



City of Wellford, South Carolina

# Land Development Regulations

Adopted 2023

**City of Wellford, South Carolina**

**LAND DEVELOPMENT REGULATIONS**

Adopted 2023

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## **ARTICLE 1. GENERAL**

### **SECTION 1.1: TITLE**

This ordinance shall be known as the *Land Development Regulations of the City of Wellford, South Carolina*.

### **SECTION 1.2: AUTHORITY**

- A. The *Land Development Regulations of the City of Wellford, South Carolina* is adopted pursuant to the authority granted under the South Carolina Local Government Comprehensive Planning Enabling Act of 1994. (*South Carolina Code of Laws, Title 6, Chapter 29*).
- B. The Administrator of the *Land Development Regulations of the City of Wellford, South Carolina* is the City Administrator or his/her designee, herein referred to as the Administrator. The Administrator may require independent consultants or engineers to be hired at the expense of the applicant to review plans when necessary. If the application fees are not sufficient to pay the cost of the independent consultants, the applicant will be responsible for the difference.

### **SECTION 1.3: PURPOSE**

- A. The purpose of the *Land Development Regulations of the City of Wellford, South Carolina* is in keeping with the declaration of intent by the State of South Carolina (*South Carolina Code of Laws, Title 6, Chapter 29, Section 6-29-1120*), to require harmonious, orderly, and progressive land development to promote the public health, safety, economy, good order, appearance, convenience, and general welfare.
- B. In furtherance of this general intent the standards contained herein are also intended to encourage the development of an economically sound and stable urban area; to assure the timely provision of required streets, utilities and other facilities and services to new land developments; to assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments; to assure the provision of needed public open space and building sites in new land developments through the dedication or reservation of land for recreational, educational, and other public purposes; and to assure, in general, the wise and timely development of new areas.

### **SECTION 1.4: APPLICATION OF ORDINANCE**

- A. No plat for the subdivision of land within the City of Wellford shall be filed or recorded with the Spartanburg County Register of Deeds until such plat shall have been first submitted to and approved by the Planning Commission according to the procedures set forth by the *Land Development Regulations of the City of Wellford, South Carolina*.

- B. No street or other public way shall be accepted or maintained, nor shall any water or sewer lines, street lighting, sidewalks, or similar improvements be extended or connected, nor shall any permit be issued by any department of the City for construction of any building or other improvement in any subdivision established hereafter which has not been approved by the Planning Commission.

SECTION 1.5: CONFLICT WITH OTHER LAWS, ORDINANCES OR REGULATIONS

Whenever the requirements made under authority of the *Land Development Regulations of the City of Wellford, South Carolina* impose higher standards than are required in any other statute or local ordinance or regulation, the provisions of the *Land Development Regulations of the City of Wellford, South Carolina* shall govern. Whenever the provisions of any other statute or local ordinance or regulation impose higher standards than are required by these regulations, the provisions of such statute or local ordinance or regulations shall apply.

SECTION 1.6: VARIANCES

Whenever, in the opinion of the Planning Commission, the tract to be subdivided is of such size or shape, or is surrounded by such development or unusual circumstances that the strict enforcement of the regulations would result in extreme practical difficulties or unnecessary hardships, the Planning Commission may vary or modify the regulations in such a way that the subdivider is allowed to develop his/her property in a reasonable manner but, at the same time, the public welfare and interests of the City are protected and the general intent and spirit of the regulations preserved.

The Planning Commission shall grant such variance or modification after determination that:

1. The variance will not be detrimental to the public health, safety, and general welfare of the community.
2. The variance will not adversely affect the reasonable development of adjacent property.
3. The variance is justified because of topographic or other special conditions unique to the property involved, in contra-distinction to mere inconvenience or financial disadvantage.
4. The variance is consistent with the objectives of the *Land Development Regulations of the City of Wellford, South Carolina* and will not have the effect of nullifying the intent or purpose of the *Land Development Regulations of the City of Wellford, South Carolina* or the *Comprehensive Plan of the City of Wellford, South Carolina*.
5. Such variance will not conflict with the applicable requirements of the *Land Development Regulations of the City of Wellford, South Carolina*.



**SECTION 1.7: AMENDMENTS**

From time to time the *Land Development Regulations of the City of Wellford, South Carolina* may be amended by City Council, after holding a public hearing thereon, the time and place of which shall be duly advertised in a newspaper of general circulation at least fifteen (15) days prior to said hearing; provided; however, that no amendment shall become effective unless it shall have first been submitted to the Planning Commission for review and recommendation. The Planning Commission shall have a maximum of forty-five (45) days to submit its report; provided, however, that the City Council may waive this requirement and grant an extension of time. If the Planning Commission fails to submit a report within the specified time, it shall be deemed to have approved the amendment.

**SECTION 1.8: VIOLATIONS AND PENALTIES**

The owner, or agent of the owner, of any land located within the platting jurisdiction of the Planning Commission as described herein who transfers or sells, or agrees to sell, such land by reference to or exhibition of or by other use of a plat or subdivision of such land before such plat has been approved by the Planning Commission and recorded with the Spartanburg County Register of Deeds, shall be guilty of a misdemeanor for each lot so transferred or sold; or agreed or negotiated to be sold, and upon conviction thereof, shall forfeit and pay penalties as the Court may decide for each parcel so transferred or sold or agreed to be sold. The description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the transaction from such penalties. The City may enjoin such transfer or sale or agreement by appropriate action.

**SECTION 1.9: INTERPRETATION**

The regulations expressed in the *Land Development Regulations of the City of Wellford, South Carolina* shall be considered as the minimum provisions for the protection of the health, safety, economy, good order, appearance, convenience, and welfare of the general public. When there is a conflict between various ordinances and regulations, the more restrictive shall apply.

**SECTION 1.10: SEVERABILITY AND VALIDITY**

The provisions of the *Land Development Regulations of the City of Wellford, South Carolina* are separable. If a section, sentence, clause or phrase of the *Land Development Regulations of the City of Wellford, South Carolina* is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the remaining portions of the *Land Development Regulations of the City of Wellford, South Carolina*.

**SECTION 1.11: JURISDICTION**

From and after the date of adoption, these regulations shall govern all subdivision of land within the corporate limits of Wellford as now and hereafter established. The *Land Development*

*Regulations of the City of Wellford, South Carolina* shall take effect and be in force immediately upon adoption following the final reading by City Council.

**SECTION 1.12: APPEALS**

- A. For proposals for which the designated approving authority is the Administrator, any “party in interest” may appeal a staff action to the Planning Commission. The Planning Commission shall act on the appeal within sixty (60) days, according to the requirements in the *South Carolina Code of Laws, Title 6, Chapter 29, Section 6-29-1150(C)*.
- B. If the Planning Commission is the designated approving authority, appeal is to circuit court. An appeal from a Planning Commission decision shall be filed with the circuit court within thirty (30) days after actual notice of the decision or a notice of appeal accompanied by request for pre-litigation shall be filed within thirty (30) days after the decision of the Planning Commission is mailed according to the requirements in the *South Carolina Code of Laws, Title 6, Chapter 29, Section 6-29-1150(D), Section 6-29-1150(D)(2)*.

**SECTION 1.13: EFFECTIVE DATE**

The *Land Development Regulations of the City of Wellford, South Carolina* shall take effect and be in force from and after the date of adoption of the City of Wellford City Council.

## ARTICLE 2. DEFINITIONS

### SECTION 2.1: PURPOSE

When used in the *Land Development Regulations of the City of Wellford, South Carolina*, certain words and terms shall have the meaning as herein defined. Words and terms not herein defined shall have their customary dictionary definitions. When not inconsistent with the context, words used in the singular number include the plural and those used in the plural number include the singular. Words used in the present tense include the future.

1. The word “shall” is always mandatory.
2. The word “may” is permissive.
3. The word “lot” includes the words “plot” or “parcel”.
4. The word “structure” includes the word “building”.
5. The word “person” includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

Access Means of vehicular approach or entry to or exit from property. Pedestrian access will be indicated as such.

Administrator Means the individual responsible for administering the processes, procedures and requirements outlined in the *Land Development Regulations of the City of Wellford, South Carolina*.

Applicant A developer or person submitting an application for development.

Application for Development The application form and all accompanying documents required by the *Land Development Regulations of the City of Wellford, South Carolina* for approval of a subdivision plat.

Building Line That line which represents the distance a building or structure shall be set back from a lot boundary line or a street right-of-way line according to the terms of the *Land Development Regulations of the City of Wellford, South Carolina* or the *Zoning Ordinance of the City of Wellford, South Carolina*. In all cases, the building line of a lot shall be determined to run in the direction in which the lot is located from street right-of-way lines, or other lot boundary lines.

Block A parcel of land entirely surrounded by streets or highways or by a combination of streets, highways, parks, or railroad rights-of-way.

Dead End Street For purposes of the *Land Development Regulations of the City of Wellford, South Carolina*, a dead-end street refers to a cul-de-sac.

Dedication The transfer of property interests from private to public ownership for a public purpose. The transfer may be of a fee-simple interest or of a less than fee interest, including, but not limited to, an easement.

Director of Public Works This refers to the Director of the City of Wellford Public Works Department or his/her designee, who is herein referred to as the Administrator (see Administrator).

Drainage The removal of surface water or ground water from land by drains, grading or other means.

Drainage Facility Any component of the drainage system.

Drainage System The system through which water flows from the land, including all water courses, water bodies or wetlands.

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

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

Engineer A registered professional engineer in good standing with the South Carolina Board of Registration.

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

Final Plat The final map of all or a portion of a subdivision, which is presented for final approval.

Flag Lot A parcel of land shaped like a flag; the pole is a narrow strip of land providing vehicular and pedestrian access to a street, with the bulk of the property lying to the rear of other lots.

Grade The slope of a street, or other public way, specified in percentage (%) terms.

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

Improvement Any manmade, immovable item, which becomes part of, placed upon, or is affixed to real estate.

Improvement Guarantee A legal document or financial guarantee assuring that improvements will be made within a timely manner and in an acceptable condition. This may be in the form of a security or surety bond, letter of credit, prepayment or a subdivision improvement guarantee.

Individual Sewage Disposal System A septic tank, seepage tile sewage disposal system or any other approved sewage treatment device serving a single unit.

Lot A single parcel or tract of contiguous land abutting a public street or officially approved way. The terms “lot”, “lot of record”, “property”, or “tract” whenever used in the *Land Development Regulations of the City of Wellford, South Carolina* are interchangeable.

Lot, Corner A lot located at the intersection of two (2) or more streets.

Lot, Double Frontage A lot that has frontage on more than one (1) street.

Lot, Interior A lot, other than a corner lot, which has frontage on only one (1) street other than an alley.

Lot Depth The horizontal distance between front and rear lot lines.

Lot Width The distance between the side lot lines measured at the front building line.

Lot Area The area contained within the boundary lines of a lot.

Lot Line A line bounding a lot that divides one (1) lot from another or from a street or any other public or private space.

Off-Site Not located on the property that is the subject of a subdivision application.

On-Site Located on the property that is the subject of a subdivision application or on a contiguous portion of street or right-of-way.

Performance Guarantee Any security that may be accepted by the City as a guarantee that the improvements required as part of an application for a subdivision are satisfactorily completed. Letters of credit, surety bond or performance bond are all acceptable guarantees.

Planning Commission The City of Wellford Planning Commission.

Plat A map, sketch, or drawing showing an actual or planned subdivision.

Pre-Application Conference An initial meeting between developers or applicants and staff which affords developers the opportunity to present their proposals informally.

Preliminary Approval The conferral of certain rights prior to final approval after specific elements of a subdivision plat have been agreed upon by the Planning Commission and the applicant.

Preliminary Subdivision Plat A map indicating the proposed layout of a development and related information that is submitted for preliminary approval.

Register of Deeds This refers to the Spartanburg County Register of Deeds.

Regulations The whole body of regulations, text, charts, diagrams, notations, and references contained or referred to in the *Land Development Regulations of the City of Wellford, South Carolina*.

Right-of-Way (ROW) A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another specified use. The land occupied by a road and adjacent to it that is dedicated to a public entity for maintenance or other public purposes.

Road Base Course The layer or layers of material of designated thickness or rate of application placed on a subbase or subgrade to comprise a component of the pavement structure to support the pavement or subsequent layer of construction.

SCDOT South Carolina Department of Transportation.

Setback Line (Building Line) A line parallel to the front property line in front of which no structure or part of thereof shall be erected.

Shoulder The graded part of the right-of-way that lies between the edge of the main pavement (main traveled way) and the curb line, ditch and drainage way.

Sketch Plan A preliminary presentation and attendant documentation of a proposed subdivision of sufficient accuracy to be used for the purpose of discussion and classification.

Standard Specifications Refers to design and construction specifications adopted for use by the City of Wellford.

Storm Water Detention A provision for storage of storm water runoff and the controlled release of such runoff during and after a flood or storm.

Street A way for vehicular traffic, whether designated as an avenue, boulevard, thoroughfare, road, highway, expressway, lane, alley, or other way, and for the purposes of the *Land Development Regulations of the City of Wellford, South Carolina*, "streets" are to be designated by the Planning Commission so as to fall into one (1) of the following categories which most accurately describes such streets:

1. Major Street: A street which serves minor interior access streets and which may carry through traffic; a thoroughfare.
2. Minor Street: A street used primarily for access to the abutting properties, but laid out so as to discourage through traffic.
3. Alley: A minor way used for service access to the back or side of properties otherwise abutting on a street.
4. Cul-de-Sac: A minor street having one (1) end open to traffic and one (1) end terminating in a vehicular turn-around.

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

Subdivision All divisions of a tract of land into two (2) or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, legacy, or building development,

including all division of land involving a new street or change in existing streets, and including resubdivision.

Subdivision, Exempt The following exceptions are for the purpose of requiring that the Planning Commission be informed and have record of such subdivisions:

1. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the governing authority.
2. The division of land into parcels of five (5) acres or more where no new street is involved.
3. A subdivision involving cemetery plots.
4. A lifetime transfer or conveyance of property from a parent to a child and/or the spouse of any such child, and the lifetime transfer from a parent to a grandchild.

Subdivision, Major A major subdivision is any subdivision other than an exempt or minor subdivision. A major subdivision may be commercial or residential.

Subdivision, Minor A minor subdivision does not involve any of the following:

1. The creation of any new streets;
2. The extension of public water or sewer lines; or
3. The installation of drainage improvements through one (1) or more lots to serve one (1) or more other lots.

Subdivision Plan A map or drawing upon which the subdivision plan or the subdivision is presented for approval.

Surveyor A person who is registered by the South Carolina State Board of Engineering examiners to practice land surveying in South Carolina.

## **ARTICLE 3. GENERAL PROCEDURES**

### **SECTION 3.1: PURPOSE**

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

### **SECTION 3.2: ADMINISTRATIVE RESPONSIBILITY**

#### **A. Minor Subdivisions**

The person or persons designated as the Administrator shall be responsible for approving all minor subdivision preliminary plans and shall be responsible for the administration of these regulations.

#### **B. Major Subdivisions**

The Planning Commission shall be responsible for approving all major subdivision preliminary plans; however, the Administrator shall be responsible for the actual administration of these regulations. The Administrator may forward all plats to other City staff to provide comments and feedback.

#### **C. Summary Approval of Final Plat**

The Planning Commission may delegate the Administrator to sign final plats of subdivisions on existing public streets without such divisions of land having first obtained preliminary approval, provided such land division meets the following requirements:

1. No new streets, alleys or other public ways are created;
2. No changes are made to the existing rights-of-way of any streets, alleys, or other public ways;
3. No new utilities are required to serve the subdivided land;
4. The division of land meets the minimum requirements of this chapter;
5. No flag lot is created in a residential zoning district which is adjudged to be inconsistent with existing uniform development patterns; and
6. The required fee has been paid.



The summary plat shall be signed by the authorized person and recorded with the Spartanburg County Register of Deeds prior to the recording of any individual deeds for the subdivided property and prior to the issuance of any building permits.

SECTION 3.3: ADMINISTRATIVE PROCESS

The administrative process consists of three (3) phases: (1) pre-application, (2) application, and (3) review.

SECTION 3.4: PRE-APPLICATION

For the purpose of expediting applications and reducing subdivision and development costs, the developer may request a pre-application conference and/or preliminary plan review in accordance with the following requirements:

A. Pre-Application Conference

At the request of the applicant, staff shall arrange a pre-application conference to discuss the requirements of the *Land Development Regulations of the City of Wellford, South Carolina*; land subdivision practices generally, proposed plans by the applicant, applicable provisions of the *Comprehensive Plan of the City of Wellford, South Carolina*, and related matters.

SECTION 3.5: EXEMPT SUBDIVISION

Applicants of subdivisions exempt from the requirements of the *Land Development Regulations of the City of Wellford, South Carolina* as defined in **Article II** shall nonetheless submit to the City of Wellford three (3) copies of the plat, drawn to the requirements of the *Minimum Standards Manual for the Practice of Land Surveying in South Carolina*. Staff shall advise the subdivider of compliance or noncompliance with the standards. When found in compliance, the plat shall be submitted to the Planning Commission as a matter of information and shall indicate such fact upon each copy of the plat for recording: "This plat is exempt from the requirements of the *Land Development Regulations of the City of Wellford, South Carolina*," and signed by the Planning Commission secretary.

An exempt subdivision is one that meets any of the following conditions:

(1) Involves the division of land into parcels of eight (8) lots where no new street is involved, or

(2) Includes the combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of this Ordinance and other applicable regulations.

(3) A subdivision involving cemetery lots

(4) A lifetime transfer or conveyance of property from a parent to a child and/or the spouse of any such child, and the lifetime transfer from a parent to a grandchild.

**SECTION 3.6: MINOR SUBDIVISIONS**

Any applicant requesting approval of a minor subdivision, as defined by the *Land Development Regulations of the City of Wellford, South Carolina* in **Article II**, shall submit to the City of Wellford, three (3) copies of a preliminary plat, along with the required application form and required fees.

- A. If the plat is in compliance with the *Land Development Regulations of the City of Wellford, South Carolina*, the applicant shall be instructed to prepare a final plat as required for recording.
- B. Staff has the authority to forward minor subdivisions with unusual conditions or circumstances to the Planning Commission for advisement and review.

**SECTION 3.7: MAJOR SUBDIVISIONS**

- A. Pre-Application Conference: Prior to preparing a preliminary plat and filing an application for approval thereof, the subdivider shall consult with staff regarding his/her proposal and the requirements of the *Land Development Regulations of the City of Wellford, South Carolina*.
- B. An application requesting approval of the preliminary plat, together with all required documentation and material, shall be filed with the Planning Commission thirty (30) days prior to the regularly scheduled meeting of the Planning Commission at which the plat is to be considered.
- C. The Planning Commission shall act on the preliminary plat within sixty (60) days after the initial consideration. The applicant may waive this requirement and consent to an extension of such period. Approval of the preliminary plat will not constitute approval of the final plat. Approval serves as authorization for the subdivider to proceed; under supervision of the Administrator, with site improvements only.
- D. The subdivider shall install required improvements or post a bond securing the improvements in the area covered by the approval of the preliminary plat, or any portion thereof, which he proposes to record and develop at the time.
- E. Upon installation of required improvements or the posting of a bond securing the same, a final plat may be submitted. The final plat shall conform substantially to the preliminary plat, or portion thereof, as approved.
- F. Application for approval of the final plat shall be submitted to the Planning Commission at least fifteen (15) days prior to the meeting at which it is to be considered. The application shall be submitted no later than twelve (12) months after approval of the preliminary plat;

- otherwise such approval shall become null and void unless an extension of time is applied for and granted by the Planning Commission.
- G. Action of the Planning Commission on the final plat shall consist of approval or disapproval. Disapproval shall be accompanied by reasons for such action in writing.
  - H. The applicant shall file the plat for record with the Spartanburg County Register of Deeds.

## **ARTICLE 4. PRELIMINARY PLAT REQUIREMENTS**

### SECTION 4.1: REQUIREMENTS FOR PRELIMINARY PLAT

All required materials shall be submitted to the Planning Commission in its entirety, along with the receipt of all fees, prior to the hearing of any request by the Planning Commission. **Figure 4.1** illustrates an example.

### SECTION 4.2: SUBMITTAL

Four (4) copies of the preliminary plat shall be submitted to the Planning Commission with the application for approval. A reproducible size copy shall also be submitted, a maximum of eleven (11) inches x seventeen (17) inches, for information purposes only. One (1) copy of all supporting material shall be submitted. The required information shall be submitted according to the Planning Commission schedule in order to meet all meeting notice requirements.

### SECTION 4.3: DISTRIBUTION

Copies of the plan shall be distributed to all departments and agencies as deemed applicable by staff. A copy will also be made available for the public to review at City Hall.

### Section 4:4 PLANNING COMMISSION ACTION

The Planning Commission action shall consist of a recommendation of approval as submitted, conditional approval, disapproval, or tabled for additional information. The reasons for the action shall be noted and the decision shall be noted on two (2) copies of the plat with reference to any conditions determined. One (1) copy shall be returned to the subdivider and the other retained by the Planning Commission.

### Section 4:5 EFFECT OF PRELIMINARY PLAT APPROVAL

Approval or conditional approval of the preliminary plat by the Planning Commission shall be authorization for the subdivider to proceed, under supervision of the Administrator with preparation of construction drawings, installation of improvements, and staking of lots.

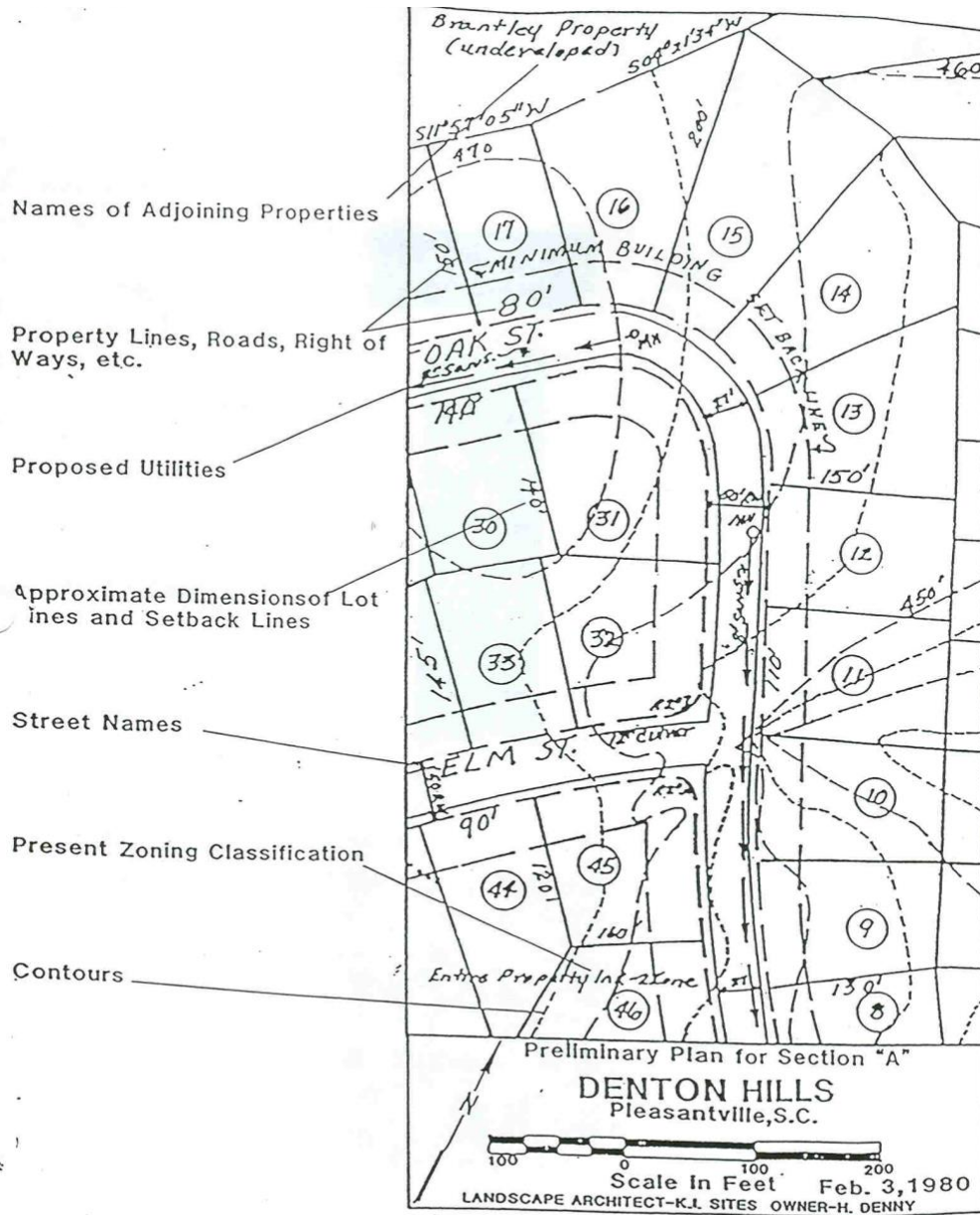
### Section 4:6 CONTENTS OF PRELIMINARY PLAT

A preliminary plat shall be clearly and legibly drawn to a scale of not less than two hundred (200) feet to one (1) inch nor larger than twenty (20) feet to one (1) inch and marked "Preliminary Plat". All preliminary plats shall show the following:

1. Proposed name of the subdivision, which shall not duplicate or approximate the name of any other existing subdivision.
2. Title, north arrow, scale and date.
3. Names and addresses of the owners of the property, the subdivider, and the person or firm preparing the plat.
4. A vicinity sketch at a scale of not more than one thousand (1,000) feet to one (1) inch showing the relation of the proposed subdivision to the surrounding development. Also the boundary of adjoining parcels of land not subdivided with the name and addresses of the owners.
5. Location, right-of-way, width of roadway, and names of all existing or prior platted streets, roads, or highways that pass through or adjoin the area to be subdivided.
6. Location and extent of all water courses and location of one hundred (100) year flood plain or notification that none exists on the property to be developed.
7. Location and size of all sanitary sewers and water mains within or adjacent to the area to be subdivided.
8. Location and pertinent data for all existing railroads, easements, structures, public land and other features affecting the plat.
9. Topography at a contour interval of not greater than five (5) feet provided, however, the Administrator may require closer contour intervals and intermediate spot elevations.
10. Indication of existing zoning district classification applying to, and proposed use of, all land within the subdivision.
11. Written and signed statements of the appropriate officials verifying the availability of gas, electricity, sanitary sewer, and water to the proposed subdivision.
12. The proposed location and width of all streets (right-of-way and road way), and easements together with proposed street names, and a statement of proposed ownership and maintenance responsibility. And further, the City will not own or maintain streets, roads, sidewalks, curbs and gutters. Provision shall be made by the Applicant or Subdivider for perpetual ownership and maintenance of these improvements by covenants/agreements with the Homeowner Association or the County or the State, and such covenants/agreements shall be recorded with the final plat.
13. Location of all proposed sidewalks.
14. Layout, numbers, and dimensions of lots.
15. Location and size of all parcels of land to be dedicated or reserved for public use.

16. Proposed restrictions or protective covenants proposed to be included in the owner's declaration of plat.
17. Time schedule for development, if proposed development will occur in phases.
18. Detailed information and illustrations of the proposed decorative lighting and locations.
19. Storm water permit package in accordance with the *Storm Water Management Ordinance of Spartanburg County* and checklist.
20. Statement of ownership and maintenance responsibility for storm water detention facilities.
21. When required by our Land Development Regulations, a traffic study will need to be submitted.
22. Area layout for the Remainder of the Tract where a subdivision is a unit or part of a larger tract, an area layout shall be submitted.
23. Fences and subdivision signage shown on the preliminary plat are to be pursuant to the City of Wellford Zoning Ordinance referencing permitted locations.

Figure 4.1: Preliminary Plat



## **ARTICLE 5. FINAL PLAT REQUIREMENTS**

### SECTION 5.1: REQUIREMENTS FOR FINAL PLAT

All required materials shall be submitted to the Planning Commission in its entirety, along with the receipt of all fees, prior to the hearing of any request by the Planning Commission. **Figure 5.1** illustrates an example.

### SECTION 5.2: SUBMITTAL

The approved preliminary plat and two (2) copies of the final plat shall be submitted to the Administrator with the application for approval. The final plat shall include certification from the Administrator that required site improvements have been installed to the City's satisfaction and a bond posted securing the City actual construction and installation of required site improvements.

### SECTION 5.3: PLANNING COMMISSION ACTION

Administrator will review the final plat in accordance to the approved preliminary plat. Action on the final plat is not a public hearing. Final Plats will be presented to the Planning Commission after recordation as a matter of information.

### SECTION 5.4: CITY COUNCIL ACTION

The only items that are required to be reviewed by City Council are the acceptance of an improvement guarantee or the acceptance and dedication of improvements and streets.

### SECTION 5.5: RECORDING OF PLAT

The Subdivider shall file the final plat for record with the Spartanburg County Register of Deeds. Such filing shall take place after approval of the final plat by the Planning Commission and acceptance of dedicated land by City Council. The final plat shall show the plat book and page where recorded.

### SECTION 5.6: EFFECT OF FINAL PLAT APPROVAL

Final plat approval shall allow the plat to be recorded with the Spartanburg County Register of Deeds and shall allow the subdivider/owner to proceed with the sale and/or transfer of lots and parcels in accordance with the approved and recorded plat. No building permits will be issued until the final plat has been recorded.



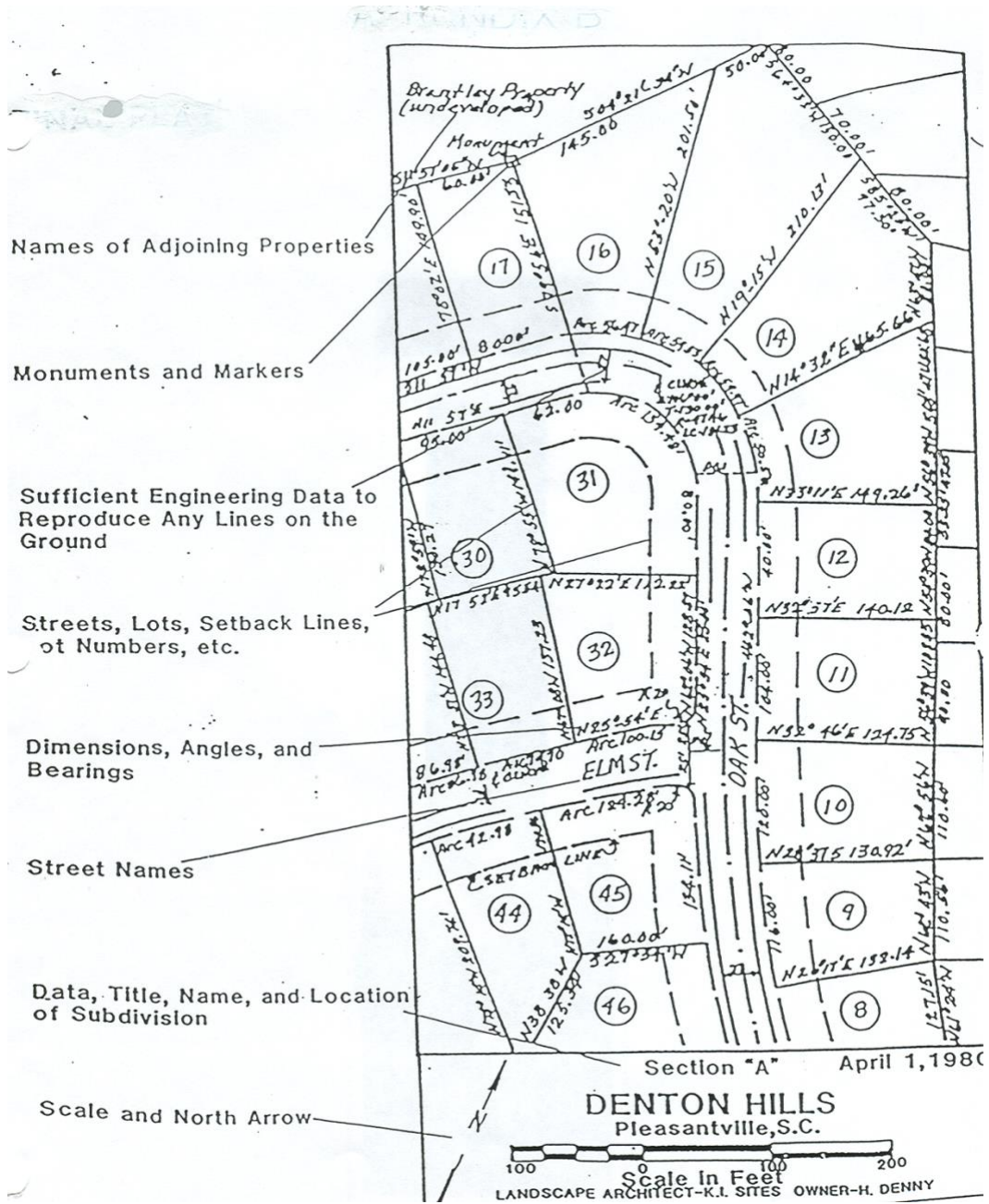
SECTION 5.7: CONTENTS OF FINAL PLAT

The final plat shall show:

1. The name of the subdivision, which shall not duplicate or approximate the name of any other existing subdivision.
2. Title, north arrow, scale and date.
3. Names and addresses of the owners of the property, the subdivider, and the person or firm preparing the plat. The name and registration number of the surveyor or engineer, along with the raised stamped seal.
4. The development property line bearings and distances, and boundary ties with the nearest intersection of existing streets and roads.
5. Right-of-way lines and width of roadways, alleys and easements, with accurate dimension and bearings, or deflection angles and the radii and central angles of all curves.
6. Names of all streets together with a letter from Spartanburg County E-911 Department stating that proposed street names do not duplicate existing street names within the City municipal limits. All street names shall be approved by the Planning Commission.
7. All lot lines, lot dimensions, building set back lines, as well as assigned tax map numbers shall be shown on the plat.
8. Location and description of all monuments. Monuments shall be designated on the plat with a small open circle at the point of installation.
9. The lines of streets and alleys that adjoin the subdivision with their width and names. Adjoining lots tax map numbers shall also be indicated on the plat.
10. Space for the approval of the Administrator and the Planning Commission.
11. Statement of private restrictions, trusteeships, or protective covenants.
12. Deed right-of-ways stating the legal locations and identification of all right-of-ways. A deed right-of-way is available in **Article IX**. The format should be followed for all utilities and other right-of-ways. The City will not own or maintain streets, roads, sidewalks, curbs or gutters. Provision shall be made by the Applicant or Subdivider for the perpetual ownership and maintenance of these improvements by covenants/agreements with the Homeowner Association or the County or the State and such covenants/agreements shall be recorded with the final plat.
13. Location and extent of all water courses and location of one hundred (100) year flood plain or notification that none exists on the property to be developed.

14. Engineered construction plans for the street's improvements with street plans, typical section centerline profiles, drainage, water, sewer and construction details. Submit three (3) copies for review.
15. Complete construction plans of proposed infrastructure, prepared by a registered engineer, including but not limited to, sanitary sewers, storm sewers, water, electricity, illustrating connections to existing systems. Storm and sanitary sewer profiles, cross-sections and sizes shall also be provided.
16. proposed restrictions or protective covenants proposed to be included in the owner's declaration of plat.

Figure 5.1: Final Plat



## ARTICLE 6. DESIGN STANDARDS AND INFRASTRUCTURE

### SECTION 6.1: GENERAL SITE DESIGN

#### A. Residential Subdivisions:

1. All subdivisions serving eighty-five (85) or more units shall have a minimum of two (2) publically accessible access points to adjacent streets as permitted in the *Land Development Regulations of the City of Wellford, South Carolina*. In addition, subdivisions serving eighty-five (85) or more units shall include a left turn lane from primary roads and left turn lanes from the subdivision onto the receiving road designed and installed according to South Carolina Department of Transportation (SCDOT) specifications. Based on the character of the subdivision and adjacent traffic patterns, the Planning Commission may allow the second entrance to be an emergency access road. Specifications shall be approved by the Fire Service Provider covering the City of Wellford and the Planning Commission.
2. Every lot shall have sufficient access for emergency vehicles as well as for needing access to the property in its intended use.
3. The City will not own or maintain streets, roads, sidewalks, curbs or gutters. Provisions shall be made by the Applicant or Subdivider for the perpetual ownership and maintenance of these improvements by covenants/agreements with the Homeowner Association, the County or the State and such covenants shall be recorded with the final plat.

#### B. Commercial Subdivisions:

1. Commercial and industrial subdivisions shall be designed according to the same principles governing residential subdivisions; namely, building lots shall be created according to the topography, with environmentally sensitive areas avoided to the maximum extent practicable; surrounding land uses shall be considered; and sufficient access provided.
2. Depending on the character and intended uses of the lots and proposed buildings; the Planning Commission may require additional entrances and turn lanes to ensure safety and ease of traffic flow and circulation.

#### C. Traffic Impact Studies

1. A traffic impact study will be required for larger developments such as major shopping centers, large planned developments, industrial complexes and any other projects that would generate one hundred (100) or more trips during the peak hour of the traffic generator or the peak hour of the adjacent street. A traffic impact study will be required for any residential developments with more than 85 lots. The cost of the traffic impact study shall be the responsibility of the developer.

Land use size thresholds expected to generate one hundred (100) peak hour trips, thus triggering the traffic impact study requirement, are as follows (based on *7th edition of the ITE Trip Generation Manual*):

| <b>Land Use</b>   | <b>100 Peak Hour Trips*</b> |
|---|-----------------------------|
| Single Family Home                                      | 90 units                    |
| Apartments  | 150 units                   |
| Condos/Townhomes  | 190 units                   |
| Shopping Center (Gross leasable area)                   | 16,000 s.f.                 |
| Fast Food Restaurant with Drive Thru (Gross floor area) | 2,000 s.f.                  |
| Gas Station with Convenience Store                      | 7 fueling positions         |
| Banks with Drive-In (Gross floor area)                  | 4,000 s.f.                  |
| General Office  | 67,000 s.f.                 |
| Medical/Dental Office                                   | 29,000 s.f.                 |
| Research and Development                                | 71,000 s.f.                 |
| Light Industrial/Warehousing                            | 185,000 s.f.                |
| Manufacturing Plant (Gross floor area)                  | 144,000 s.f.                |

2. A traffic impact study shall be under the direct charge of and sealed by a registered South Carolina Professional Engineer with expertise in traffic engineering. An impact study shall analyze traffic conditions for the existing year conditions, build-out background year “no build” conditions, and build-out year “build” conditions. The study will be used to assess the need for changes in traffic control devices and roadway improvements necessary to accommodate the new development traffic. The study shall also justify the proposed access plan and demonstrate the effects of the development on public roadways. The study area will be limited to a maximum of three (3) peak hours and not to exceed adjacent or nearby three (3) intersections within a one-half (½) mile radius from the property boundary. A study area site map showing the site location is required.
3. Recommended Improvements: A traffic impact study shall outline any recommended improvements that will improve access and traffic flow for the additional traffic created by the development, and provide capacity analyses to document that improvement. Improvements to existing infrastructure adjacent to the development may be required of the developer as a condition of issuance of any permit for grading or construction.

4. Responsibility for Mitigation: The developer of a site will be responsible for making roadway improvements and installing traffic control devices that may be necessary due to the impacts on the new development based on the recommendations from the study.

**SECTION 6.1(A) SUBDIVISION SCREENING**

In a subdivision approved after the effective date of this ordinance, a landscape buffer of a minimum of six (6) feet in width is required along all existing road frontages adjoining the subdivision. The landscaping may be comprised of evergreens at least five (5) feet in height planted five (5) feet center. The required height of the landscape material may be reduced if it is placed on a landscaped earthen berm that results in a combination of berm and plant material at least five (5) feet in height. The landscape buffer may be a combination of fence, berm or landscaping.

**SECTION 6.1 (B) COMMON OPEN SPACE REQUIREMENTS**

Should the development have more than twenty-five (25) units, 15% of the development must be dedicated to common open space. Open space is a piece of land that is underdeveloped and is accessible by the public or members of the specific community. It can include designated areas of land or water, playing fields, walking trails and playground.

**STREETS**

**D. Circulation System:**

1. The street system shall be designed to permit the safe, efficient, and orderly movement of traffic; to meet, but not exceed the needs of the present and future population served; to have a simple and logical pattern; to respect natural features and topography; and to present an attractive streetscape.
2. In residential subdivisions, the layout shall be designed to meet the needs of the residents of the subdivision and shall discourage through traffic.
3. The City will not own or maintain streets, roads, sidewalks, curbs or gutters. Provisions shall be made by the Applicant or Subdivider for the perpetual ownership and maintenance of these improvements by covenants/agreements with the Homeowner Association, the County or the State and such covenants shall be recorded with the final plat.

**E. Right-of-Way, Lane and Pavement Widths**

Minimum street right-of-way, lane and pavement widths shall be as follows:

| <b>Road Classification</b> | <b>Lane Width<br/>(in feet)</b> | <b>Pavement<br/>Width<br/>(in feet)</b> | <b>Right-of-Way<br/>(in feet)</b> |
|----------------------------|---------------------------------|---|-----------------------------------|
|                            |                                 |   |                                   |

|                             |    |               |                |
|-----------------------------|----|---------------|----------------|
| Minor Residential           | 12 | 24            | 50             |
| Major Road                  | 12 | 32            | 66             |
| Major Road with a turn lane | 12 | 40            | 66             |
| Alley                       | 9  | 18            | 22             |
| Cul-de-sac                  | 12 | 24            | 50             |
| Cul-de-sac (turn around)    | -- | 80 (diameter) | 100 (diameter) |

Subdivisions shall have adequate parking in either drive-ways or approved visitor’s parking lots in order to discourage on-street parking.

F. Cul-de-sacs

1. Dead-end streets, designed to be permanently closed at one (1) end, shall not exceed eight hundred (800) feet in length, except where no other access is practical due to topographic conditions. The length shall be measured from the right-of-way to the center point of the turnaround.
2. Dead end streets shall be provided at the closed end with a turn around. Where topographical conditions do not allow this, the Planning Commission may allow a variance to construct either a ‘Y’ or ‘T’ back out turn. The back out turn shall have a right-of-way of not less than forty (40) feet and each branch or leg of the back out turn shall not be less than thirty (30) feet in length.
3. In a phased project, temporary dead-end streets may be allowed. The street shall also have a temporary turn around.

G. Alleys

1. Alleys are permitted in commercial or industrial subdivisions to provide service access, off-street loading and unloading, and parking consistent with and adequate for the uses proposed.
2. Alleys may be permitted in residential subdivisions to provide access for parking. All garages shall be offset from the front face of the home and open to the rear, facing the alley.

3. Private alleys will be permitted in a residential subdivision where approved by the Planning Commission. Maintenance of alleys shall be vested in the abutting property owners by stipulation on the final plat and the deeds for the abutting parcels. Alleys shall have a minimum right-of-way of twenty-two (22) feet and a minimum pavement width of eighteen (18) feet and shall be constructed in accordance with the typical Road Cross-Section construction detail in the **Appendix**.
4. When alleys are used they shall be provided with a positive drainage system designed to the standards of the *Spartanburg County Storm Water Management Design Manual* and approved by the Administrator.
5. Dead end alleys should be avoided; however, where necessary, shall be provided with adequate turn around facilities at the end of the dead end, as determined by the Administrator.

#### H. Grading

The minimum grade on any street shall not be less than one (1) percent. The maximum grade shall not exceed ten (10) percent.

#### I. Curves

1. Vertical Curves – All changes in vertical grade shall be connected by vertical curves of minimum length equal to fifteen (15) times the algebraic differences in rates of grade for minor streets and thirty-five (35) times the algebraic grade differences for major streets.
2. Horizontal Curves – Where a deflection angle of more than ten (10) degrees in the center line alignment of the streets occurs, the right-of-way shall be curved. The minimum horizontal radius of the curvature at the centerline of a proposed street right-of-way shall not be less than the following:
  - a. Major Streets        Three hundred (300) feet
  - b. Minor Streets        One hundred fifty (150) feet
3. Reverse Curves –Where practical, a tangent of at least one hundred fifty (150) feet shall be provided between reverse curves.

#### J. Intersections

1. Streets shall be laid out to intersect as nearly as possible at right angles and should not intersect at an angle of less than sixty (60) degrees. Streets intersecting State Highways shall be laid out according to the *SCDOT Standard Specifications or Highway Construction*.
2. No more than two (2) streets shall intersect at one (1) point. When an offset alignment of a street occurs, a distance of at least one hundred twenty-five (125) feet shall separate opposing streets from centerline to centerline.

#### K. Drainage



1. The developer shall obtain an approved Storm Water Management and Sediment and Erosion Control Plan (SWPPP) in accordance with the current National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges from Construction Activities issued by the South Carolina Department of Health and Environmental control (SCDHEC).
2. This program is administered for the City of Wellford by the Spartanburg County Public Works Department under the *Storm Water Management Ordinance of Spartanburg County*. Spartanburg County and SCDHEC will issue the required permits, conduct inspections and enforce the regulations.
3. A copy of the SWPPP shall be submitted as part of the preliminary plat application. The plan shall be prepared by a licensed professional engineer and provide a comprehensive storm water and sediment control plan for the entire site to be developed and show the proposed storm water collection system and drainage calculations. The SWPPP and all documentation shall be submitted to the Administrator.
4. The City will not maintain storm water and sedimentation facilities. Provision shall be made for perpetual ownership and maintenance of these facilities by covenants/agreements with Homeowner Associations and said covenants/agreements shall be recorded with the final plat.

#### L. Street Connectivity

1. All new developments shall connect to previously constructed stub streets from abutting developments. When stub streets from abutting developments are un-built but shown on an approved plat, new developments shall provide for future connection to these un-built but platted stub streets by providing the required right-of-way and paved apron in accordance with **Section 6.2(1)(5)(a)**.
2. Streets, parking areas, and commercial driveways shall be aligned and coordinated with existing or planned streets and drives in existing or future adjacent or contiguous to adjacent development and the general area as to location, widths, grades, and drainage.
3. The arrangement of streets shall provide for the alignment and continuation of existing or proposed streets into adjoining lands in those cases in which the adjoining lands are undeveloped or in which the adjoining lands are developed and include opportunities for connections.
4. Dedicated right-of-ways shall be established for all stub street connections and shall extend to the property line.
5. Stub Streets
  - a. When a stub-out is required, the right-of-way shall be extended to the property line. A notation shall be made on the final subdivision plat that states that the land outside the street right-of-way shall revert to the abutting property owners. The stub-out shall consist of the right-of-way and apron, which includes up to seven (7) foot of paved area. The existing developer is required to set aside the right-of-way and

construct a five (5) foot apron to the stub-out. The connecting developer is required to build the connection to the apron.

Minimum Stub Streets Required

| Projected # of Lots | Minimum # of stub-outs |
|---------------------|------------------------|
| 60-300              | 1                      |
| 300-600             | 2                      |
| > 600               | 3                      |

- b. Stub streets shall not be required to abut areas where floodplains, wetlands, riparian buffers, green space, slopes exceeding eleven (11) percent, or other unique site conditions prevent a street connection.
- c. A temporary turnaround shall be required for all stub streets longer than two hundred (200) feet and serving more than two (2) lots.
- d. Stub streets will be clearly marked with signage indicating future connections.

M. Roadway Typical Sections

All streets shall have a typical section conforming to the right-of-way widths, lane and pavement widths noted in **Section 6.2(B)** and the Road Cross-Section shown in the **Appendix**. The road shall be constructed on a compacted subgrade, a six (6) inch granular base course, a two-and-one-half (2 ½) inch hot laid asphalt intermediate course and a one-and-one-half (1 ½) inch hot laid asphalt surface course as specified in **Section 6.12**.

**SECTION 6.2: CURB AND GUTTER**

A. Requirements

1. Curbs and gutters shall be required and installed along both sides of all streets.
2. The concrete shall be batched and mixed in accordance with the provisions of *SCDOT Standard Specifications for Highway Construction, Section 701, Portland Cement and Portland Cement Concrete*.
3. Curbs and gutters shall be constructed in uniform sections eight (8) to ten (10) feet in length except where shorter sections are necessary for closure, but none less than four (4) feet in length.
4. Forms shall not be displaced during concrete pouring and the concrete shall be spaded or vibrated throughout the entire volume especially against forms and joints. The surface

of the concrete shall be floated, troweled, broomed, corners edged and finished to the typical cross-section used.

5. Rollover or Standard Curb and Gutter – This type of curb may be used as long as it provides a six (6) inch face against the pavement. Expansion and weakened joints shall be constructed at the same locations as required with formed construction. Weakened joints, spaced at eight (8) to ten (10) foot intervals, shall be made by cutting the concrete by an acceptable method. The manner of construction of all joints shall meet the approval of the Administrator and shall present a workmanlike finish.
6. Curb ramps shall be provided at all pedestrian crossings to provide accessibility. See the *SCDOT ADA Transition Plan* and *SCDOT Standard Drawings* for details on the design and location of curb ramps.

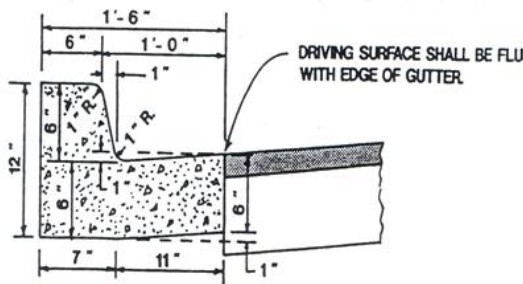
**B. Construction Specifications**

Curbs and gutters shall be constructed in accordance with *SCDOT Standard Specifications for Highway Construction, Section 720, Concrete Curb, Gutter, Curb and Gutter, Sidewalk, Driveway and Median.*

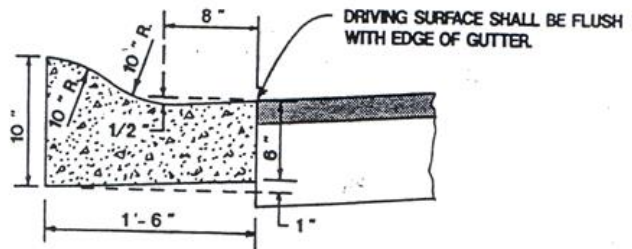
**C. Design Specifications**

Acceptable curb types are: (1) vertical concrete curbing; or (2) rollover curbing, and are illustrated as follows:

**STANDARD CURB AND GUTTER**



**ROLLED CURBING**



**D. Transition**

The transition from one (1) type to the other shall be made only at street intersections with adequate provisions being made for driveway entrances.

**SECTION 6.3: SIGHT AREAS AT INTERSECTIONS**

**A. Required**

At each corner of a street intersection a sight area shall be maintained. Within the defined sight area, no trees or shrubs shall be planted, nor shall any other objects be placed to hinder the visual site clearance.

## B. Dimensions

The horizontal dimensions of sight areas are defined as triangular areas formed by the intersecting right-of-way lines and a straight line joining the right-of-way lines at points which are twenty-five (25) feet distant from the point of intersection of the right-of-way lines, measured along the right-of-way lines. Such sight areas shall be established regardless of the angle of intersection of the right-of-way lines. The vertical dimensions of sight areas are defined as that vertical space between the heights of two-and-one-half (2 ½) feet and ten (10) feet in elevation above the nearest edge of the street pavement of a paved street or above the nearest edge of the riding surface of an unpaved street.

## SECTION 6.4: DRAINAGE

- A. In any subdivision, all drainage should be planned early in the development process. Surface run-off should be handled in such a manner that present and future development property, as well as adjoining properties, will be protected from damage or excessive annual drainage maintenance costs.
- B. Every subdivision shall be served by storm drainage facilities, including storm sewers, manholes, catch basins, culverts, and other facilities required by the *Spartanburg County Storm Water Management Design Manual*. The developer shall furnish the Administrator with approved drainage calculations prior to approval of any storm drainage system. Prior to the plat being recorded, drainage easements, preferably along lot lines, with defined widths and locations shall be shown on the plat.
- C. All drainage facilities shall be designed to serve the entire drainage area in which the facilities are located. All street drains, serving lots in the subdivision, shall be installed by the subdivider.
- D. Open ditches in subdivisions are to be avoided and all drainage ditches are to be piped unless otherwise approved by the Administrator. When ditches are approved they shall be properly engineered as to conveyance capacity, cross section and slope and provided with properly engineered side slope protected to prevent ditch erosion. Whenever drainage ditches are used, such ditches shall retain natural design characteristics and be so designed that they do not present a hazard to life and safety.

## SECTION 6.5: OPEN CHANNELS

All constructed channels shall be uniform in cross section and fully grassed, including any berms, dikes, and spoil areas along the sides of the channels. The calculated wetted perimeter of the channels cross-section may be riprapped, with the remaining disturbed area temporarily mulched if permanent grassing cannot be established due to weather, season, excessive channel velocities, etc. If a good planting or permanent grassing cannot be established, the developer may sign an agreement that he will be responsible for the channels until such time as they are acceptable by the Administrator.

**SECTION 6.6: CATCH BASINS**

Catch basins shall be required to receive surface drainage from roadside gutters or swales into piped or open ditch storm drains. Basins shall be properly sized and spaced along the path of flow as necessary to adequately receive the design discharges from the upstream drainage area. Standard manholes and covers, inside step and gutter gratings shall be required for all catch basin installations. See the **Appendix** for all drainage structure standard drawings. All drainage structures shall conform to *SCDOT Standard Specifications for Highway Construction, Section 719, Catch Basins, Drop Inlets, Manholes, Junction Boxes, and Spring Boxes*.

**SECTION 6.7: CULVERTS**

- A. All culverts shall be designed to pass the peak run-off from a twenty-five (25) year rainfall return frequency for a one (1) hour storm duration. All culverts shall be designed using methods described in the *U.S. Department of Transportation Hydraulic Engineering Circular No. 5* or *U.S. Department of Agriculture, Soil Conservation Service, Engineering Manual*.
- B. All culverts shall be approved by the Administrator. All culverts shall be installed in accordance with *SCDOT Standard Specifications for Highway Construction, Section 722, Precast Concrete Box Culverts*. For some culvert installations, the Administrator may require special construction at the up and down stream ends of the culvert such as headwalls, riprap, and debris guards.

**SECTION 6.8: SHOULDERS**

Shoulders shall consist of stabilizing turf or other material acceptable to the Administrator and shall be prepared in compliance with *SCDOT Standard Specifications for Highway Construction Section 209, Shoulders and Slopes*.

**SECTION 6.9: CONSTRUCTION STANDARDS FOR ALL PIPE WORK**

- A. Installation

All drain lines shall be laid in accordance with *SCDOT Standard Specifications for Highway Construction, Section 714, Permanent Pipe Culverts*. However, all piping shall be RCP (Reinforced Concrete Pipe). Strict compliance to backfilling and compaction restrictions and regulations will be enforced.

- B. Inspection of Utility Work

The Administrator will be advised of the time the contractor and/or utility companies will be laying and backfilling pipe in order to perform random inspections. If notification is not given, all work may be required to have inspection holes dug every fifty (50) feet and, upon evaluation by the City, possible total re-excavation and re-compaction will be required. If, upon inspection, backfilling is in progress and no mechanical tamp is on the site, all work done that day will be redone with no test holes accepted.

### C. Subsurface Drainage

1. Where pipe underdrains are required, they shall be installed within two-and-one-half (2 ½) feet outside or behind the back of the curb and shall be properly connected to a permanent type drainage outlet such as a catch basin. A minimum of two (2) feet of cover shall be provided.
2. Pipe underdrains shall be a minimum of two (2) feet below the bottom of the curb and shall be shown on the street profile.
3. Pipe underdrains shall be installed before the base course is placed.
4. In sections where mucking out and backfilling have been done, pipe underdrains shall be installed on both sides of the street.
5. Pipe underdrains shall be covered by washed stone of appropriate size on all sides to a one (1) foot minimum dimension and wrapped in geotextile fabric.
6. Pipe underdrains shall be required on both sides of the street in cut sections where the water table is within two (2) feet of the centerline subgrade elevation.
7. Pipe underdrains shall be required in addition as determined by the Administrator.
8. Pipe underdrains shall not be covered over until the Administrator has inspected them.
9. Manufactured “strip” or edge drain consisting of a perforated piped core enclosed in non-woven engineering fabric surrounded by granular backfill is an acceptable alternative.

### SECTION 6.10: SIDEWALKS

Sidewalks are required on one (1) side of the street. Sidewalks shall be installed according to the following standards:

#### A. Design Specifications

Sidewalks are required to be a minimum of five (5) feet wide. Sidewalks shall be placed parallel to streets, with exceptions permitted to preserve natural features or to provide visual interest where required for pedestrian safety. Sidewalks at intersection shall connect to curb ramps at pedestrian crossings to provide accessibility. See the *SCDOT ADA Transition Plan* and *SCDOT Standard Drawings* for details on the design and location of curb ramps.

#### B. Construction Specifications

1. Sidewalks shall be four (4) inches thick except at points of vehicular crossing where they shall be at least six (6) inches thick. At vehicular crossings, sidewalks shall be reinforced with welded wire fabric mesh or an equivalent.

2. There shall be a minimum distance of twenty-four (24) inches between the back of curbing to the edge of sidewalk to provide an area for a planting strip and buffer from vehicular traffic.
  3. Expansion Joints – Preformed expansion joints three-quarter (3/4) inch thick, extending the full depth of the concrete, shall be constructed at the locations indicated on the plans and at other locations as follows:
    - a. Whenever a sidewalk is constructed between an adjoining substantial structure on one (1) side and curbing on the other side, an expansion joint shall be formed adjacent to the curbing.
    - b. An expansion joint shall be placed between the sidewalk and the radius curbing at street intersections.
    - c. When sidewalks are constructed adjacent to existing or new pavements or structures, expansion joints shall be placed to match these existing joints.
    - d. Sidewalks shall be installed in accord with *SCDOT Standard Specifications for Highway Construction, Section 720, Concrete Curb, Gutter, Curb and Gutter, Sidewalk, Driveway and Median*.
  4. Contraction Joints – The concrete slabs in sidewalks between expansion joints shall be divided into blocks ten (10) feet in length by scoring transversely after floating operations are complete. Whenever the sidewalk slabs are more than ten (10) feet in width, they shall be scored longitudinally in the center. All scoring shall extend for a depth of one (1) inch and shall not be less than one-quarter (1/4) inch or more than one-half (1/2) inch in width. All scoring shall be edged and finished smooth and true in line.
  5. Graded areas shall be planted with grass or treated with other suitable ground cover, and their width shall correspond to that of sidewalks.
- C. Bonding Requirements

The bond requirement for sidewalk is one hundred fifty (150) percent of the estimated construction costs for the all sidewalks required by the provisions of the *Land Development Regulations of the City of Wellford, South Carolina*. The contractor may secure the bond to allow for installation at the closing stages of phase or complete development of the project. The contractor shall secure approval from the Administrator to bond sidewalk installation and improvements.

**SECTION 6.11: ROAD CONSTRUCTION STANDARDS**

- A. Before final approval, the following road improvements shall have been completed and approved in accordance with the construction standards specified herein. Such improvements shall be certified in writing by the Administrator.
- B. Minimum Specifications for Roadways

1. Roadways for access to buildings, facilities, or properties shall be capable of supporting a minimum of eighty thousand (80,000) pounds (DOT CFR 2007) before any combustible products are allowed to be brought on site and be constructed using asphalt, concrete or other permitted surface as approved by the authority having jurisdiction. This is equivalent to six (6) inches of gravel with the subgrade at ninety-eight (98) percent compaction of a Standard Proctor (ASTM D-698) or three (3) inches of asphalt binder course.
2. Water lines and hydrants shall be installed and in working order prior to roadways being built, final plat recorded and combustible products being allowed on site. A model home may be constructed if there is a hydrant within six hundred (600) feet and a fire truck can get within one hundred fifty (150) feet. A statement of approval from the fire department shall be submitted to support the model home construction.
3. Roadways shall have minimum width in accordance with **Section 6.2(B)** and a minimum unobstructed height of thirteen (13) feet, six (6) inches.

#### C. Construction Standards for Public Roads

In addition to all design standards previously listed, the following construction standards are required. Design details are provided in the **Appendix**.

1. Clearing and Grubbing – All work shall be required to conform to requirements and standards as set forth in *SCDOT Standard Specifications for Highway Construction, Section 201, Clearing and Grubbing*.
2. Subgrade –Subgrade shall be constructed as specified in *SCDOT Standard Specifications for Highway Construction Section 208, Subgrade*, or on sound, undisturbed residual soils. In fill areas, all subgrade soils shall be compacted in accordance with *SCDOT Standard Specifications for Highway Construction, Section 208.4, Subgrade: Construction*.
3. Base, Intermediate and surface Course
  - a. Aggregate Base Course - The six (6) inch thick graded aggregate granular base course shall be compacted and tested in accordance with **Section 6.31**. The aggregate base course shall be a McAdam base course as specified in *SCDOT Standard Specifications for Highway Construction, Section 308, Cement Stabilized Aggregate Base*.
  - b. Asphaltic Intermediate Base Course – The asphaltic intermediate base course shall be used in conjunction with the aggregate base course. The intermediated course is to be Type B asphalt pavement constructed in accordance with the *SCDOT Standard Specifications for Highway Construction, Section 401, Hot Mixed Asphalt (HMA) Pavement; and Section 402, HMA Intermediate Course*. The minimum compacted thickness shall be two-and-one-half (2 ½) inches.
  - c. Surface Course – The surface course shall be a compacted thickness of one-and-one-half (1 ½) inches Type C hot laid asphalt pavement as set for in *SCDOT Standard Specifications for Highway Construction, Section 401, Hot Mixed Asphalt (HMA) Pavement; and Section 403, HMA Surface Course*.



4. Restrictions on Asphalt Paving

- a. No surface asphalt paving shall be installed on a wet surface or when the weather conditions are otherwise unfavorable. To pave the intermediate course and/or the surface course, temperature shall be forty-five (45) degrees Fahrenheit and rising in the shade.
- b. The asphalt shall be delivered and placed in accordance with *SCDOT Standard Specifications for Highway Construction*; with the exception that prime coat shall be cured for a minimum of twenty-four (24) hours.
- c. Asphalt shall be delivered to the spreader at a temperature between two hundred fifty (250) degrees Fahrenheit and three hundred twenty-five (325) degrees Fahrenheit.
- d. Where prime coat is used, the prime coat shall cure for a minimum of twenty-four (24) hours prior to paving and shall be applied as specified in *SCDOT Standard Specifications for Highway Construction*. Prime will be used at the discretion of the Administrator and not required if stone base is paved within twenty-four (24) hours of being set up and approved.
- e. Equipment Size Requirements:
  - i. Steel Wheel Roller – five (5) to eight (8) tons
  - ii. Back Roller – five (5) to eight (8) tons
  - iii. Rubber Tire Roller – nine (9)-wheel rubber tire
  - iv. Paving Train – self-propelled asphalt paver with vibratory screed capability and standard ten (10)- foot screed.

**SECTION 6.12: EASEMENTS**

Easements shall have a minimum width of five (5) feet on each side of the lot lines and located along the side and rear lot lines shall be provided as required by the Planning Commission for utility lines and underground mains and cables.

**SECTION 6.13: BLOCKS**

A. Residential

1. Block lengths shall be appropriate to topographic conditions and density to be served, but shall not exceed one thousand eight hundred (1,800) feet in length. Maximum block length in a multi-family area shall not exceed one thousand (1,000) feet.
2. Blocks shall be not less than four hundred (400) feet in length.

B. Commercial and Industrial

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

SECTION 6.14: LOTS FOR DETACHED DWELLINGS

- A. All lots except those in exempt subdivisions as defined by the *Land Development Regulations of the City of Wellford, South Carolina* shall be accessible by a public street.
- B. The lot size, width, depth, shape and grade shall be in proper relation to street and block design, to existing and proposed topographical conditions, and for the type of development and use contemplated.
- C. All lots shall meet the minimum area and dimensional requirements of the zoning district in which they are located and shall have a minimum of twenty-five (25) feet of frontage on an approved street.
- D. Side lot lines shall be at right angles to straight street lines and radial to curved street lines to the extent feasible.
- E. Flag lots created by a preliminary plat shall be determined by the Planning Commission to be an efficient use of land and not be contrary to the public's health, safety and welfare.
- F. The access strip or "flag pole" shall not be used to calculate the minimum lot area, and the front lot line shall be considered the closest line parallel to the public road excluding the "flag pole."
- G. Regardless of lot size, a flag lot may not be subdivided further in the future.

SECTION 6.15: WATER SUPPLY

A water system shall be installed in a subdivision, according to plans and specifications approved by the SCDHEC, Startex Jackson Wellford Duncan (SJWD) Water District and the City. When the water main is located so that it will be necessary to cut into the street surface to serve the abutting lots, a connection shall be stubbed out to the property line to serve each lot before the street is surfaced.

SECTION 6.16: SANITARY SEWER

A sanitary sewer system shall be installed in a subdivision according to the plans and specifications approved by the Town of Lyman and SCDHEC. When the sewer line is located so that it will be necessary to cut into the street surface to serve the abutting lots, a connection shall be stubbed out to the property line to serve each lot before the street is surfaced.

**SECTION 6.17: FIRE HYDRANTS**

Fire hydrants shall be installed and spaced throughout each subdivision to maintain a one thousand (1,000) foot road distance between hydrants. The Fire Service Provider covering the City of Wellford shall approve the location and spacing of the hydrants.

**SECTION 6.18: MAILBOXES**

Mailboxes shall be installed according to the United States Postal Service Standards and Requirements. When cluster mailboxes are utilized, they shall be located so that traffic does not queue into vehicular travel lanes.

**SECTION 6.19: SIGNAGE AND NAMES**

**A. Street Signs**

1. Design and placement of traffic signs shall follow state regulations or the requirements specified in the *Manual on Uniform Traffic Control Devices for Streets and Highways*, published by the U.S. Department of Transportation. Responsibility for installation shall rest with the subdivider.
2. At least two (2) street name signs shall be placed at each four (4)-way street intersection, and one (1) at each "T" intersection. Signs shall be installed under streetlights, where possible, and free of visual obstruction. The design of the street name signs shall be approved by the Administrator and shall be of a uniform size and color.
3. Site information signs in planned developments shall follow a design theme that is related and complementary to other elements of the overall site design.

**B. Names**

1. *Streets.* Street names shall be subject to the approval of the Administrator. Proposed street names shall be substantially different in sound and spelling from existing streets in the City unless, at a future date, plans call for a tie-in between the proposed street and an existing street.
2. *Subdivisions.* Subdivision names shall be subject to the approval of the Administrator and shall not duplicate the name of any recorded subdivision or of existing established locality names. When a subdivision name has been recorded on a plat, no other name may be used for advertising or a sales purpose unless an approved amended plat is recorded, bearing the revised name.
3. *Spartanburg County Recommendation.* The Administrator will receive the recommendation of approval from Spartanburg County E-911 Office. The applicant is responsible to obtain approval from Spartanburg County for both the subdivision and all street names.

**SECTION 6.20: STREET LIGHTING**

- A. Lighting for safety shall be provided at all street intersections, and between intersections where distance is five hundred (500) feet or more, provided that such spacing between intersections shall be not less than two hundred fifty (250) feet between streetlights.
- B. The maximum height of streetlights shall not exceed twenty-five (25) feet.
- C. Street lighting shall be properly shielded so as not to create a hazard to drivers or a nuisance to residents. The light source shall be a low wattage and shielded so as to light only the ground and surrounding area and not project into the sky.
- D. Decorative lighting is required to be installed by the applicant or developer. The specific light fixture shall be approved by the Administrator.
- E. Cost for installation of decorative street lights shall be the responsibility of the developer. Cost of decorative light operation, maintenance and replacement will not be the responsibility of the City and shall be borne by the development home owners through and agreement with the City or subdivision covenants.
- F. To encourage energy efficiency, LED bulbs and fixtures shall be required for all required street lighting.

**SECTION 6.21: FINAL PLAT REVISIONS**

If it should become necessary to revise a final plat due to a dimensional error, a revised plat shall be submitted to Clerk of Court for final recording after the Planning Commission, or Administrator, has approved and signed the final plat.

**SECTION 6.22: PERFORMANCE BONDS**

In lieu of the completion of required improvements and the installations previous to the final approval of a plat, the City Council may accept a bond, in any amount and with surety and conditions satisfactory to it, providing for and securing to the City the actual construction and installation of such improvements and utilities within a period specified by the Planning Commission and expressed in the bond; and the City is hereby granted the power to enforce such bonds by all appropriate legal and equitable remedies. A surety bond or letter of credit will also be deemed acceptable.

**SECTION 6.23: BUILDING PERMITS**

No building permit shall be issued and no building shall be erected on any lot within the limits of the City unless the street is giving access to the lot upon which the building is proposed to be placed has been accepted or opened as, or shall have otherwise received the legal status of a public street, or a performance bond or equivalent has been submitted and accepted by the

Planning Commission as described in the *Land Development Regulations of the City of Wellford, South Carolina*.

**SECTION 6.24: UNDERGROUND WIRING**

- A. All electric, telephone, television and other communication lines, both main and service connections, servicing new subdivision shall be provided by underground wiring within easements or dedicated public rights-of-way, installed in accordance with the prevailing standards and practices of the utility or other companies providing such services.
- B. Lots that abut existing easements or public right-of-way where overhead electric or telephone distribution supply lines and service connections have previously been installed may be supplied with electric and telephone service from those overhead lines, but the service connections from the utilities' overhead lines shall be installed underground. In the case of existing overhead utilities, should a road widening or an extension of service, or other such condition occur as a result of the subdivision and necessitate the replacement or relocation of such utilities, such replacement or relocation shall be underground.

**SECTION 6.25: SURVEYS AND MARKINGS**

All land subdivisions within the jurisdiction of the *Land Development Regulations of the City of Wellford, South Carolina* shall be surveyed, platted and marked in accord with the *Minimum Standards Manual for the Practice of Land Surveying in South Carolina*, as promulgated by the *Code of Laws of South Carolina, 1976, Title 40, Chapter 21*. The aforementioned manual is hereby adopted by reference and is as much a part of the *Land Development Regulations of the City of Wellford, South Carolina* as if contained herein.

**SECTION 6.26: SEDIMENT AND EROSION CONTROL**

Unless otherwise provided in this section, the surface of land in the City shall not be disturbed or changed for any purposes whatsoever, except in accordance with an erosion and sedimentation control plan approved by SCDHEC. A grading permit shall be obtained from the Administrator prior to any grading, construction or land disturbance of any nature. The permit shall be valid for a period of two (2) years.

A. Exemptions

The provisions of this division shall not apply to:

- 1. Agricultural and silviculture land management and horticultural practices, or to the construction of on-farm buildings and structures used in a farming operation.
- 2. Construction or land improvement of a single-family residence or its accessory buildings. A single-family residence property owner may make land improvements on his/her single lot without an approved erosion and sediment control plan and without obtaining a grading permit.

3. Mining and mineral resource extraction operations conducted in accordance with a valid mining permit issued by the mining and reclamation division of the land resources commission of the state.
4. Emergency repairs or maintenance of existing structures and facilities, which require ground to be broken. The responsible person shall notify the Administrator in writing within five (5) working days of such emergency repairs and maintenance actions.
5. Construction or land improvement by state or federal agencies conducted in accordance with a state or federal land management program.
6. Construction of transmission lines for electricity, water, telephone, gas, sanitary sewers, storm sewers and other utilities, which require disturbance of less than two (2) acres of natural ground surface.
7. Construction by public service districts, utility companies, Spartanburg County, and the City when plans for such construction or improvements include a sedimentation control plan, which is certified by a registered professional engineer or architect to be in conformity with this division. A registered landscape architect or tier B land surveyor, as empowered by state law, may certify plans.

**SECTION 6.27: ROAD REQUIREMENTS PRIOR TO CONSTRUCTION**

- A. The road aggregate base course and asphalt intermediate base shall be installed approved and accepted by the City prior to the sale of any lots.
- B. Binder asphalt shall be in place prior to the issuance of permits or the commencement of any construction.
- C. The final road surface course shall be in place at eighty-five (85) percent build out as determined by the Administrator.
- D. Any and all deterioration to the road shall be repaired to the satisfaction of the Administrator within thirty (30) days of notification by the Administrator or within a time frame determined by the Administrator if seasonal or weather conditions make the thirty (30) day time frame impractical.
- E. If the work is not repaired to the satisfaction of the City or if the conditions are deemed unsafe, the Administrator may put a stop work order of all building permits and construction activity other than the repair of the roads.

**SECTION 6.28: CONSTRUCTING REQUIRED IMPROVEMENTS**

When constructing the required improvements for the subdivision, the following procedures shall apply.

- A. Prior to construction, a set of plans will be submitted for review to the Administrator bearing a certificate by a registered engineer that the plans comply with the *Land Development Regulations of the City of Wellford, South Carolina*.
- B. Construction inspections shall be conducted in accordance with **Section 6.30**.
- C. After completing each phase of the road and drainage improvements, the developer shall notify the Administrator that the improvements are ready for inspection. Upon such notification, the Administrator shall perform inspections of all the improvements. Upon completion of the improvements, "Record Drawings" shall be submitted with certification that the subdivisions design and construction are in compliance with the *Land Development Regulations of the City of Wellford, South Carolina*. Certifications are to be made by a registered professional engineer licensed in South Carolina.
- D. After completion of all public water improvements, the developer shall notify the SWJD Water District where applicable, the Environmental Quality Control Office of SCDHEC and other appropriate authorities, that the improvements are ready for inspection.
- E. After completing all sewer improvements, the developer's engineer shall certify to the Environmental Quality Control Office of SCDHEC, Renewable Water Resource (REWA) where applicable, and the Administrator, that the improvements are ready for inspection. The Environmental Quality Control officers of SCDHEC shall issue a permit to operate for water and sewer before the systems are placed into service.
- F. In addition to the technical inspections by the appropriate agencies, the Administrator shall make such inspections as necessary to ensure compliance with the *Land Development Regulations of the City of Wellford, South Carolina* and the preliminary plans as submitted.

#### **SECTION 6.29: TESTING AND INSPECTION**

Testing shall include proof rolling, compaction, and density of in-situ base soils, roadway fill areas, backfill within utility trenches, stone base courses, and/or asphalt pavement, but may include other material tests as required by the Administrator. Cost testing shall be borne by the developer.

Inspections shall consist of periodic field visits during various phases of construction for the purposes of investigating present site conditions and activities, and documenting all substandard methods, materials, or conditions. Periodic (key) inspections by the engineer of record shall be required during the course of the project, and shall be conducted jointly with the City representative at critical stages of construction.

- A. Proof Rolling – The proof roll is good for twenty-four (24) hours. The proof rolling shall be performed using a fully loaded tandem truck weighing not less than thirty (30) tons gross, or equivalent. Any areas which show visible deflection will be required to be repaired, and a second proof roll may be required to verify repairs. Compaction tests by a geotechnical engineering firm may also be required in problem areas as directed by the Administrator.
- B. Compaction Testing

1. **Applicability.** The grading contractor and/or utility installation contractor shall be responsible for providing compaction testing and reporting as described below.
2. **Compaction Requirements.** Testing by a geotechnical engineering company shall be performed for all backfill over utility installations and fill in areas in the right-of-way. The minimum required compaction required shall be ninety-five (95) percent Standard Proctor +/- two (2) percent optimum moisture content for roadways and ninety-eight (98) Standard Proctor for all trench and fill areas within the right-of-way.
3. **Location and Frequency of Tests.** Compaction tests shall be at random locations and at random depths at each location to provide a range of sampling depths. The required frequency of testing shall be as follows:
  - a. **Sanitary Sewer** – Test along the line at three hundred (300) foot intervals, and randomly at service connections at the rate of one (1) test per eight (8) services and at manholes at the rate of one (1) test for every three (3) manholes. Test shall be required for repair all work requiring cutting of the asphalt intermediate course.
  - b. **Water Mains** – Test along the line at three hundred (300) foot intervals, and randomly at valve and blow off locations in the roadway at the rate of one (1) for every three (3) valve and blow off locations in the roadway. Test randomly at service connections at the rate of one (1) test per eight (8) services.
  - c. **Storm Drains** – Test along the line at three hundred (300) foot intervals and at all cross lines.
  - d. **Other Utilities** – Test along the line at three hundred (300) foot intervals and at all road crossings (excluding boring locations).
  - e. **Fill Areas** – Fill shall be placed, compacted and tested at no more than eighteen (18) inch intervals. The tests shall be performed at one hundred fifty (150) foot intervals, staggered on the left and right sides of the roadway. If bridging in the fill is required, a geotechnical engineer shall prepare a report for recommendations to be submitted to the Administrator. Additional testing in problem areas may be required as directed by the Administrator.
  - f. The Engineer of Record or geotechnical engineer/testing firm shall determine the location for tests, and shall obtain approval from the Administrator if the proposed testing frequency is less than shown above.
4. **Reporting.** The results of all compaction tests shall be reviewed by the Engineer of Record and forwarded to the Administrator with comments as necessary prior to the request for the proof roll. A copy of the overall site plan or the approved road plan sheets, showing the test locations and depth below subgrade elevation, shall be submitted with the test results. No roadways shall be paved until the Administrator has reviewed and approved the compaction tests results for the section of roadway to be paved.

#### C. Asphalt Quality Control



1. During pavement application, the required density for asphalt shall be achieved by suitable rolling equipment and methods. The contractors will use a highway class paver exceeding twelve thousand (12,000) pounds, a steel wheel front roller of five (5) to eight (8) tons or more, nine (9)-wheel rubber tire intermediate roller, and a five (5) to eight (8) ton steel wheel back roller or equipment the Administrator deems equal or better. If proper compaction of the asphalt is questionable, the Administrator may require a series of asphalt density tests to verify proper compaction of the asphalt. The minimum density shall be ninety (90) percent of theoretical maximum density by the RICE method.
2. The Administrator may require extraction and gradation testing to determine mix composition and verify compliance with SCDOT specifications.
3. City of Wellford mixes for the asphalt intermediate course will be a current SCDOT approved job mix for each facility or an equivalent mix designed and stamped by a Geotechnical firms' professional engineer. Hydrated lime will be required in all mixes at the rate of one (1) percent of the dry aggregate.

#### SECTION 6.30: INSPECTION PROCEDURES

- A. Inspections by the Engineer of Record (EOR) – Key Inspections. The following key inspections shall be performed by the EOR during the course of construction. If any problems are encountered, the necessary repairs will be made at the direction of the EOR.
1. Inspection #1 – At completion of clearing and grubbing operations. The Engineer of Record will verify that all organic materials (i.e. stumps, logs and brush) have been removed from the roadway. The EOR will also document any unsuitable soil conditions in the right-of-way.
  2. Inspection #2 – at Completion of rough Grading. The EOR will inspect the roadway, especially any fill areas and slopes to identify unsuitable soil conditions. The EOR will review the compaction test results in the fill areas to verify that the required compaction has been achieved. The EOR will check the locations of edge of curb to ensure proper road and curb widths are achieved.
  3. Inspection #3 – At completion of subgrade and after major utility installation. The EOR will verify that all major utilities are installed and trenches are backfilled and compacted. If unsuitable material is encountered, then the EOR will document the location and deficiencies, specific corrective action to be taken and provided to the contractor and the materials used for correction. This information shall be provided to the Administrator as a part of the reports required for approval and acceptance by the City. The EOR will check the road subgrade for proper elevations, grades and crown and will check the catch basin locations and configurations to identify any possible deviations from the plans. The EOR will review all compaction test reports and verify the necessary number and location of tests and the required compaction at each location.
  4. Inspection #4 – The Administrator shall meet the EOR on site to conduct the proof roll prior to stone base and intermediate asphalt course installation. All repairs will be based on the proof roll results.

5. Inspection #5 – during stone base, intermediate course and surface course installation. The EOR or SCDOT Level 2 Asphalt inspector will periodically monitor the paving application in order to provide direction and document intermediate and stone base course installation. The Administrator will plan to be on site, but the Administrator’s presence will not relieve the EOR’s duty to document and certify proper installation. If stone is used, the EOR will certify the application of prime coat if required.
6. Inspection #6 - Asphalt Intermediate Course. The EOR and Administrator shall conduct a thorough punch list inspection of the roadway, including curbs and catch basins, to identify base failures, broken curbs, broken catch basin aprons, water valve and manhole cover problems, etc. In the inspection report the EOR will detail the items to be corrected and the tentative schedule for repair.
7. Inspection #7 – Follow-up inspection prior to final asphalt surface course installation. The EOR and the Administrator shall meet to go over the repairs noted in the punch list. If all repairs have been satisfactorily completed, the surface course shall be installed.
8. Inspection #8 – During final surface course installation. The EOR or SCDOT Level 2 Inspector will periodically monitor the paving application on-site to provide direction and document the final surface installation. The Administrator will plan to be on-site, but the Administrator’s presence will not relieve the EOR of his/her duty to document and certify the proper installation of the surface course.
9. Inspection #9 – Final punch list inspection. The EOR developer, contractor and Administrator shall meet on site to go over the project. In the inspection report, the EOR will detail the results of the meeting, any items to be corrected, and the tentative schedule for repair. If the repairs are not substantially complete within 45 calendar days, a new punch list may be required.
10. Inspection #10. The EOR will meet the Administrator on site to go over the finished punch list items. The EOR will be expected to conduct follow up or repeat inspections as needed to resolve problems or provide the Administrator with complete information and documentation as required insuring proper completion. If all items are complete the Administrator will proceed to issue the notice of acceptance.

#### B. Inspections by the City

1. Start-up or Pre-Construction Meeting. At the direction of the Administrator a start-up or pre-construction meeting will be required to discuss construction issues prior to the contractor starting any work. The EOR, contractor, developer, utility providers and the Administrator will attend the meeting. The meeting may be held on site if beneficial.
2. Proof Rolls –The Administrator and the City-approved geotechnical engineer may be on site for the proof roll and any follow-up proof rolls if required. The Administrator shall review all compaction tests results submitted by the EOR and shall approve the reports before the contractor install the stone base or intermediate asphalt course.
3. Storm Drainage Inspection – After installation of the storm drainage system and prior to the intermediate course installation, the Administrator will perform an inspection of the

storm drainage system. All lids and covers will be required to be removed for the inspection.

4. Intermediate Asphalt Course Punch List and Follow-up. The Administrator shall meet the EOR and prepare a punch list for the intermediate course, curbs, and catch basins prior to installing the final asphalt surface course. A follow-up meeting will be held as necessary to review and approve any required repairs.
  5. Paving. – The Administrator and EOR or Level 2 SCDOT Inspector will plan to be on site during paving installation, but will ultimately rely on the EOR's inspection report and certification for acceptance of the paving.
  6. Follow-up Inspections – The Administrator will make additional inspections as needed to meet the EOR, review and approve repairs and/or address other problems.
  7. Prior Notice for Inspections – The City inspection can be scheduled with one (1) business day prior notice to any of the above key inspections. Failure to provide this advance notice may result in scheduling conflicts and delay of the inspection and disruption of construction progress.
- C. The cost of any reinspections that are required as a result of failed inspections shall be the responsibility of the developer.

#### SECTION 6.31: ASPHALT PLANT AND MATERIAL CERTIFICATIONS

SCDOT Certified Asphalt Plant. All plants currently on the SCDOT Asphalt Plant Certification List are automatically qualified to supply asphalt materials for proposed City of Wellford roads.

#### SECTION 6.32: ACCEPTANCE, ONE (1) YEAR WARRANTY, AND CONSTRUCTION DAMAGE BOND

- A. Acceptance. At completion of all paving, storm drainage system installation, major utility installation, traffic and street sign installation, curbing, sidewalk (if applicable) and grassing/mulching of the right-of-way, the Administrator shall conduct an inspection of the project or project phase to determine if it is substantially complete. If the project roads in the project (or project phase) are satisfactory, the Administrator will notify the City Administrator who will take action to have the roads accepted by the City.
- B. One (1) Year Warranty. As a condition of the notice of acceptance, the subdivider, either an individual, partnership, corporation, or other legal entity, will enter into an agreement with the wherein he/she agrees that he/she will repair, upon written notification by the City of Wellford and at his/her expense, all defects in material and workmanship which occur in the roadways or drainage system accepted by the City of Wellford pursuant to the granting of such acceptance for a period of one (1) year from the date such work is accepted by the City of Wellford.
- C. The one (1) year warranty period shall begin immediately after acceptance and shall cover all defects in materials, installation, and workmanship for the roadway pavement, storm

drainage system, drainage outfalls and channels, curbs, sidewalks, grassing/erosion control and traffic and street signage. Any significant problems, failures or defects observed during the warranty period shall be repaired by the developer at his or her expense, as deemed necessary by the Administrator. Damage caused by construction activity or other external forces is excluded from the one (1) year warranty, and shall be covered under a separate construction damage fund.

## **ARTICLE 7. GROUP AND PLANNED DEVELOPMENTS**

### **SECTION 7.1: GROUP DEVELOPMENTS**

In order to prevent creation of traffic hazards and to insure the provision of off-street parking and the provision of necessary utilities, plans for the following types of development shall be submitted to the Planning Commission for review and approval:

1. Mobile home parks, apartment complexes, and commercial complexes where the site is not subdivided;
2. Attached dwellings such as townhouses and condominiums; and
3. Where the zoning has not been changed to a 'PD', Planned Development, classification (that process is addressed in the *Zoning Ordinance of the City of Wellford, South Carolina*).

All developments shall meet all applicable sections of the *Land Development Regulations of the City of Wellford, South Carolina*. Such plans shall show the following information:

1. A plat of the property drawn to a scale of at least one hundred (100) feet to one (1) inch.
2. The location of the parcel of land with respect to adjacent rights-of-way.
3. The shape, dimensions, and locations of all buildings, existing and proposed, on the subject parcel.
4. The proposed use of the buildings and/or land.
5. Topography of the site by contours at vertical intervals of not more than five (5) feet.
6. The location and dimension of off-street parking and loading space and the means of ingress and egress to and from such space.
7. The location and size of all proposed utilities and storm drainage facilities.
8. Such other information as the Planning Commission may deem necessary because of the physical characteristics peculiar to the particular development.
9. The standards for each specific development shall comply with the zoning district to which the land is classified.
10. No building permit shall be issued and no connection to a public water system or sewer system shall be made until the plans for the development have been approved by the Planning Commission and so noted on the development plans.

## ARTICLE 8. IMPROVEMENT GUARANTEES

### SECTION 8.1: PURPOSE

Where required improvements have not been completed and certified by the applicant or subdivider, improvement guarantees may be provided to ensure the proper installation of such required street, utility, and other improvements. The nature and duration of the guarantee shall be structured to achieve this goal without adding unnecessary costs to the developer.

### SECTION 8.2 OPTIONAL GUARANTEE

Before the recording of final subdivision plats, or as a condition of final plat approval, the City Council may require and may accept the following financial guarantees in an amount equal to one hundred twenty-five (125) percent of the cost of installing the improvements. (Bonding for sidewalks is set at one hundred fifty (150) percent of the cost of installation)

1. *Security (Surety) Bond.* The applicant may obtain a security bond from a surety bonding company authorized to do business in the state.
2. *Letter of Credit.* The applicant may provide an irrevocable letter of credit from a bank or other reputable institution.
3. *Prepayment.* The applicant may make a prepayment to the City in the full amount of said improvements. Any unexpended funds shall be returned to the applicant.
4. *Subdivision Improvement Guarantee.* The applicant may provide as a guarantee a subdivision improvement agreement between the applicant, lender, and the City.

### SECTION 8.3 OPTION TO REFUSE GUARANTEE

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

1. Past performance of the subdivider is unsatisfactory;
2. The selection option is unacceptable; or
3. Unique topographic or physical characteristics that require the improvements prior to building to ensure safe conditions.

**SECTION 8:4 ALLOCATION OF GUARANTEE**

Any funds received from financial guarantees required by the *Land Development Regulations of the City of Wellford, South Carolina* shall be used only for the purpose of making the improvements for which said guarantees were provided.

**SECTION 8:5 DEFAULT OF GUARANTEE**

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

**SECTION 8:6 EXTENSION OF GUARANTEE**

If it appears to the developer that he may not complete construction of required improvements before expiration of his/her Improvement Guarantee, it shall be his/her obligation, at least forty-five (45) days prior to said expiration, to submit an extended guarantee to the Administrator, who shall forward said extension request to City Council for approval. Such extension shall be for a period of six (6) months. A maximum of two (2) such extensions shall be allowed.

**SECTION 8:7 ACCEPTABLE FORMAT FOR IMPROVEMENT GUARANTEE**

Any deviation from the acceptable format on the next page may delay acceptance of this instrument:

**STATE OF SOUTH CAROLINA  
CITY OF WELLFORD  
IMPROVEMENT GUARANTEE**

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

Signed, sealed, and dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**WHEREAS**, application was made to the obligee for approval of a subdivision shown on a plat entitled “\_\_\_\_\_,” dated \_\_\_\_\_, 20\_\_\_\_, and filed with the City of Wellford Planning Commission, and said final plat was approved upon certain conditions, one (1) of which is that an Improved Guarantee in the amount of \$\_\_\_\_\_ be filed with the City of Wellford to guarantee certain improvements in said subdivision;

**NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION** is such that if the above-named principal shall, within \_\_\_\_\_ from the date hereof (in no case shall the improvement guarantee be valid for more than two (2) years), truly make and perform the required improvements and construction of public improvements in said subdivision in accordance with the specifications of the *Land Development Regulations of the City of Wellford, South Carolina*, then this obligation will be void; otherwise it will remain in full force and effect.

It is hereby understood and agreed that in the event any required improvements have not been completed within (15) fifteen days prior to the expiration of this Improvement Guarantee, the City Administrator is authorized to declare this obligation to be in default, and collect the sums remaining payable hereunder. Upon receipt of the proceeds, the City shall complete such improvements as are covered by the guarantee.

It is further understood and agreed that when the required improvements have been approved for conformity with these regulations by the Administrator, the guarantee shall be released and returned. In addition, if any portion of the required improvements is completed by subdivider and approved by the Administrator, a portion of the guarantee commensurate with the cost of these completed improvements may be released and returned. In no event shall an improvement guarantee be reduced below twenty-five (25) percent of the principal amount until all improvements have been approved by the Administrator.

Approved and accepted

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the Wellford City Council.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



## **ARTICLE 9. DEDICATION PROCEDURES**

### SECTION 9.1 IMPROVEMENTS TO BE DEDICATED

The final responsibility for the installation of the improvements required by the *Land Development Regulations of the City of Wellford, South Carolina* as the standards impose rests with the subdivider. Upon proper installation of these improvements, the subdivider shall take the final steps to dedicate the improvements and have them accepted by the City Council.

### SECTION 9.2 GUIDELINES FOR DEED PREPARATION

The following guidelines are to be observed in the preparation of deeds and similar documents of conveyance to the City of Wellford:

11. Standard deed forms commonly used in the field of property conveyance shall be used.
12. The following official title for the City shall be used in conveying title to or from the City of Wellford, including deeds, easements, leases, and other instruments of title:  
  
“CITY OF WELLFORD, SOUTH CAROLINA, a body politic and corporate and a political subdivision of the State of South Carolina.”
13. A deed conveying streets and/or easements to the City shall include a phrase reading “... and appurtenances to said premises belonging or in any way incident or appertaining” in order to convey related structures such as drainage structures, catch basins, etc.”
14. A deed shall contain a derivation clause; tax map, block and parcel numbers; and information concerning recordation date, book and page number of the related plat.
15. All deeds shall be submitted to the Administrator to be forwarded to the City Attorney for review and recommendation prior to acceptance of any such deed by City Council. The time for processing the deed shall not exceed sixty (60) days from the time of receipt by the Administrator.

### SECTION 9.3: TITLE CERTIFICATION AND PROVISION OF AFFIDAVIT

- B. Prior to the acceptance of title to any improvements by City Council, the developer shall provide to City Council a title certification by an attorney licensed to practice in the State of South Carolina, certifying that the developer owns fee simple title to such improvements, free and clear of liens and encumbrances. Should said attorney make any exceptions in his/her certification on title, these shall be specifically recited in the Resolution to be presented to City Council for acceptance of such improvements and the City Council shall specifically recognize these exceptions before accepting legal title to the improvements.

- C. In addition, prior to the acceptance of a deed to a newly constructed street by City Council, the developer and the contractor who constructed the road shall provide to City Council an affidavit that all construction costs for the road have been paid and that the road is free of all encumbrances. For the purposes of this section, a “newly constructed road” means a road that has been completed within two (2) years of the date of the City Council’s consideration of whether to accept the road.

SECTION 9.4: EFFECT OF THE RECORDING

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

SECTION 9.5 EFFECT OF OFFERS OF DEDICATION

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

**DEED RIGHT-OF-WAY**

STATE OF SOUTH CAROLINA

RIGHT-OF-WAY DEED

CITY OF WELLFORD

COUNTY OF SPARTANBURG

**KNOW ALL MEN BY THESE PRESENTS,** that the undersigned \_\_\_\_\_, hereinafter called Grantor, whether one (1) or more, for and in consideration of One Dollar (\$1.00) cash in hand does hereby grant, bargain, sell, convey and warrant unto the City of Wellford, its successors and assigns (hereinafter called Grantee), a permanent right-of-way and easement \_\_\_\_\_ feet in width for the purpose of laying, constructing, maintaining, operating, repairing, altering, replacing and removing sewer pipeline(s) and the necessary appurtenances therein upon a route herein after defined, as selected by the Grantee, its agents or servants, under, upon, over and through and across lands of the Grantor, situated in the \_\_\_\_\_, Spartanburg County, South Carolina, shown and designated as Parcel No. \_\_\_\_\_, formerly containing \_\_\_\_\_ acres, upon a plat of the same recorded with the Register of Deeds for said County in Plat Book \_\_\_\_\_ at Page \_\_\_\_\_ and being the same parcels formerly of \_\_\_\_\_, which is of record at the Register of Deeds Office in Deed Book \_\_\_\_\_ Page \_\_\_\_\_.

The route to be followed by the sewer pipeline(s) is generally shown upon a right-of-way map dated \_\_\_\_\_, prepared by \_\_\_\_\_, attached hereto, and made part and parcel to this document. The length of the easement as measured along the centerline designated on the right-of-way map is \_\_\_\_\_ feet, more or less, extending from \_\_\_\_\_ to land of \_\_\_\_\_.

The Grantor and his/her successors shall have the right to use the lands within the right-of-way for any purpose not inconsistent with the operation, maintenance, inspection, repair and replacement of the sewer pipeline(s) and appurtenances, but may not erect within the right-of-way any permanent building which will interfere with access to the sewer pipeline(s), and may not plant trees in the right-of-way, the roots of which might clog or rupture the pipeline(s). The Grantee shall have the right of its agents, servants, employees and contractors to have access to said pipeline(s) and appurtenances along the right-of-way or along such other route as may appear to them to do the least damage to the Grantor's contemporaneous use of any property of the Grantor adjoining or near the right-of-way, to inspect, repair and replace the pipeline(s) and appurtenances and to cut trees and other growth endangering the line(s). The Grantee will be responsible to the Grantor for damages done to fences, improvements, growing crops and timber outside the right-of-way as a result of such entry.

During initial construction of said pipeline(s) and until it shall have been inspected, put in operation and accepted as completed, the right-of-way, instead of being \_\_\_\_\_ feet wide as previously provided, shall be \_\_\_\_\_ feet wide consisting of an \_\_\_\_\_ feet on each side of the permanent right-of-way, as indicated on the above-referenced map, and shall include the right to lay and construct said lines(s) and appurtenances.

The contractor constructing the new sewer line(s) and appurtenances shall restore the surface of the ground to approximately the grade and shape existing before construction, shall repair or replace all fences cut or damaged by the construction work, shall be responsible for damage done outside said right-of-way and will cut and leave (if desired by the Grantor) for disposition by the Grantor all merchantable timber or pulpwood removed in clearing the right-of-way.

**TO HAVE AND TO HOLD** said right-of-way and easement unto the said Grantee, its successors and assigns forever, and the undersigned hereby binds himself, his/her heirs, executors and administrators to warrant and forever defend all and singular said premises unto the Grantee, its successors and assigns, against himself and all other claiming the same or any part hereof, by, through or under him.

It is agreed that this grant covers all the agreements between the parties relating to this right-of-way and no representations or statements, verbal or written, have been made modifying, adding to or changing the terms of this agreement.

**IN WITNESS WHEREOF**, the undersigned has hereto set his/her hand and seal this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Signed, Sealed and Delivered in the  
Presence of:

Grantor:

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Witness

STATE OF SOUTH CAROLINA        )  
  )  
COUNTY OF SPARTANBURG        )

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s) he saw the within named Grantor sign, seal and as the Grantor's act and deed deliver the within right-of-way deed, and that (s) he with the other witness whose name is subscribed above witnessed the execution thereof.

\_\_\_\_\_  
Witness

AFFIRMED AND SUBSCRIBED before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_ (L. S.)  
Notary Public for South Carolina

My Commission expires \_\_\_\_\_

**DEED RIGHT-OF-WAY FOR WATER**

STATE OF SOUTH CAROLINA

WATER RIGHT-OF-WAY AND EASEMENT

CITY OF WELLFORD

COUNTY OF SPARTANBURG

**KNOW ALL MEN BY THESE PRESENTS**, that \_\_\_\_\_, (hereinafter called Grantor, whether one (1) or more), for and in consideration of the sum of One Dollar (\$1.00) cash in hand does hereby grant, bargain, sell convey and warrant unto the City of Wellford (hereinafter called Grantee), its successors and assigns a permanent right-of-way and easement \_\_\_\_\_ feet in width as shown in Exhibit "A" attached for the purpose of laying, constructing, maintaining, operating, repairing, replacing and removing an underground water line and the necessary appurtenances (the right-of-way to be \_\_\_\_\_ feet on each side), as selected by the Grantee, its employees, agents, or consultants, through and across lands of the grantor, situated in Spartanburg County, South Carolina designated at **Tax Map Parcel No.** \_\_\_\_\_.

The Grantor and its successors shall have the right to use the lands within the right-of-way for any purpose not inconsistent with the operation, maintenance, inspection, repair and replacement of the water line and appurtenances, but may not erect within the right-of-way, the roots of which might obstruct or rupture the water line(s). The Grantee shall have the right of its employees, agents, and contractors to have access to said water line(s) and appurtenances along the right-of-way or along such other route as may appear to them to do the least damage to the Grantor's contemporaneous use of any property of the Grantor adjoining or near the right-of-way, to inspect, repair and replace the water line(s) and appurtenances and to cut trees and other growth endangering the line(s).

**TO HAVE AND TO HOLD** said right-of-way and easement unto the said Grantee, its successors and assigns forever, and the undersigned hereby binds himself, his/her heirs, executors and administrators to warrant and forever defend all and singular the said premises unto the Grantee, its successors and assigns, against himself and all others claiming the same or any part thereof, by, through or under him.

It is agreed that this grant covers all the agreements between the parties relating to this right-of-way and no representations or statements, verbal or written, have been made modifying, adding to or changing the terms of this agreement.

**IN WITNESS WHEREOF**, I (or we) have hereunto set my (or our) hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Signed, Sealed and Delivered in the Presence of:

Grantor:

\_\_\_\_\_  
1<sup>st</sup> Witness

\_\_\_\_\_

\_\_\_\_\_  
2<sup>nd</sup> Witness

\_\_\_\_\_

STATE OF SOUTH CAROLINA        )  
  )  
COUNTY OF SPARTANBURG        )

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s) he saw the within named Grantor sign, seal and as the Grantor's act and deed deliver the within right-of-way deed, and that (s) he with the other witness whose name is subscribed above witnessed the execution thereof.

\_\_\_\_\_

\_\_\_\_\_

Witness

AFFIRMED AND SUBSCRIBED before me this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

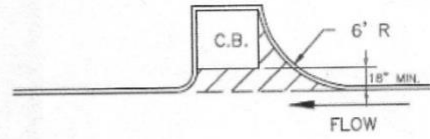
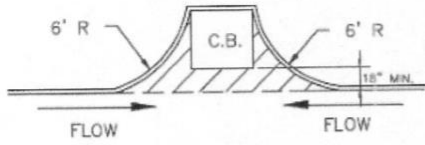
\_\_\_\_\_ (L. S.)  
Notary Public for South Carolina

My Commission expires \_\_\_\_\_

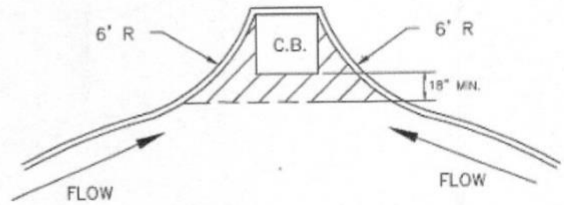
# APPENDIXES



**CATCH BASINS**

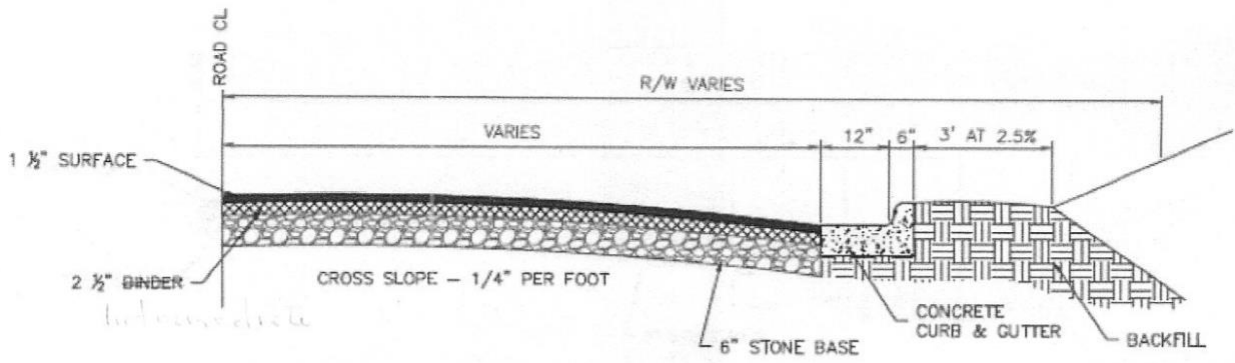


- NOTES:  
1. Cross-hatching indicates sloped grade.  
2. Greater radii may be required for catch basin throat aprons to insure trap efficiency that will accommodate street slope and/or flow volumes.



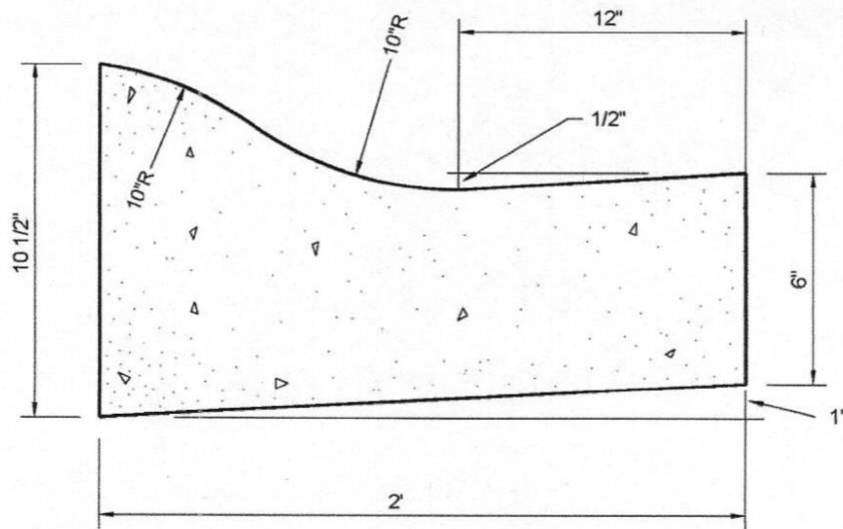
TYPICAL CATCH BASIN DETAILS

N.T.S



**ROAD CROSS-SECTIONS**

**24" CURB DETAIL**

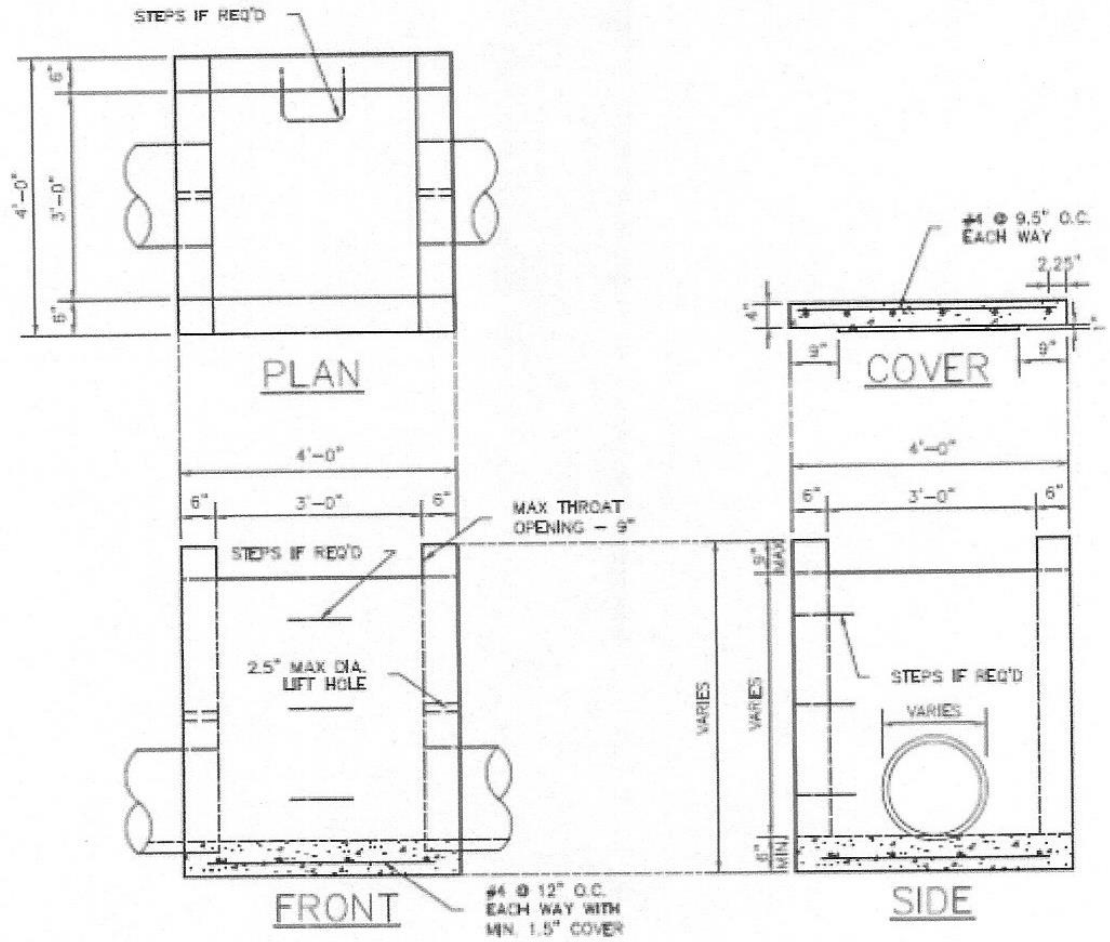


**CONCRETE CURB AND GUTTER**

**(2' OGEE)**

(N.T.S.)

## TYPE 9

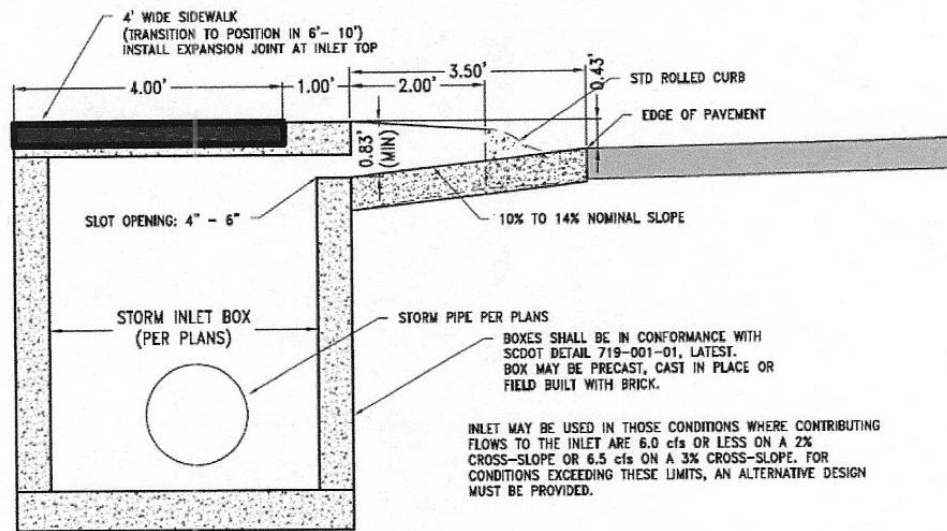
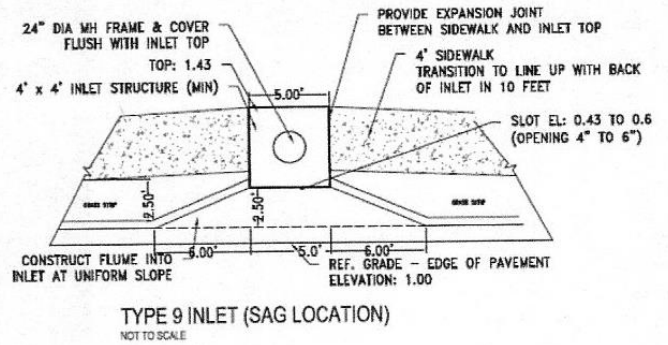
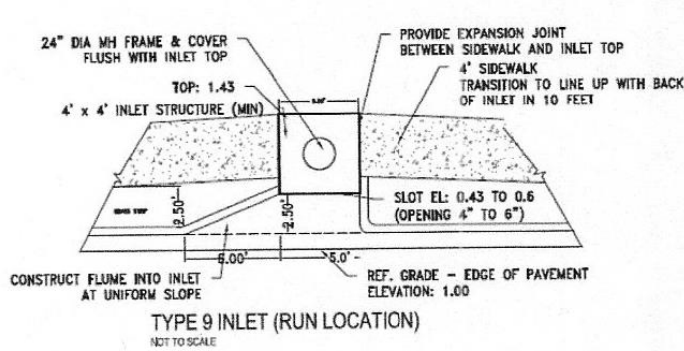


### NOTES:

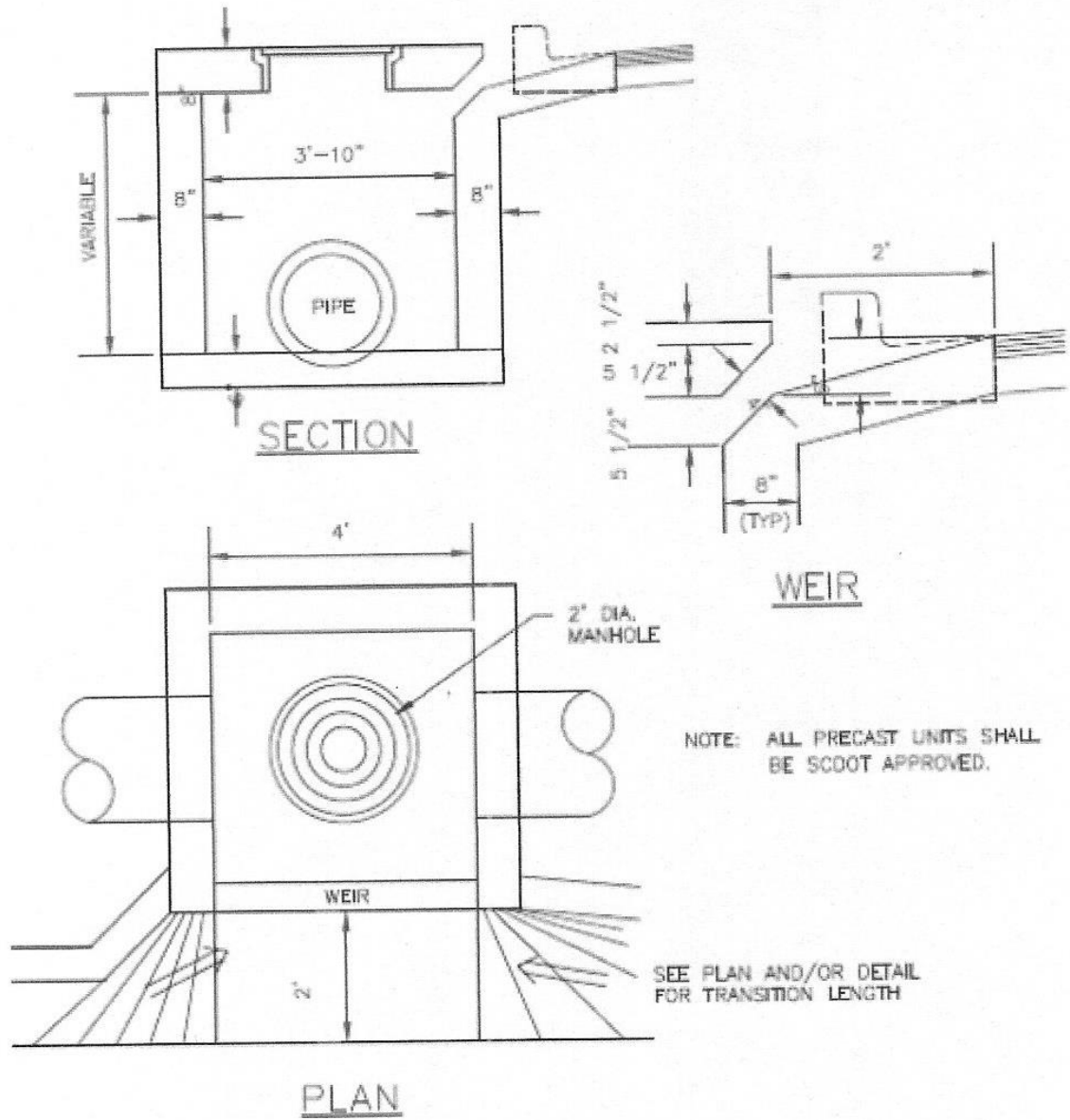
1. Pre-cast structures acceptable upon review. Any structure which may be subjected to wheel traffic must be designed to withstand H<sub>18</sub>-20 loading.
2. Catch basins deeper than 4.5 feet must be constructed with steps. The depth of the catch basin shall be measured from the point of access for maintenance.

## STANDARD CATCH BASIN

## TYPE 9 WITH SIDEWALK

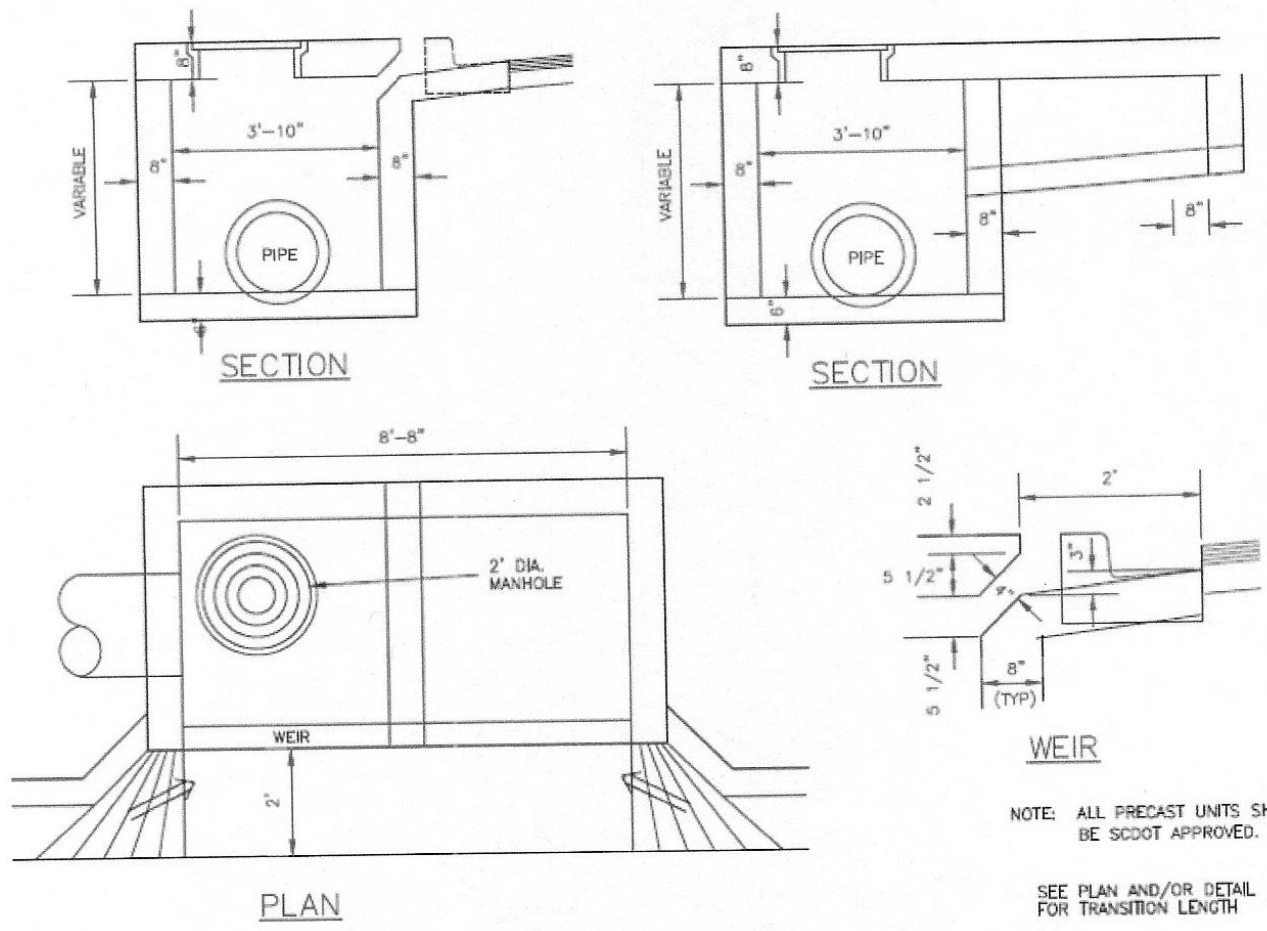


# TYPE 16



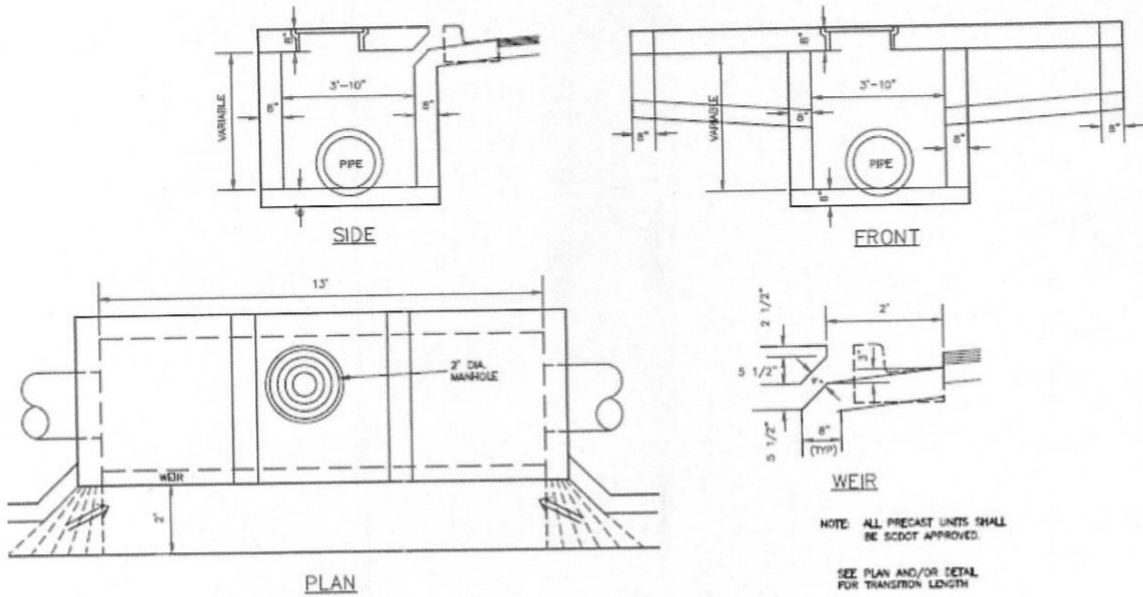
TYPE 16 CATCH BASIN  
N.T.S

**TYPE 17**



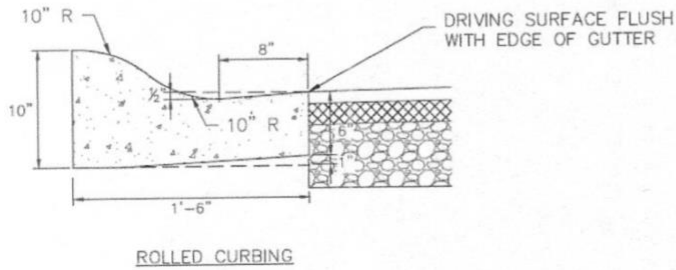
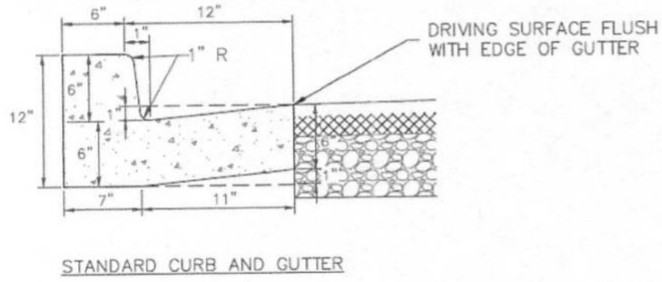
TYPE 17 CATCH BASIN  
N.T.S

**TYPE 18**



TYPE 18 CATCH BASIN  
N.T.S

**CONCRETE CURB DETAILS**



CONCRETE CURB DETAILS  
N.T.S