"), which is filed in the Town Department of Planning and Development office, is adopted for use in the town.

(2) This map and all explanatory matter thereon is adopted and made a part of this chapter.

(B) *Assignment of numbers.*

(1) All properties or parcels of land within the incorporated limits of the town shall hereafter be identified by reference to the uniform numbering system adopted herein; provided, further that all existing numbers of property and buildings not now in conformity with provisions of this chapter shall be changed to conform to the system herein adopted.

(2) All numbers shall be assigned by the Department of Planning and Development office on the basis of one number for each 40 feet of frontage along the street.

(a) Grid lines, as shown on the property numbering map, indicate the point at which numbers will change to the next higher multiple of 100, and the range of numbers between grid lines thereon shall be consistent with the range of numbers as indicated on the map.

(b) All buildings north of east-west streets and east of north-south streets shall bear even numbers, and likewise, all buildings on the south side of east-west streets and west of north-south streets shall bear odd numbers.

(c) All streets running more nearly north-south shall be numbered as north-south streets, and all streets running more nearly east-west shall be numbered as east-west streets.

(3) No building shall be assigned more than one number.

(4) Notwithstanding any other provisions of this chapter, when multiple buildings have frontage within one or more assigned 40-foot frontage areas and, under the remaining provisions of this chapter, each such building would be assigned a separate number designation; but, if due to a limited amount of frontage, sufficient numbers are not available, then all such buildings at that location will be assigned the same number and each such building will carry a letter designation such as A, B, C, in addition to the assigned number.

(C) *Location of numbers.*

(1) When each house or building has been assigned its respective number or numbers, the owner, occupant, or agent shall place, or cause to be placed, upon each house or building controlled by him or her the number or numbers assigned under the uniform system as provided in this chapter.

(2) Such numbers shall be placed on existing buildings on or before the effective date of this chapter, and within 20 days after the assigning of the proper number in the case of numbers assigned after the effective date of this chapter.

(a) The cost of numbers shall be paid for by the property owner.

(b) Residential numbers used shall not be less than three inches in height.

(c) Business numbers shall not be less than four inches in height.

(d) These numbers shall be made of a durable and clearly visible material, and shall be in a contrasting color from the building.

(3) Placement of numbers.

(a) The numbers shall be conspicuously placed immediately above, on, or at the side of the proper door of each building so that the number can be seen plainly from the street line.

(b) Whenever any building is situated more than 50 feet from the street line, the number must be placed near the walk, driveway, or common entrance to such building and upon a mail box, gate post, fence, post, or other appropriate place so as to be easily discernible from the street line.

(D) *Administration.*

(1) For the purpose of facilitating correct numbering, grid maps of all streets, avenues, and public ways within the town showing the proper numbers of all houses or other buildings fronting upon all

streets, avenues, or public ways shall be kept on file in the Department of Planning and Development. These grid maps shall be open to inspection of all persons during normal office hours.

(2) Assignment of numbers.

(a) It shall be the duty of the Department of Planning and Development to inform any party applying therefor of the number or numbers belonging to or embraced within the limits of any lot or property as provided in this subchapter.

(b) In case of conflict as to the proper number to be assigned to any building, the Department of Planning and Development shall determine the number of such building.

(3) Whenever any house, building or structure shall be erected or located in the town after the establishment of the uniform system of numbering provided for herein has been completed, in order to preserve the continuity and uniformity of numbers of the houses, buildings, and structures, it shall be the duty of the owner to procure the correct number or numbers as designated by the Department of Planning and Development for the number or numbers so assigned upon the building as provided by this chapter.

(a) No building permit shall be issued for any house, building, or structure until the owner has procured from the Department of Planning and Development the official number of the premises.

(b) Final approval of any structure erected, repaired, altered, or modified after the effective date of this chapter shall be withheld by the Town Building Official, until permanent and proper numbers have been affixed to the structure.

(E) *Application to portions of the town.* The provisions of this chapter shall be applicable only in those portions of the town that are not located within the confines of any unincorporated area within the county.

('81 Code, §§ 99.01 - 99.05) (Ord. passed 11-7-83; Am. Ord. 02045, passed 7-9-02; Am. Ord. 16082, passed 10-11-16)

ADMINISTRATION

§ 155.084 RECORDED RESTRICTIVE COVENANTS.

(A) Pursuant to the provisions of S.C. Code § 6-29-1145, the applicant for a development approval (permit) shall confirm that the activity for which approval has been requested is not restricted by any recorded covenant that is contrary to, conflicts with or prohibits the activity, by signing a [Development Approval Application \(Permit\): Recorded Covenant Affidavit](#).

(B) If it has actual notice of the existence of a recorded covenant that is contrary to, conflicts with or prohibits the activity for which approval has been requested, either from information in the affidavit, from materials or information submitted by the applicant, or from any other source, including but not

limited to, other property holders, the town shall immediately cease processing the application, request or permit, and shall not approve the same unless confirmation from the applicant is received that the restrictive covenant has been released, by action of the appropriate authority or property holders, or by court order.

(C) As used in this section:

(1) **ACTUAL NOTICE** is not constructive notice of documents filed in the local offices concerning the property, and does not require the town to conduct searches in any records offices for filed restrictive covenants;

(2) **PERMIT** does not mean an authorization to build or place a structure on a tract or parcel of land, and expressly applies only to applications for subdivision, as defined in this chapter;

(3) **RESTRICTIVE COVENANT** does not mean a restriction concerning a type of structure that may be built or placed on a tract or parcel of land.

(Ord. 08021, passed 4-8-08)

§ 155.085 VESTED RIGHTS.

For establishment of a property owner's vested rights, refer to Zoning Code § [156.049](#) (Vested Rights).

(Ord. 05035, passed 6-14-05)

§ 155.086 FEES.

(A) Upon submission of a Sketch Plan or Preliminary Plat, as required in these regulations, the applicant shall submit such required fees as may be established from time to time.

(B) The fees shall be submitted with the plan or plat and, upon acceptance of the plat for review and consideration, shall be deposited into the Treasury of the Town.

(C) Failure to pay such fees as required shall cause the plat to be returned to the applicant without acceptance for review or consideration by the Town.

('81 Code, § 154.70) (Ord. passed 6-9-92; Am. Ord. 02045, passed 7-9-02; Am. Ord. 16082, passed 10-11-16)

§ 155.087 AMENDMENTS TO LAND USE REGULATIONS.

(A) Amendments to these regulations shall be proposed by the Planning Commission or shall be submitted for approval, disapproval, or suggestion of the Commission before being enacted.

(B) The Town Council may adopt amendments to these regulations, as provided in State Code.

(C) No amendment, failing of passage at its final proposal, shall be resubmitted within one calendar year.

('81 Code, § 154.72) (Ord. passed 6-9-92; Am. Ord. 00063, passed 1-9-01; Am. Ord. 02045, passed 7-9-02)

§ 155.088 STREETS, DRAINAGE SYSTEM AND STORMWATER CONTROL FACILITY FINANCIAL GUARANTEE.

(A) The developer of a subdivision shall post a financial guarantee at the time of the final plat approval; the purpose of which shall be to protect and ensure the integrity and satisfactory condition of the streets, drainage system and stormwater quality and quantity control facility for period of two years, as provided in [§ 7 of Appendix B](#) hereto.

(B) The financial guarantee may be in the form of a letter of credit, surety bond, certified check, or other instruments readily convertible to cash.

(C) The financial guarantee shall inure for an initial period of two years, and shall not expire but automatically renew for one year or until the improvements are deemed satisfactory and released by the Town Engineer, following an acceptable two-year warranty inspection.

(D) The amount of the financial guarantee shall be equal to 15% of the contract cost to install the improvements. An itemized list for each improvement shall accompany the financial guarantee, excluding the cost for clearing and grading, which shall bear the signature and seal of a licensed professional engineer.

(1) The installation cost for the streets shall include all aspects of the road, such as but not limited to: select fill for the underlying subgrade, base course, asphalt, underdrain, curb and gutter, shoulder and slope stabilization.

(2) The cost of the drainage system installation shall include the contractor cost for pipe delivery and installation, specified select backfill and bedding, compaction testing, inlet boxes, grates and tops.

(3) The installation cost for the stormwater control facility or pond shall include per cubic yard of excavation, grading, and slope stabilization.

(4) The installation cost for the water quality features shall be the manufacture's cost for the material and the contractor's cost for installation.

(E) All items deemed not acceptable at the two-year warranty inspection shall be corrected to an acceptable level within 60 days from the date of notice thereof.

(1) If the owner, his or her heirs, successors or assigns, fail to satisfy any of the items identified on the inspection report, the town shall enforce the financial guarantee and may draw upon the security for up to the full amount thereof.

(2) The town may avail unto itself any lawful manner to effect satisfactory correction of deficient items not covered by the financial surety.

(3) The transfer of maintenance responsibility to the town and release of the financial guarantee shall not be complete until the Town Engineer deems conditions are satisfactory.

(F) All stormwater storage and water quality facilities, such as ponds and pollution removal devices, within commercial and residential developments are to be privately owned and maintained.

(Ord. 07015, passed 6-12-07; Am. Ord. 13027, passed 6-11-13) Penalty, see § [155.999](#)

§ 155.999 PENALTY.

(A) Any violation of these regulations or amendments thereof, including the transfer or sale of property by reference to, or exhibition of, or by other use of plat of land without the required approval of the Planning Commission or Department of Planning and Development staff, as applicable, as required for recording, shall be a misdemeanor under the laws of the state, punishable as other misdemeanors as provided by law; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties.

(B) The Town, through its attorney, may enjoin such transfer or sale or agreement by action of injunction.

('81 Code, § 154.71) (Ord. passed 6-9-92; Am. Ord. 02045, passed 7-9-02)

APPENDIX A: PLAT CERTIFICATES

§ 1 PLAT CERTIFICATES.

(A) Each Preliminary Plat drawing submitted for approval pursuant to these regulations shall carry the following certificates printed or stamped thereon as follows:

(1) Preliminary Engineering Certificate.

I hereby certify that this proposed Preliminary Plat correctly represents data compiled or verified through a survey completed by me on _____, 20____ of property shown and described hereon.

_____ Registered Surveyor, No. _____

(2) Certificate of Design.

I hereby certify that the design and layout of the drainage facilities for the proposed lots, blocks streets, and other planned features included in this proposed Preliminary Plat have been prepared by me or under my direct supervision.

_____ Registered Professional, No. _____

(3) Application for Plat Improvements.

I hereby certify that no grading or clearing shall commence on the land included in this plat until a land clearing and grading permit has been issued, and that no installation of improvements shall be undertaken until a construction authorization letter from the Town Engineer has been issued.

Subdivider: _____ Owner: _____

Date: _____ Date: _____

(4) Certificate of Purpose.

This is a Preliminary Plat. The use of this plat for the sale or transfer of property is forbidden.

Subdivider: _____ Owner: _____

Date: _____ Date: _____

(B) Each application for Final Plat shall carry the following certificate printed or stamped thereon as follows:

(1) Surveyor's Certificate.

It is hereby certified that this plat is true and correct, and was prepared from an actual survey of the property made by me or under my supervision; that all monuments shown hereon actually exist and their location, size, type, and material are correctly shown and is accordance with a class "A" survey.

_____ Registered Surveyor, No. _____

(2) Owner's Acknowledgment.

State of South Carolina
County of Charleston

The owner of record of the land shown on this plat and whose name is subscribed thereto, and in person or through a duly authorized agent, acknowledges that this plat was made from an actual survey and dedicates to the use of the public forever the following. (Provide only those applicable.)

Public Streets: _____

Public Easements: _____

Public Parks/Open Space: _____

Type name, address, and telephone number of owner or subdivider: _____

Signature of Subdivider Date

Type name, address, and telephone number of owner of record: _____

Signature of Owner Date

(3) Pond and Drainage Certification.

The owner of record of the land shown on this plat and whose name is subscribed thereto, and any subsequent owner, heir, successor or assign, acknowledges and agrees to the perpetual maintenance of the pond(s) located in this subdivision; and does release and hold harmless the town from any and all liabilities, claims, demands, attorney's fees and costs or judgments arising from said pond(s); and specifically releases the town from any and all liability and responsibility for flooding or erosion from storm drains or from flooding from high water or natural creeks, river, or drainage features. A drainage easement is established for the sole purpose of providing for the emergency protection of the free flow of surface waters along all watercourses, as established by these regulations and the Director of Planning and Development or his or her designee. The Town may conduct emergency maintenance operations within this easement where emergency conditions exist. Emergency maintenance shall be the removal of trees and other debris, excavation, filling, and the like necessary to remedy a condition, which, in the judgment of the Director or his or her designee, is potentially injurious to life, property or the public road or utility system. Such emergency maintenance, conducted for the common good, shall not be construed as constituting a continual maintenance obligation on the part of the Town.

Signature of Owner

Date

(4) Place for Final Plat approval by the Director of Planning and Development or his or her designee.

(5) Place for approval of Department of Health and Environmental Control, if applicable for septic tank lots.

(6) Place for certificate of recording.

('81 Code, § 154.23) (Ord. passed 6-9-92; Am. Ord. 99055, passed 11-9-99; Am. Ord. 02045, passed 7-9-02; Am. Ord. 16082, passed 10-11-16)

APPENDIX B: FORMS

- 1 Final inspection checklist
- 2 Inspection fee computations
- 3 Ownership certification
- 4 Ownership and inspecting engineer certificate
- 5 Right-of-way deeds
- 6 Drainage easement
- 7 Two-year warranty
- 8 Materials and workmanship certification
- 9 [Reserved]
- 10 Homeowners' association articles of incorporation
- 11 Homeowners' association declaration of covenants
- 12 Inspection professional log
- 13 Certificate of compliance
- 14 Drainage certifications
- 15 Stormwater facility maintenance agreement

§ 1 FINAL INSPECTION CHECKLIST.

This form is to be completed by the applicant or the applicant's representative and submitted with plans.

Name of Subdivision: _____

Name of Neighborhood: _____

Phase/Section Information: _____

Inspecting Professional: _____

Inspecting Certification: _____

Date: _____

Phone: _____

FINAL PLAT INSPECTION CHECKLIST FOR SUBDIVISION – DRAINAGE	
<i>Description</i>	<i>Date Approved by Field Engineer</i>
Underdrains installed.	
Street(s).	
Drainage system installed per plans.	
System.	
Culverts and inlets installed per plans.	
Erosion control installed per plans.	
Pond and outfall slopes converted and stabilized.	
Outfalls–headwalls complete and grouted.	
Lot drainage provided and stabilized.	
Drainage system cleaned.	
Stormwater video inspection received.	
Stormwater video inspection reviewed.	
Defects/damages repaired.	
Stormwater bond received.	

FINAL INSPECTION – END OF WARRANTY PERIOD – DRAINAGE	
<i>Description</i>	<i>Date Approved by Field Engineer</i>
Erosion control in place.	
Pond and outfall slopes stabilized.	
Inlets and culverts undamaged.	
Culverts and inlets free of silt.	
Culverts and inlets cleaned.	
Outfalls clear.	
Stormwater video inspection received.	
Stormwater video inspection reviewed.	
Defects/damages repaired.	
As-built/Engineer’s inspection received.	
Stormwater pond/BMP maintenance data received.	

FINAL PLAT INSPECTION CHECKLIST FOR SUBDIVISION – STREETS	
Description	Date Approved by Field Engineer
Street and curbing cleaned.	
Street(s).	
Street signs in place.	
Stop signs and other traffic control devices in place.	
Sidewalks.	
Paving and base laboratory data provided as required.	
Lot corners visible.	
Street markers visible.	
Benchmarks in place.	
Buffer markers visible.	
As-built plans. End of S/D checklist.	
Donor's and contractor's names.	
E-911 verification of street names.	
Field Engineer's completion certification.	
Water and sewer operating permits.	
Erosion control in place.	
Street signs in place.	
Pavement free from damage.	
Curbing free from damage.	
Buffer areas marked.	
Utilities buried.	
Sidewalks.	

FINAL INSPECTION CHECKLIST FOR SUBDIVISION – TREES	
Description	Date Approved by Site Planner
Replacement of tree survey submitted.	
Replacement trees field verified.	
OR	
Fees-in-lieu received.	

('81 Code, § 154.50) (Ord. passed 6-9-92; Am. Ord. 99055, passed 11-9-99; Am. Ord. 00035, passed 7-11-00; Am. Ord. 00063, passed 1-9-01; Am. Ord. 02045, passed 7-9-02; Am. Ord. 07045, passed 8-14-07; Am. Ord. 13027, passed 6-11-13)

§ 2 INSPECTION FEE COMPUTATIONS.

(A) Measure length of cul-de-sacs to point of curb, not the center radius point.

<i>Street Name</i>	<i>Length</i>
_____	_____
_____	_____
_____	_____
Total Length	_____

(B) Street inspection fee calculation.

Total length × fee amount/L.F.

() × () = \$ _____

Amount of fee \$ _____

(C) Drainage inspection fee calculation.

Total length × fee amount/L.F.

() × () = \$ _____

Amount of fee \$ _____

(D) If no new streets are required, the fee is \$150.

('81 Code, § 154.51) (Ord. passed 6-9-92; Am. Ord. 99055, passed 11-9-99; Am. Ord. 00035, passed 7-11-00; Am. Ord. 02045, passed 7-9-02; Am. Ord. 13027, passed 6-11-13)

§ 3 OWNERSHIP CERTIFICATION.

This is to certify that the undersigned is the legal owner of the property to be dedicated to the town and is authorized to sign all documentation related to the final plat for:

Name: _____

Date: _____

Corporate Seal

Notarized:

('81 Code, § 154.53) (Ord. passed 6-9-92; Am. Ord. 99055, passed 11-9-99; Am. Ord. 02045, passed 7-9-02; Am. Ord. 07015, passed 6-12-07; Am. Ord. 13027, passed 6-11-13)

§ 4 OWNERSHIP AND INSPECTING ENGINEER CERTIFICATE.

This is to certify that the undersigned is the legal owner of the property to be dedicated to the town and is authorized to sign all documentation related to the improvements. As the legal owner, he/she is accepting full responsibility for construction quality control and ensuring all sediment and erosion control devices are kept in good working condition throughout the construction process.

As the owner, I will be employing _____ (engineer) _____, who is a South Carolina-licensed professional engineer in civil engineering, as the inspecting professional. The inspecting professional shall be responsible for administering and conducting the necessary inspections, testing and reporting as outlined in the inspection professional log in [Chapter 155, Appendix B, § 12](#). The inspecting professional will be responsible for certifying the materials and workmanship certificate prior to final acceptance by the town.

Owner Signature: _____

Registered Engineer: _____

Date: _____

Seal and Date: _____

Corporate Seal Notarized:

(Ord. 07015, passed 6-12-07; Am. Ord. 13027, passed 6-11-13)

§ 5 RIGHT-OF-WAY DEEDS.

Provide warranty deed for the transfer of the right-of-way to the town on legally correct documents of the form suitable to the donor.

('81 Code, § 154.54) (Am. Ord. 99055, passed 11-9-99; Am. Ord. 02045, passed 7-9-02; Am. Ord. 13027, passed 6-11-13)

§ 6 DRAINAGE EASEMENT.

State on document: Drainage Easement, County of Charleston, Town of Mount Pleasant

Whereas, the Town of Mount Pleasant by and through the Town Council, is desirous of providing drainage in the section of Charleston County, known as, _____, and to accomplish this must obtain an easement permitting the maintenance of a drainage system through the portion of said section, as listed below; and

Whereas, the undersigned owners of the property are desirous of cooperating with said Town and are minded to grant unto it an easement in and to the property necessary therefor.

Now, therefore, in consideration of the foregoing and the benefits to be derived by the improvements to the drainage conditions, the undersigned have granted, bargained and sold, released and conveyed by these presents do grant, bargain, sell, release and convey unto the Town of Mount Pleasant:

All those certain drainage easements as shown on a plat entitled: "Final plat, _____, Town of Mount Pleasant, Charleston County, South Carolina," dated _____, and duly recorded in the RMC Office for Charleston County, South Carolina, in Plat Book _____ at page _____.

Said drainage easements having such size, shape, location, buttings, and boundings, as shown on said plat reference, to which is hereby made for a more complete description.

Provided however, the Town of Mount Pleasant shall not be responsible for aquatic-growth control, normal cleaning or general maintenance, all of which shall be the responsibility of the grantor herein, its successors and assigns.

And to the end that the same may be properly maintained for drainage, the said Town of Mount Pleasant shall at all times have the right of ingress and egress to the land affected by said easement.

The Town has no obligation to repair, replace or to compensate the owner for trees, plants, grass, shrubs and other elements damaged or destroyed within the easements during the course of its activities. As a matter of course, no structures should be placed within drainage easements.

('81 Code, § 154.55) (Ord. passed 6-9-92; Am. Ord. 99055, passed 11-9-99; Am. Ord. 02045, passed 7-9-02; Am. Ord. 13027, passed 6-11-13; Am. Ord. 16082, passed 10-11-16)

§ 7 TWO-YEAR WARRANTY.

The owner and subdivider of the land (describe property/reference plat), and whose name is subscribed hereto, acknowledges and agrees to maintenance of the streets, sidewalks, and storm drainage facilities until a satisfactory inspection is completed no sooner than two years from the date of final plat approval. Maintenance will be constructed to include preserving and ensuring all aspects of the road and drainage system are kept in good condition, show no signs of structural defects and

damages, are free from sediment by periodic silt removal, and the functional integrity remains at an acceptable level as deemed by the Town Engineer.

Owner: _____

Date: _____

Notarized:

('81 Code, § 154.56) (Ord. passed 6-9-92; Am. Ord. 11-9-99; Am. Ord. 00063, passed 1-9-01; Am. Ord. 02045, passed 7-9-02; Am. Ord. 07015, passed 6-12-07; Am. Ord. 13027, passed 6-11-13)

§ 8 MATERIALS AND WORKMANSHIP CERTIFICATION.

I, _____ (engineer) _____, am the designated inspecting engineer, No. ____ in the State of South Carolina, and I hereby certify that all storm water, road and other facilities for _____ (subdivision name) _____ have been constructed in substantial accordance with the design plans approved by the Town of Mount Pleasant. This was accomplished through routine field inspections and testing.

Engineer Name: _____

Date: _____

Owner: _____

Date: _____

Notarized:

('81 Code, § 154.57) (Ord. passed 6-9-92; Am. Ord. 99055; passed 11-9-99; Am. Ord. 02045, passed 7-9-02; Am. Ord. 07015, passed 6-12-07; Am. Ord. 13027, passed 6-11-13)

§ 9 [RESERVED]

§ 10 HOMEOWNERS' ASSOCIATION ARTICLES OF INCORPORATION.

Provide legally correct articles of incorporation on a form suitable to the donor. Include date of approval by Secretary of State.

('81 Code, § 154.57B) (Ord. passed 6-9-92; Am. Ord. 99055, passed 11-9-99; Am. Ord. 02045, passed 7-9-02; Am. Ord. 13027, passed 6-11-13)

§ 11 HOMEOWNERS' ASSOCIATION DECLARATION OF COVENANTS.

Provide legally correct declaration of covenants. Include provisions for homeowners' association to maintain elements shown on plat, and the ability to assess owner to collect funds necessary for such maintenance. In the case of subsequent annexation of additional property in future phases to that which is governed by the original covenants, the provision of a legally correct supplemental declaration or other appropriate amending document subjecting the additional property to the original covenants shall be required. Proof of recordation of the covenants and/or supplements is required prior to the issuance of any building permits.

('81 Code, § 154.58) (Ord. passed 6-9-92; Am. Ord. 99055, passed 11-9-99; Am. Ord. 02045, passed 7-9-02; Am. Ord. 13027, passed 6-11-13)

§ 12 INSPECTION PROFESSIONAL LOG.

(A)	At a minimum, provide dates of approval to the town's Field Engineer for each of the following elements of each drainage system:	
(1)	Pond bank and slope stabilization;	
(2)	Outfall stabilization;	
(3)	Cleaning of drainage system; and	
(4)	Video inspection and review.	
(B)	At a minimum, provide hard copies of appropriate documentation of activities to the stormwater construction inspector for each of the following elements:	
(1)	Project specifications;	
(2)	Compaction testing records;	
(3)	Correction of defects/problems (if any);	
(4)	Details/records of major infrastructure changes;	
(5)	Copy of inspection log for erosion control devices and infrastructure inspections (pipe and underdrains); and	
(6)	BMP maintenance schedule and inspection forms.	
(C)	At a minimum, provide dates of approval to the town's Field Engineer for each of the following elements of each street system:	
(1)	Subgrades;	
(2)	Curb and gutter;	
(3)	Base;	
(4)	Paving;	

(5)	Traffic control devices and street signs;	
(6)	Cleaning of streets; and	
(7)	Lot benchmark and other marker placement.	

('81 Code, § 154.59) (Ord. passed 6-9-92; Am. Ord. 99055, passed 11-9-99; Am. Ord. 00035, passed 7-11-00; Am. Ord. 02045, passed 7-9-02; Am. Ord. 07045, passed 8-14-07; Am. Ord. 13027, passed 6-11-13)

§ 13 CERTIFICATE OF COMPLIANCE.

AGREEMENT AND CERTIFICATE OF COMPLIANCE FOR CONSTRUCTION ON AN INDIVIDUAL LOT IN A SUBDIVISION OR A LOT LOCATED IN THE TOWN , EITHER RESIDENTIAL OR COMMERCIAL, EQUALING LESS THAN ONE ACRE IN SIZE.

Property Location: _____

The undersigned owner agrees that the activities undertaken at the above described location shall be carried out in compliance with the approved stormwater management and sediment control plan, and the following:

- (1) Prior to any other activity on the lot, silt fencing shall be properly installed, in accordance with the details shown on the following page, along the curbing in front of the lot (except at the access entrance), along the OCRM Critical Line, and along wetlands and any other locations needed to maintain erosion control at the site;
- (2) Silt fencing shall be maintained in good working condition until such time as permanent erosion control features are in place and functioning;
- (3) Access to the site will be limited to one location with a maximum width of 20 feet. The access shall preferably be at the proposed driveway location, and will be consistent with the attached details;
- (4) The construction entrance shall be maintained in good working condition until such time as permanent access areas are in place and functioning;
- (5) Construction debris and waste materials, concrete truck washout, sanitary facilities and waste, and chemicals such as paint or other construction substances will be collected and secured on site. These materials will be removed to a proper disposal facility as needed to maintain a neat and orderly site.
- (6) At no time will any of the above materials be deposited into the street or storm drainage system. Any spills must be immediately contained and cleaned according to manufacturers' specifications. Discharges of petroleum products to the storm drainage system must be reported to the Town Engineer immediately.

(7) All design contours, swales, positive drainage, and any other drainage features that are a part of the current drainage system or planned drainage system will be installed or maintained in good working order.

(8) The streets and public facilities near the work shall be kept clean and free of deposited materials. Failure to maintain facilities will result in possible fines, stopping of the work until cleaned, and increasing environmental controls as directed by the Town Field Engineer;

(9) The cost of repairs to the public street and damage to the public drainage system caused by activities at the location shall be paid prior to the issuance of a certificate of occupancy; and

(10) In the event that no existing sediment and erosion control plan can be identified for reference, as a condition of the building permit, the applicant must prepare a site plan that accounts for local drainage from and onto adjoining properties, and that protects the building from local drainage flows.

Owner: _____

Address: _____

('81 Code, § 156.001) (Ord. passed 6-9-92; Am. Ord. passed 2-9-93; Am. Ord. 02045, passed 7-9-02; Am. Ord. 07045, passed 8-14-07; Am. Ord. 13027, passed 6-11-13; Am. Ord. 16082, passed 10-11-16)

§ 14 DRAINAGE CERTIFICATIONS.

(A) Design certification. No increase in rate of runoff; furnished with all proposed construction.

STORM WATER FACILITIES

Designer's Certification

I, _____, certify that I am a Registered Professional _____,

No. _____ in the State of South Carolina, and that the design of the drainage facilities

dated _____ has been undertaken under my direction.

I hereby affirm that construction of the project, according to the plans presented to the Town of Mount Pleasant, will not increase the rate of runoff from the site.

Name

Date

(Professional Seal)

(B) Design certification. Rate increase; no impact furnished with all proposed construction.

STORM WATER FACILITIES

Designer's Certification

I, _____, certify that I am a Registered Professional _____,

No. _____ in the State of South Carolina, and that the design of the drainage facilities

dated _____ has been undertaken under my direction.

I hereby affirm that construction of the project, according to the plans presented to the Town of Mount Pleasant, will increase the rate of runoff from the site; however, there will be no adverse impact on downstream facilities or property due to this increase in runoff.

Name

Date

(Professional Seal)

('81 Code, § 156.012) (Ord. passed 6-9-92; Am. Ord. 02045, passed 7-9-02; Am. Ord. 13027, passed 6-11-13)

§ 15 STORMWATER FACILITY MAINTENANCE AGREEMENT.

Project Name: _____

Project Number: _____

TMS Location: _____

Type of Stormwater Facility:

Wet Pond Bio-System Other (describe) _____

Dry Pond Manufactured system

I, _____, as owner of the above described facility accept the responsibility for ownership and proper maintenance of the permanent pond(s) and or other structural best management practices on the site, per the approved and designated maintenance plan and schedule shown below.

I will complete any necessary repairs and/or preventative maintenance procedures in a timely manner to ensure proper functioning of the pond as a stormwater management device.
It is my understanding that the maintenance plan may be amended/revised at any time by The Town of Mount Pleasant, if the current schedule is deemed insufficient, and I will abide by any prescribed changes.

I agree to perform at a minimum, unless more frequent inspections are dictated by either the system manufacturer or the Town of Mount Pleasant, an annual inspection of the stormwater facility.
I understand more routine inspections may be performed by the owner or owner's representatives on a more frequent basis; however, the annual inspection must be performed and reported on by a licensed professional engineer.

I understand that the report of the annual inspection must include the results of the inspection and remedial actions undertaken or planned.

I agree to send the inspection reports and other requested documentation to the town's Stormwater Manager for review on an annual basis or by June 30 of each reporting year.

I agree to maintain an inspection log of findings and remediations. This log shall be kept by the facility owner and transferred with the property to future owners.

I will continue to own and maintain the pond until the Town of Mount Pleasant is notified in writing of a transfer in ownership and maintenance responsibility.

The notification will include a date for the transfer of responsibility and a letter of acceptance from the new owner.

Signature: _____

Printed Name: _____

Date: _____

Address: _____

City, State, ZIP Code: _____

Office (daytime) Phone Number: _____

Fax Number: _____

Mobile Phone Number: _____

E-mail Address: _____

LONG-TERM MAINTENANCE SCHEDULE
INSPECTION RESPONSIBILITIES FOR DETENTION BASINS

1. Detention basin to be owned and maintained by _____.
2. Grass to be mowed on a regular basis (minimum twice a year).
3. Dike to be maintained with prompt repair of any eroded areas and no tree growth allowed to occur. Trash to be removed from within and around the pond and the outlet structure, on a regular basis and after any large storm events.
4. Outlet structure to be inspected and sediment to be removed on a regular basis during construction.
5. Repairs to outlet structure and outlet pipe to be made if needed.
6. Sediment accumulation to be removed from pond by contractor at the end of construction.
7. Outlet discharge and emergency spillway to be inspected on a regular basis and after large storm events.
 - a. Repair if necessary.
8. Pond bottom to be inspected as necessary to provide positive drainage to the outlet.
9. At the time of the end of warranty as-built survey, the average pond depth was _____ feet/inches. This pond system is designed to have a water quality trapping efficiency of _____. This efficiency is considered impacted once the pond bottom has filled to _____ feet/ inches. The functionality of the pond may also be impacted by other, non-sediment-related pollutants, and may require other repair or management actions.

For bio systems, such as bio-retention, constructed wetlands, or other "naturalized forms" of water quality controls that may be installed and maintained by the owner, reference to the maintenance and repair of specific systems should be made using the SCDHEC *BMP Manual*, or as identified and recommended by the design professional or licensed professional engineer.

MANUFACTURED WATER QUALITY CONTROL SYSTEMS

1. Inspection frequencies and specific inspection activities shall follow the manufactures' recommendations or requirements.
2. The system shall be cleaned in accordance with the manufactures' recommendations or requirements or as may be dictated by the Town of Mount Pleasant.
3. A log of the quantity and quality of the materials removed may be required by the Town of Mount Pleasant.

4. Materials removed from the system, including polluted water generated during the cleaning process, must be properly disposed of.

(Ord. 99016, passed 6-8-99; Am. Ord. 02045, passed 7-9-02; Am. Ord. 07045, passed 8-14-07; Am. Ord. 13027, passed 6-11-13)