

3 minutes

Public Comment
October 12, 2015

1. Andy Heller ✓

2. GARY OWENS ✓

3. JIM SCHOONOVER ✓

4. Jim Codner ✓

5. _____

6. _____

7. _____

8. _____

9. _____

10. _____

11. _____

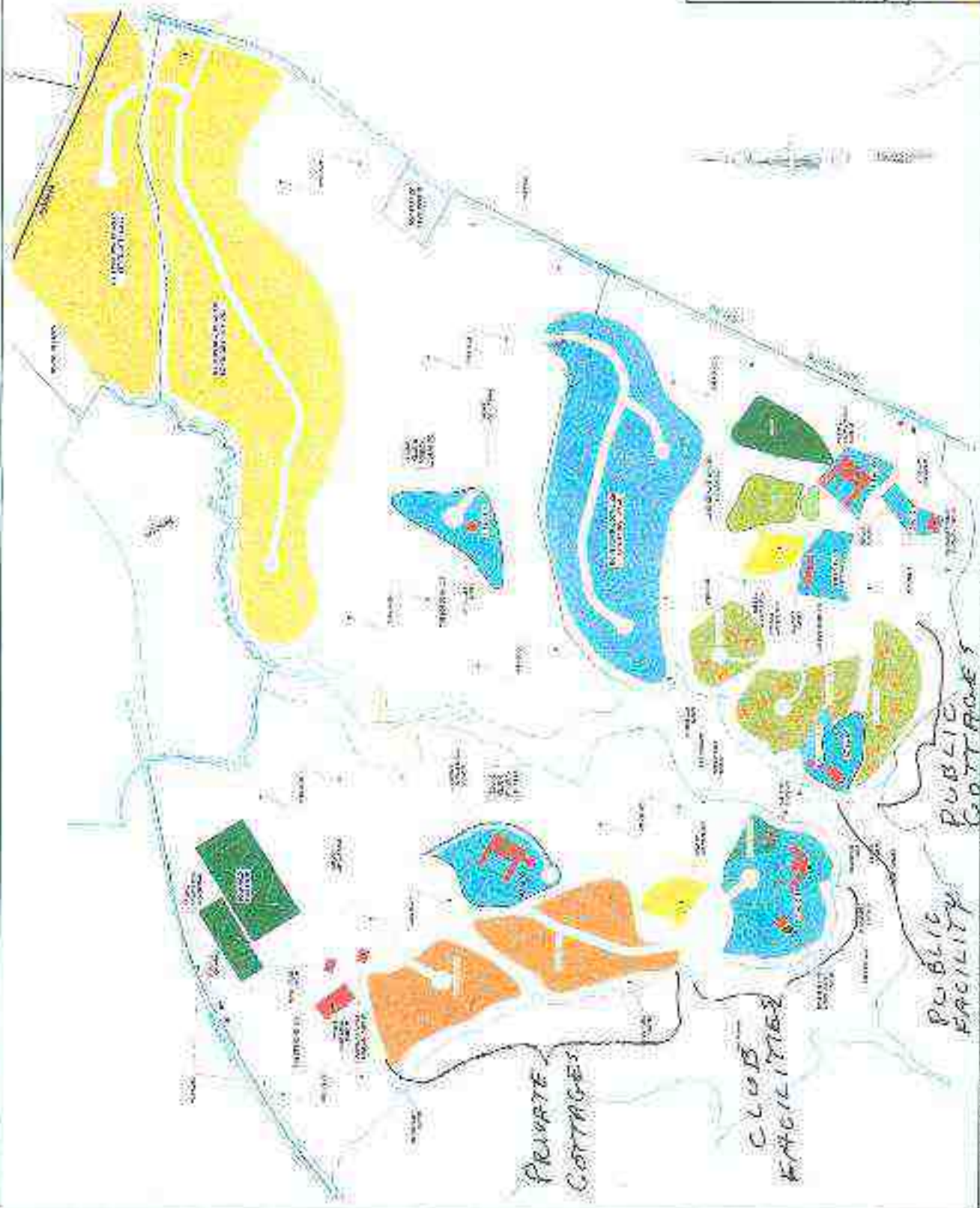
13. _____

14. _____

15. _____

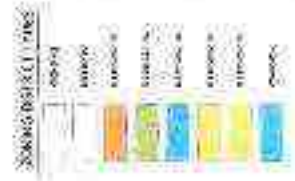
16. _____

Handout from Jim Cadner



Location Map

Note the Current Residential Building and the Section 3017.1 site defect details are void and replace the PDD map and chart.



Map Scale: 1" = 100'

DATE: 08/14/2014

PROJECT: GOLF COURSE

OWNER: GOLF COURSE

NO. 1	DATE: 08/14/2014	BY: JAC
NO. 2	DATE: 08/14/2014	BY: JAC
NO. 3	DATE: 08/14/2014	BY: JAC

**Sec. 35-10.15. - Planned development district (PDD)
Title: Planned Development District**

Definition: Those areas suitable for relatively intense mixed-use development that offers significant amounts of open space and designed amenities that enhance the surrounding scenic, natural, and cultural characteristics.

Intent: This district is intended to allow flexibility in development that will result in improved design, character, and quality of new mixed-use developments in order to preserve natural and scenic features of open spaces that might be negatively impacted by more restrictive zoning districts.

Definitions: For the purposes of this district, the following definitions shall apply:

- (1) **Impervious surface ratio (ISR)**—The ratio of impervious surface area to a development's total area (ISR = Area of Impervious Surface/Total Project Area).
- (2) **Open space**—Portion of a project not occupied by private lots, amenities, public road right-of-ways, or other residential or built-upon areas, that are generally accessible for passive recreational use by the developer's residents, tenants, patrons, and guests. Open space shall not include lawns, landscaping, and other areas considered accessory to a specific amenity or structure, but may include required buffer areas.

Uses:

Permitted uses: A listing of uses permitted within a particular planned development district shall be contained in a plan adopted as part of the regulations applying to that district only. Uses may be of similar residential or commercial character, or may consist of a mix of residential, commercial, or other appropriate uses. Uses shall be restricted to those listed in the adopted plan.

Dimensional requirements:

Project Area, Density and Open Space			Minimum Yard Requirements and Lot Size		Max. Height
Min. Project Area	Max. Density	Min. Open Space	Front, Side and Rear Setbacks	Min. Lot Size	Structure Height (ft.)
5 acres	Set in approved plan	15% of Site Project Area	Set in approved plan	Set in approved plan	65

*See Article 9 for general provisions and exceptions to dimensional requirements.

Additional requirements:

- (1) With the exception of the draft ordinance or amendments necessary to amend their zoning regulations to approve the planned development, all draft plans, agreements, or other materials related to the establishment of a planned development district shall be the responsibility of the developer.
- (2) All such plans shall be stamped and signed by an appropriate design professional licensed by the State of South Carolina.
- (3) Proposed planned developments shall meet standards established for non-residential parking, buffering/seawalling, and lighting established in Appendix A of Chapter 38 (Zoning) of the Oconee County Code of Ordinances, as amended.
- (4) All commercial signage in proposed planned developments shall be designed and located in a way to avoid any negative impact on neighboring uses both inside and outside the development. All road signage shall meet the standards established in the latest edition of the Manual of Uniform Traffic Control Devices.
- (5) All variations from adopted county regulations shall be specifically and clearly stated in the approved plan. Any regulation, standard or requirement not varied in an approved plan shall be strictly applied.
- (6) Proposed planned developments shall consist of a use mix of no less than five percent commercial and 20 percent residential.
- (7) All historic and/or culturally significant structures and sensitive natural areas within the boundaries of the proposed planned development shall be identified on plans, and protected, preserved and maintained by methods endorsed by appropriate state and federal agencies. A maintenance plan for each such significant or sensitive feature shall be included as part of an approved planned development plan.
- (8) To the extent possible, all proposed planned developments shall be designed to provide for pedestrian and bicycle traffic, with bicycle lanes included on roads designed to accommodate more than 400 average daily trips (ADT's). An all-weather trail or sidewalk designed to safely accommodate both pedestrian and bicycle traffic may be approved in lieu of this requirement.
- (9) Stormwater control measures shall be designed and maintained so as to adequately ensure post-construction runoff generated from planned developments meets minimum requirements as defined by state regulations. Low impact development (LID) measures utilizing controls such as natural infiltration and vegetative conveyance systems, as well as stormwater wetlands, bioretention areas, and vegetative filter strips are encouraged to be utilized to the extent possible.

Zoning Use Matrix:

Uses	TRD	AD	ARD	TD	RBD	PRLD	RD	URD	CCD	HCD	ID	MUD
Agricultural production, crops, livestock, and poultry	P	P	X	P	P	X	X	X	X	X	X	X
Agricultural production, crops, livestock, and poultry (excluding commercial chicken houses, commercial hog pens, and commercial feed lots)	P	P	P	P	P	X	P	X	P	P	P	X

Sec. 22-11.1. - Lake overlay district.

(a) Title: Lake overlay district.

(b) **Definition:** The lake overlay is not intended to be a separate zoning district, but shall be maintained to the shoreline areas of Oconee County lakes that are considered by county council to be vital to the economic prosperity and general well-being of all county citizens.

(c) **Intent:** This overlay is intended to protect water quality, maintain natural beauty, and limit secondary impacts of new development that may negatively affect the lifestyles of those living near the lakeshore and the general enjoyment of the lakes by all citizens.

(d) **Boundary:** The boundaries of the lake overlay district are shown on the Official Oconee County Zoning Map, and are divided into the following sub-districts:

(i) **Knoorra/Jocassee Overlay (Lakes Knoorra and Jocassee):** The following standards shall apply within 750 feet of the full pond contour of Lake Knoorra and Lake Jocassee, to be measured along a perpendicular line from the full-pond contour.

a. Standards

1. No single-family or multi-family development shall have a net density greater than two dwelling units per acre within the boundary of the overlay.
2. No structure constructed in the overlay shall have a building height greater than 45 feet above finished grade. In no circumstance shall the grade elevation be altered beyond that necessary to provide for structural soundness. For the purposes of this section, unless otherwise stated, all dimensions, heights, elevations and other specifications related to structures shall be measured in accordance with adopted building codes.
3. Marinas and commercial boat storage shall comply with Duke Energy's regulations and shall not be located within a mile radius of an existing platted and properly recorded subdivision.

4. **All non-residential projects that have a proposed developed area fully or partially located within the boundaries of the Lake Knoorra/Jocassee Overlay shall be subject to a special reception hearing by the board of zoning appeals.** The board of zoning appeals shall use Appendix A as a guide and for good cause shown, they may waive the strict application of any standard therein.

5. Natural vegetative buffer.

(i) A natural vegetative buffer shall be established on all waterfront parcels whose property line is located within 25 feet from the full-pond contour. Those parcels not meeting this criteria shall be exempt from this standard.

(ii) The buffer shall extend to a depth of 25 feet measured along a perpendicular line from the full-pond contour. In the event permanent shoreline stabilization, such as rip-rap, retaining walls, is located at the full-pond contour, the buffer may begin at the back of the stabilization, provided the minimum required area is achieved. Right-of-way maintenance activities by all utilities shall be exempt.

(iii) All structures and landscaping existing at the time of adoption of this chapter shall be considered as permitted and shall not be considered impediments to the buffer. Any new structures or any other new objects that are impediments to the establishment of the required buffer shall be placed outside the required buffer areas unless the total square footage occupied by the structure, not to exceed 20 percent of the required buffer area, is added to the buffer in another location on the same parcel, provided the resulting buffer area is equal to the required buffer area, and the effectiveness of the buffer is not compromised.

(iv) In order to ensure that the natural buffer is maintained during the development of property a properly installed and maintained six-foot steel fence shall be installed 25 feet from the full-pond shoreline, separating the buffer from the developed area, until the completion of construction. No construction or disturbance shall occur below the six-foot fence unless it is deemed necessary by a certified arborist to remove diseased trees. Dead trees may be removed with the approval of the zoning administrator. No trees larger than six-inch diameter at four feet from the ground shall be removed unless certified to be a hazard by a registered forester or arborist. Trees may be topped up to 50 percent of their height. A removal plan shall be submitted for approval.

(v) No development activity or soil disturbance shall occur in the buffer area, unless permitted by the zoning administrator.

(vi) Shoreline stabilization shall be permitted provided any soil disturbance or other stabilization activities are supervised and approved by the appropriate licensed design professional and submitted to the zoning administrator.

(vii) A map indicating those parcels to which the standards of this section apply, as well as the status of the establishment of the required buffer, shall be created and maintained as a layer in the county's Geographic Information System (GIS), and shall be available to the public.

(viii) Natural, existing vegetation is encouraged; however, the following mix of plants shall be required for every 2,500 square feet of vegetative buffer area that is established by planting:

(1) The following mixture of plants for every 2,500 square feet of natural vegetative buffer shall be required when existing:

- a. Three large mature shade trees, equally spaced, four-inch or greater caliper at four feet;
- b. Three understory trees, equally spaced, two-inch or greater caliper at four feet;
- c. Six small evergreen trees;
- d. Twelve shrubs; or

(2) A diverse mix of native plants and unmanaged fescue below 12 inches and unweeded native grasses where available and suited to the site.

(ix) A viewline of no more than 15 percent of the buffer area shall be permitted in the natural buffer area. Impervious surface no greater than 20 percent of the allowed view line area is permitted. All impervious surfaces shall be considered part of the view line. Other structures must be temporary.

(x) No over-maintained lawns or other managed grasses shall be established within the buffer area. Additionally, no clear cutting or mowing, cultivation activities, fertilization, use of herbicides, fungicides, or pesticides shall occur within the buffer area.

(xi) In the event that a property owner is unable to establish the said buffer they may request a variance, to be considered at a hearing before the board of zoning appeals, stating the reasons why a buffer cannot be established. The board of zoning appeals of zoning appeals may, in its sole discretion, grant or not grant such variance, for good cause shown.

(Ord. No. 2012-14, § 1, 5-15-2012)

OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

Date: October 13, 2015

To: County Council

From: Planning Commission

Re: Recommendation Concerning Capital Improvement Project Listing [CIP v2015-01]

During their regular meeting on October 12, 2015, the Planning Commission voted, unanimously, to approve the Capital Project Improvement List [CIP v2015-1], containing the Pending Project List, Projects Scored List, with the following recommendations:

1. Sewer North, expansion of sewer to the Salem area, should be included on the CIP, and
2. Sewer Line to Concross 1-85 & GCCP project should be clarified by enumerating, or listing, the four phases of the project on the CIP Project Listing.

Please let me know if you have any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "J. A. Stephens", is written over a horizontal line.

Joshua A. Stephens

Deputy Director

Community Development



Oconee County
Capital Project
Advisory Committee



Oconee County
Administrative Offices
415 South Pine Street
Wahalla, SC 29691
www.oconee.org

Phone: 864 718 1024
Fax: 864 718 1024

E-mail:
pubse@oconee.org

Mr. Paul Cain
CPAC Chairman

Voting Members
Chairman

Mr. Scott Woulder
Mr. Frankie Pearson
Mr. Julian Abbott
OPEN

Non-Voting Members

Mr. David Lyle
Ms. Ladale Price
Mr. Lake Julian
Mr. David Stokes
Mr. Josh Stephens

MEMORANDUM

TO: Ms. Gwen McPhail, Chairman
Oconee County Planning Commission

FROM: Mr. Paul Cain, Chairman
Capital Project Advisory Committee

DATE: September 17, 2015

RE: **Capital Project Advisory Committee's
Capital Project List: Listing of Projects by Priority**

Dear Ms. Chairman:

The Oconee County Capital Project Advisory Committee upon approval by the voting members is forwarding to the Planning Commission for review and recommendation to County Council the attached Capital Improvement Project Listing [CIP v2015-02].

This list reflects both projects evaluated by the Committee and projects proposed for future review. Projects evaluated by the Committee have been forwarded under separate cover previously.

The estimated cost shown for a project is either that provided by an estimate by the Department Head / Sponsor or by a professional firm.

I would ask that this list be added to your next agenda for review and recommendation regarding capital projects for Council's consideration during the next fiscal year.



Oconee County, South Carolina
Capital Project Advisory Committee
**Capital Improvement
Project Listing
PENDING**

Department Name	Public Service & Operations	Short Term Economic Development Goals	Ongoing / Long Term Economic Development Goals	Description	** Projected Proposed Budget	Source (see key at bottom)	Date Presented to Cmte	Status of Project
Facilities Maintenance		X	X	Brown Building - Up-fit into office space	\$750,000	OCE	Unscheduled	On Hold - Facility in Use - Some work ongoing for
Economic Development		X	X	Revolving Shell Building (#4)	\$2,000,000	OCE	Unscheduled	On Hold pending approval of #3
Economic Development			X	Golden Corner Commerce Park	\$3,500,000		Unscheduled	Awaiting Final Decision by Company
Solid Waste	X			Landfill Expansion	\$750,000		Unscheduled	On Hold - pending Land Acquisition

PROJECTS SCORED

High Falls	X			Campsite Renovations (water, electric, rebuild)	\$300,000	PE	03-2012	Project Presented - Moved Forward to Plan. Comm.
Solid Waste	X			Expand 2nd Busiest MCC	\$850,000	PE	05-2012	Project Presented - Moved Forward to Plan. Comm.
Economic Development		X	X	Revolving Shell Building (#3)	\$2,000,000	PE	08-2012	Project Presented - Moved Forward to Plan. Comm.
Economic Development		X	X	Development of Seneca Rail Site	\$2,300,000	OCE	9-26-12	Project Presented - Moved Forward to Plan. Comm.
Library	X			Seneca Branch	\$9,100,000	OCE	5-22-13	Projects Presented - Moved Forward to Plan. Comm.
Library	X			Renovate Interior of Walhalla Branch	\$600,000	OCE		
Library	X			Westminster Branch Expansion	\$1,000,000	OCE		
Library	X			New 7,400 SF South County Branch	\$2,000,000	OCE		
Economic Development		X	X	Sewer Line to Concross 1-85 & GCCP	\$11,833,839	PE	06-18-15	Project Presented - Moved Forward to Plan. Comm.

This project is partially completed and will be moved off this list when the final portion is complete

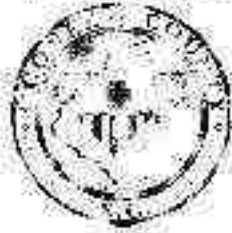
**** Projected Proposed Budget:** This amount is based on current best available information and is a projected cost only; it does not reflect what County Council may approve in future for any project receiving capital project funding.

OCE - Dept. Head Estimate

Note: Equipment replacement not included within the authority of Administration as equipment replacement is vehicle. PE - Professional Estimate

OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

Date: October 13, 2015

To: County Council

From: Planning Commission

Re: Recommendations regarding Ordinance 2015-28

During a regular meeting on October 12, 2015, the Planning Commission voted, unanimously, to recommend that County Council take second reading in title only of Ordinance 2015-28, as presented to the Planning Commission.

Please let me know if you have any questions.

Respectfully,

A handwritten signature in dark ink, appearing to read "J. Stephens", is written over a horizontal line.

Joshua A. Stephens

Deputy Director of Community Development

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE NO. 2015-28**

AN ORDINANCE TO AMEND CHAPTER 38 “ZONING” OF THE OCONEE COUNTY CODE OF ORDINANCES, INCLUDING ALL ZONING MAPS INCORPORATED THEREIN AND THEREBY, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO

WHEREAS, Oconee County, South Carolina (the “County”), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its County Council (the “County Council”), is authorized by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (the “Act”), codified in Title 6, Chapter 29 of the South Carolina Code of Laws, 1976, as amended (the “Code”) to adopt zoning regulations and districts; and,

WHEREAS, Oconee County Council has heretofore, finally codified at Chapter 38 of the Oconee Code of Ordinances (the “Oconee County Code”), adopted such zoning regulations and districts in accordance with and consistent with the Oconee County comprehensive land use plan; and,

WHEREAS, subsequent to the adoption of Chapter 38 of the Oconee Code of Ordinances, a request for rezoning a series of parcels pursuant to provisions established in the Ordinance has been duly presented to County Council; and,

WHEREAS, in accordance with the Act and Chapter 38, Oconee County Council has referred or hereby (upon first reading of this Ordinance) does refer such matters to the Oconee County Planning Commission for their review, particularly regarding the proposed amendment’s compliance with the Oconee County Comprehensive Plan. The Oconee County Planning Commission has, in fact, prior to final adoption of this Ordinance, reviewed the rezoning request and all related documents, including, without limitation, the final, approved design standards for the development of the parcels for which rezoning to a Planned Development District is being requested, and recommendations of the Oconee County Planning staff, and by at least a majority vote affirmed its opinion that the proposed changes are in compliance with the Comprehensive Plan, and has made certain recommendations concerning adoption of the changes by County Council. The Oconee County Council has considered the recommendation of the Oconee County Planning Commission, and the Oconee County Planning Department, including reviewing all of the documents considered by both, held a public hearing, duly noticed and advertised, as required by law, to receive the comments of the public, finds that such comments and recommendations are correct and necessary, and desires to amend Chapter 38 of the Oconee County Code of Ordinances, in certain limited particulars only, based on the original request, the review, comments, and recommendations of the Oconee County Planning Commission, the Oconee County Planning staff, and the public, and the documents considered, and to otherwise ratify and reaffirm Chapter 38 of the Oconee County Code of Ordinances not specifically or by implication amended hereby.

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled that:

1. Chapter 38 of the Oconee County Code of Ordinances is hereby amended, as follows, and in the following details, only:

A. The following parcels, listed below, previously zoned in the Residential District (RD), and duly identified on the Official Zoning Map to be in the Control-Free District, are hereby rezoned, and shall be in the Planned Development District (PDD), and shown as such on the Official Zoning Map in the manner depicted in Appendix A of this Ordinance, and developed in accordance with the final, approved design standards attached hereto as Appendix B of this Ordinance, subject to only such revisions thereto as are consistent with the Act,

this Ordinance, the Oconee County Code of Ordinances, and the zoning approved hereby, and as are approved in accordance with the Act. Each parcel, and associated uses and activities conducted thereupon, shall be subject to all standards, limitations, and requirements established for the District in Chapter 38 of the Code and this Ordinance, including, without limitation, Appendix B, Parcel (Tax Identification Number)

088-00-03-005	099-00-01-034	099-00-01-039	099-00-01-038	099-00-01-037
---------------	---------------	---------------	---------------	---------------

2. All other parts and provisions of the Oconee County Code of Ordinances not amended hereby, either explicitly or by implication, remain in full force and effect. Chapter 38 of the Oconee County Code of Ordinances as amended hereby, are hereby ratified and affirmed, *ab initio*.
3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.
4. All ordinances, orders, resolutions, and actions of Oconee County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.
5. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by Oconee County Council.

ORDAINED in meeting, duly assembled, this ____ day of _____, 2015.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
Wayne McCall, Chairman, County Council
Oconee County, South Carolina

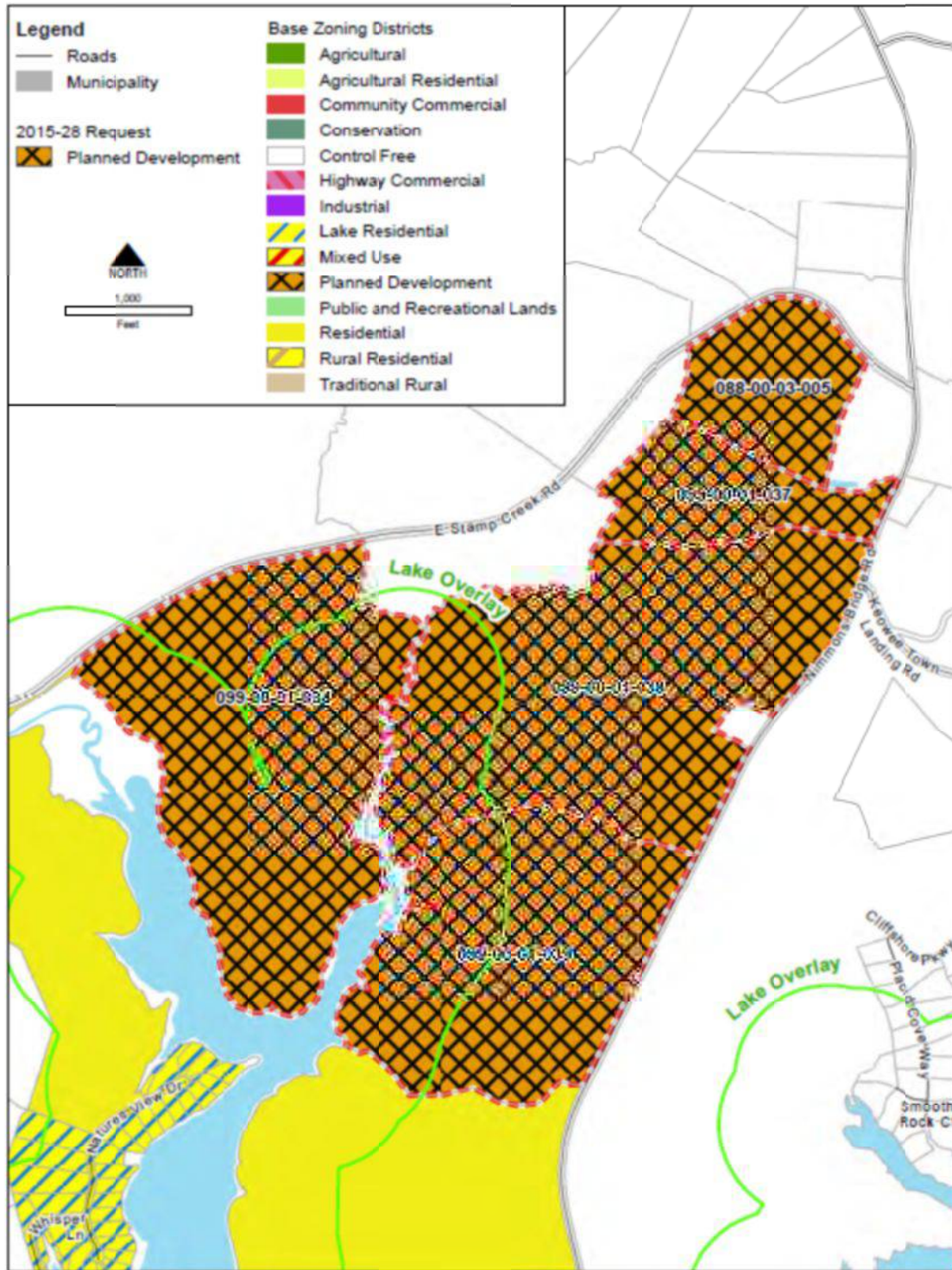
ATTEST:

By: _____
Elizabeth G. Hulse, Clerk to County Council
Oconee County, South Carolina

First Reading:
Second Reading:
Public Hearing:
Third Reading:

APPENDIX A

Parcels Rezoned by Ordinance 2015-28



**Equus Club & Winery & Lake Keowee Winery
Planned Development District (PDD)**

By the GARDINER GROUP, LLC

THIS DOCUMENT IS THE PROPERTY
OF THE GARDINER GROUP, LLC.
THE REPRODUCTION, COPYING OR
USE OF THIS DOCUMENT WITHOUT
WRITTEN CONSENT IS PROHIBITED
AND ANY INFRINGEMENT WILL BE
SUBJECT TO LEGAL ACTION.

Effective Date: _____, 2015

Table of Contents

Section 1: Introduction

1.1 Purpose and Project Description Overview	1-2
1.2 Objective	3
1.3 Scope	3
1.4 Design Flexibility.....	4
1.5 Land Development Design Objectives	4-5
1.6 Engineering Design Accountability	5
1.7 Vested Rights	5
1.8 Law in Effect as of Effective Date Governing Development Program	5
1.9 Periodic Review	5
1.10 Future Changes and Revisions.....	6-7
1.11 Termination of PDD	7
1.12 Definitions , Language, and Interpretation of Text.....	7-8

Section 2: Speed Limits

2.1 Purpose.....	8
2.2 Maximum Design Speed Limit.....	8

Section 3: Roadways Regulations

3.1 Purpose of Roadways Regulations.....	8
3.2 Financial Responsibility for Maintenance	9
3.3 Road Signage.....	9
3.4 Private Road Standards Reference for Amendments to County Regulations	9

Section 4: Water Quality and Green Technologies

4.1 Purpose	9
4.2 Water Quality BMP Design Standards	9
4.3 Non-Structural Controls.....	10
4.4 Structural Controls.....	10

Section 5: Master PDD Map and Table of Uses

5.1 General Provisions	10
------------------------------	----

Section 6: Signage on Project

6.1 General Provisions	10
------------------------------	----

Section 7: Setbacks, Buffers and Building Height Standards

7.1 General Provisions	10-11
------------------------------	-------

Section 8: Non-residential parking, Buffers/Screening and Lighting Standards

8.1 General Provisions	11
------------------------------	----

Section 9: Existing and New Zoning Standards

9.1 General Provisions.....11

List of Appendices

Appendix A: Legal Description

Appendix B: Standard Details

Appendix C: Fire Apparatus Roads

Appendix D: Private Road Standards Reference for Amendments to County Regulations

Appendix E: PDD Construction Phase and Use Report

Appendix F: PDD Master Plan District Map

Appendix I: Land Use, Zoning and Allowable Development Chart

Equus Club & Winery & Lake Keowee Winery Planned Development District (PDD)

By the GARDINER GROUP, LLC

Section 1: Introduction

1.1 Purpose and Project Description Overview

The purpose of the Gardiner Group, LLC is to develop a Planned Development District Standards (the "Standards" or "Development Standards") establishing minimum standards for design and construction of land development projects and related infrastructure within the Planned Development District. The Gardiner Group, LLC property is comprised of approximately 437.5 acres and is more particularly described on **Appendix A** "Legal Descriptions" attached hereto. The Standards are intended to protect and promote the general welfare of all residents and members of the PDD who live and visit the Development by providing quality infrastructure and development through:

- Livable neighborhoods with pedestrian oriented design concepts.
- Responsibly managed quality development.
- Incorporating green technologies throughout the development.
- Providing a facility that is inclusive for all members of the community.
- Providing an integrated community of commercial districts and residential neighborhoods.
- Promoting an active living lifestyle and outdoor recreation.

These Standards are being created by the Gardiner Group, LLC, a South Carolina limited liability company, its successors and/or assigns ("Developer") and approved by Oconee County, South Carolina, acting by and through its County Council, as part of the Gardiner Group, LLC Planned Development District (the "Development"), approved by Oconee County Council, to provide the best practical design for site development activities within the Gardiner Group, LLC property and to promote functional and sustainable low impact initiatives.

Project Description Overview - The Gardiner Group, LLC seeks approval to develop 437.5 acres of land currently owned by Crescent Communities, LLC located in Salem, SC. The project goal will be to establish two world-class wine and culinary entities on the property - the Equus Club & Winery Inc. and Lake Keowee Winery, LLC.

The Gardiner Group, LLC is confident that all aspects of the project will align perfectly with the approved Mission Statement and Vision Statement for Oconee County.

Oconee County's Mission: It is the mission of Oconee County to provide our current and future citizens and visitors quality services while protecting our communities, heritage, environment and natural resources, in an ever-changing world.

Oconee County's Vision: A diverse, growing, safe, vibrant community guided by rural traditions and shaped by natural beauty; where employment, education and recreation offer a rich quality of life for all generations, both today and tomorrow.

The Equus Club & Winery will be a 501 (C) (7) non-profit member owned social club located on approximately 336 acres. Membership will be capped at 650 members. The mission is to re-establish the wine growing region of Oconee County that the Burklein, Gerber, Kuemmerer, Neal, Riehle, Shuffle, Wieckling, Wanner and Wilson families established in the 1880's. These families were masters in the art of grape growing, and a successful wine making industry sprung up in and around Walhalla. The grape juice from the 20+ acres of vineyards that will be grown on the property will be blended with the finest grapes from the Napa, Sonoma, Lake, Mendocino and Monterrey regions in California to make award winning ultra-premium wine. The Equus Club & Winery has designed a state-of-the-art winery and has assembled an "all-star" team of winemakers to make the best wine in the South.

The Equus Club & Winery will also feature the Equus Culinary Center. The Equus Club culinary staff will be selected from the top graduates of the Culinary Institute of the Carolinas. These professional chefs will take great pride in creating menus that will surprise, astound, and impress the most discriminating foodies. The Equus Club will provide an opportunity for current students of the Culinary Institute of the Carolinas to be "educated" in our kitchen and to develop their skills.

The Equus Wellness Center will feature a fitness area and a resort-style outdoor swimming pool.

The lake cottages on the property will be reserved for members attending our weekend winemaker dinners so they can be secure in knowing they can walk back to their cottage rather than driving home after the evening's festivities. The "Southern Living" style duplex cottages will have two small rooms and an adjoining screened porch for outdoor relaxing. The Equus Equestrian Center will feature a 12-stall horse stable, a 20,000 square foot covered riding arena, approximately 40+ acres of horse pastures and a 10 acre polo field that will be used to host polo events with the proceeds being donated to local charities.

The Equus Sculpture & Botanical Garden will showcase rotating monumental works of art from leading contemporary Southern artists in a landscaped setting.

The Lake Keowee Winery will be a for-profit enterprise that will be marketed as an agritourism destination but also an amenity for the residents of Oconee County. Award-winning winemaker, George Bursick, will serve as Director of Winemaking. 38 visitors a day are anticipated resulting in the winery producing 4,000 cases annually.

Activities for the public: wine tasting, cooking classes, spectators at polo matches, bocce ball, sand volleyball, music performances, weddings and wedding receptions.

1.2 Objective

The major objective of the Development Standards for the “Development” is to provide sound, responsible infrastructure satisfying federal, state, and local (except, only as modified hereby) requirements while allowing the development of the Gardiner Group, LLC Planned Development District to maintain its character and natural beauty. The goals of the Development Standards are:

- Design/construction of safe and durable streets, driveways and parking lots.
- Design/construction of durable wastewater systems with respect to design life, capacity, and pollution mitigation.
- Design/construction of storm water drainage systems to reduce flooding and other drainage problems
- Properly planned and installed measures for erosion prevention and sediment control.
- Complete plans for a planned development ensuring grading, sediment and erosion control and utility issues are properly addressed.
- Maintain the natural character and beauty of the site by utilizing the existing beauty on site whenever possible.
- Encourage the incorporation of green technologies.
- Encourage the integration of commercial districts with residential neighborhoods.
- Encourage landscape plantings in commercial districts as well as residential neighborhoods to further enhance a planned development.

1.3 Scope

The scope of the Development Standards for the Planned Development District includes procedures and criteria for the design and evaluation of wastewater and stormwater utility, streets, Land Use, land development plans, green technologies and related infrastructure.

The Development Standards for the “Development” is not intended as a textbook or a comprehensive engineering design reference. Most types of engineering calculations are not explained or defined either due to the very complex nature of the subject matter or the fact that the design equations and methods are well-known to most competent practicing engineers who claim expertise in the area of land development.

The “Development” will meet the standards defined by federal, state, and local (as modified hereby) requirements; the Standards follow sound, responsible, and current engineering practice; the use of the Standards will expedite the review process; and the Standards establish a standard of responsibility, clarity, and professionalism to be incorporated into all design. However, these Standards are not intended to replace the judgment of the design professional that must thoroughly investigate field conditions and coordinate all design efforts and nothing herein is intended to, or shall be interpreted as to abrogate, in any regard, any federal or state land use development standard, or any local

development standard, except as explicitly stated herein; all other local land use development standards and regulations otherwise remaining in full force and effect.

1.4 Design Flexibility

The intent of the Development Standards is to ensure that minimum requirements are met with respect to the “Development. All such plans shall be stamped and signed by an appropriate design professional licensed by the State of South Carolina. As provided herein, subject to the terms of the Act, the Laws applicable to the development of the Property are those Laws in force on the Effective Date. To the extent of any conflict between the County's Comprehensive Plan, the County's Land Development Regulations, the County's Laws and these Development Standards, the terms and conditions of these Development Standards shall control to the extent permitted by law. As provided herein, the County agrees to issue any Development Permit necessary for the development of the Property so long as any submittal by Developer for a Development Permit complies with these Development Standards, and the procedures and requirements of the County's development standards, Land Development Regulations and Laws in effect as of the Effective Date otherwise applicable for County permits. As provided herein, Developer agrees that the Property and the development of the Property shall be subject to the terms and conditions of these Development Standards and that otherwise all County Land Development Regulations in effect on the Effective Date shall apply. The Development Standards have been adopted and approved by the County pursuant to that certain Planned Development District dated _____, 2015 between the County and the Developer.

1.5 Land Development Design Objectives

Design objectives for the “Development” must:

1. Provide safe and functional design of roads, streets, driveways, and parking lots.
2. Provide safe and functional design of sidewalks, walkways, trails and other pedestrian routes.
3. Provide safe and functional design of stormwater inlets, culverts, pipes, open channels, and other conveyances.
4. Minimize flooding, interruptions of utility service, traffic inconvenience and potential water damage to residences and businesses.
5. Minimize the amount of public expenditures needed for maintenance of streets, wastewater systems, and storm water facilities.
6. Minimize the amount of public expenditures needed for flood control projects and flood relief efforts.
7. Promote appropriate design life of wastewater systems and mitigate exfiltration and infiltration of the system.
8. Promote preservation of trees, woods, natural meadows and other green spaces where practical.

9. Protect and enhance streams, wetlands, waterways and rivers for wildlife and plants by reducing storm water pollution, erosion, and negative storm water impacts.
10. Promote development of recreational facilities and design aesthetics along streams, waterways, wooded areas and other greenways to benefit local neighborhoods.
11. Promote sustainability and low-impact development initiatives.

1.6 Engineering Design Accountability

The Development Standards for the “Development” have been developed to provide information to assist in the design and layout for the development of the Gardiner Group, LLC Planned Development District. The County Standards and the contained within this document when approved by the County Council shall be the legal standard for the Planned Development District and all applicable County Standards. All such plans shall be stamped and signed by an appropriate design professional licensed by the State of South Carolina. The design professionals working with the County staff will ensure that the designs and construction comply with the approved PDD standards. The PDD Standards do not replace or otherwise excuse the need for professional engineering judgment and knowledge but rather are prepared and adopted to work with design engineers to incorporate concepts into the development of the Gardiner Group, LLC Planned Development District the “Development” that would not normally be utilized in a standard development project.

1.7 Vested Rights

Subject to the Act and the terms of this agreement, all rights and prerogatives accorded to Developer by this Agreement will constitute vested rights for the development of the Property pursuant to the terms herein and approved by the County; such vesting, upon approval of the County, will pertain to all those rights and prerogatives afforded by the Laws. The County agrees that Developer, upon receipt of its Development Permits required herein, may proceed to develop the Property according to the terms and conditions of this Agreement and the site specific development plan(s) approved by the County. Further, this Agreement does not abrogate any rights either preserved by the Act or that may have a vested pursuant to common law and otherwise in the absence of this Agreement.

1.8 Law in Effect as of the Effective Date Governs Development of Property

Subject to the terms of the Act, the Laws applicable to the development of the Property are those in force on the Effective Date of this Agreement.

1.9 Periodic Review

At intervals of twelve (12) months, the County's zoning administrator, or appropriate designee shall review the progress of the development of the Property to ensure compliance with the Agreement. At the time of the reviews, Developer must demonstrate good faith compliance with the terms of the Agreement and must fully cooperate with such administrator or officer during such review.

1.10 Future Changes and Revisions

The Development Standards for the “Development” may be periodically updated by Developer as necessary to provide additional clarity or to reflect changes generally recognized as best practice in the appropriate professional and trade industries, but such updated standards will only become effective and applicable to the Gardiner Group, LLC Planned Development District upon approval from the appropriate individual or body that represents Oconee County. The Developer shall be responsible for initiating and defining all amendments and revisions to the Development Standards. With the exception of the draft ordinance of amendments necessary to amend these zoning regulations to approve the planned development, all draft plans, agreements, or other materials related to the establishment of a planned development district shall be the responsibility of the developer. Technical revisions and corrections to these Standards shall be made by Developer as necessary in accordance with good engineering standards and practice. Technical revisions require the approval of the Developer in accordance with recommendation by the Developer's engineer. If technical revisions are deemed necessary, the revisions may occur through either planned periodic revision or an accelerated process when it is determined that an immediate revision is necessary.

Amendments to approved PDD Master Plans.

Amendments to an approved master plan. Proposed amendments to an approved PDD Master Plan involving the following changes shall be considered major amendments and shall only be approved by the County Council in the manner provided by law for the amendment to the zoning map at the time of any such proposed amendment.

1. A change in the minimum and maximum requirements of the Planned development district (PDD) Ordinance Chapter 38 Article 9 Section 38.10.15 for the uses approved. The location of the uses may change within the PDD tract.
2. A change in major circulation systems that would render invalid the Master Plan major circulation system for providing access and circulation within the PDD;
3. The maximum number of allowed dwelling units and maximum net density;
4. The PDD zoning regulations, except that changes to the adopted PDD Master Plan Zoning regulations for a particular pod or portion of a development pod may be approved by the Zoning Administrator with approval of a site plan or written explanation of the changes, providing that the request for changes is made by the owner of the property in question; that the changes only affect land uses, residential density, building height, building setback or other building location restrictions, lot occupancy, impervious surface coverage, lot frontage and off-street parking/loading regulations; that the change will clearly make the PDD zoning regulations more restrictive in nature (i.e. commercial to residential, multi-family to single-family residential, increase in setback

requirements, decrease in permitted building height, increase in minimum lot frontage, etc.); that no permits or approvals beyond the approval of a PDD Master Plan have been issued for the area in questions that would be contrary to the proposed change; and that the change will comply with state enabling legislation for zoning and subdivision regulations;

5. Information required for open space and recreational use areas as specified in the use chart of this PDD.
6. The plan for landscape screens and buffers.

All other amendments to the Planned Development District Master Plan shall be considered minor amendments. The Director of the Oconee County Community Development Office, upon receipt of an application, may approve minor amendments to the Master Plan.

1.11 Termination of a Planned Development District

The owner(s) of lands zoned Planned Development District may apply to rezone the subject property and thereby terminate the Planned Development District provided that no development of any portion of the Planned Development District has taken place.

1.12 Definitions, Language and Interpretation of Text

Definitions of Terms and Uses:

This Section provides definitions for terms in this the “Development” that are technical in nature or that otherwise may not reflect a common usage of the term. If a term is not defined in this Section, then the Zoning Administrator shall determine the correct definition of the term.

Lot Line: The boundary that legally and geometrically demarcates a lot or parcel. Codes reference lot lines as the baseline for measuring setbacks.

Lot Width: The length of the principle Frontage Line of a lot or parcel.

Design Speed: The speed used for the geometric layout of the roadways

ADT: The Average Daily Traffic is A roadway’s average daily traffic is the volume of vehicles counted over a given time period -- greater than one day but less than one year -- divided by the number of days in that time period. Average annual daily traffic is a similar measure. To compute the AADT of a roadway, the daily traffic counts collected over one year are added and then divided by 365 days.

Private Roads: Roadways not owned or maintained by the local government. See section 3.4 for each road classification definition.

Collector Road: Roadway for low-to-moderate-capacity which serves to move traffic from local streets to arterial roads.

Dead End Road: Roadway for a low-to-moderate-capacity which serves to move traffic from local streets to a collector road that terminates service at one end. The roadways shall meet the road classifications.

Language and Interpretation of Text

The following language rules are applicable to the Development Standards:

1. The imperative case is always mandatory. The words "shall" and "must" are always mandatory. These actions must be performed unless sufficient engineering justification is submitted to Developer and the Developer's design engineer for approval.
2. The words "should" and "recommend" indicate an action that is highly recommended under most conditions. The words "may" and "suggest" indicate an allowable action or choice that is usually beneficial in meeting the minimum development requirements.
3. Use of the singular or plural case of a noun will not affect the applicability of this manual, or any other law, regulation, or Standards, unless the context of the sentence specifically indicates that the singular/plural case affects the intended use or function on a scientific or engineering basis. The use of a singular or plural noun does not necessarily indicate whether to design or construct a single unit or multiple units.

Section 2: Speed Limits

2.1 Purpose

The purpose of this section of the Development Standards is to define the design speed for all roadways in Gardiner Group, LLC Planned Development District in order regulate the road geometric design (AASHTO Guidelines). A safe and low design speed is desired in this type of Planned Development District.

2.2 Maximum Design Speed Limit

The Design speed limits in Gardiner Group, LLC Planned Development will be set at a design speed of 20 MPH for collector roads and 15 MPH for dead end roads.

Section 3: Roadway Regulations

3.1 Purpose of Roadways Regulations

The purpose of roadway regulations is to help define the minimum design Standards for proposed road classifications (Driveways, Private Drives, and Private Roads) for the "Development". References and Details are included in Appendix B (Standard Details). In all cases not covered under these criteria, American Association of State Highway and Transportation Officials (AASHTO), "A Policy on Geometric Design of Highways & Streets" (>400 ADT) and AASHTO "Guidelines for Geometric Design of Very Low- Volume Roads (<400 ADT) latest edition shall rule for the geometric design. The materials of construct, required testing, and inspections not covered under these criteria shall be as required in Article 1 Section 26 of the Oconee County Code of Ordinances including the references to the South Carolina Highway Department Standard Specifications for Highway Construction and the local fire code.

3.2 Financial Responsibility for Maintenance

All roads, trails, and sidewalks are to be private and shall be owned and maintained by the Developer or its successors or assigns. Following certification of completion by a licensed professional engineer of any road constructed in the “Development” in accordance with the Standards, the Developer or its successors and assigns shall be financially responsible for all maintenance. In order to facilitate the acceptance process, once a road had been substantially completed the Developer may request a written punch list from the Design Engineer. The punch list will note the items that must be completed prior to being deemed complete by the Design Engineer.

3.3 Road Signage

All road signage shall meet the standards established in the latest edition of the Manual of Uniform Traffic Control Devices.

3.4 Private Road Standards for Gardiner Group, LLC PDD

The “Private Road Standards for the Gardiner Group, LLC PDD “ are in Appendix “E”:

Section 4: Water Quality and Green Technologies

4.1 Purpose

The purpose of this section is to define post construction storm water Best Management Practices (BMP's) technologies and techniques that will be encouraged on site at Gardiner Group, LLC Planned Development beyond minimum practices required by federal and state regulations. When possible, green technologies for water quality should be utilized. The PDD stormwater control measures shall be designed and maintained meet SCDHEC regulations. This will ensure post-construction runoff from the PDD meets minimum requirements as defined by state and federal regulations. Low impact development measures utilizing control listed below are encouraged to be utilized to the extent possible.

4.2 Water Quality BMP Design Standards

The intent of water quality control proposed on site at Gardiner Group, LLC Planned Development is to reduce the impacts of the development on the water quality of receiving downstream water bodies. BMP's proposed for the development are to work in tandem to ensure that post construction runoff generated by the development will meet the minimum requirements as defined by state regulations.

4.3 Non-Structural Controls

Non-structural BMP's include such practices as minimizing impervious area for site development, providing vegetative buffers along all streams and waterways, promoting natural infiltration of runoff before it enters a receiving stream, pollution prevention practices such as regular sweeping of parking lots, and public environmental outreach programs.

Nonstructural Low Impact Development Controls may consist of the following:

- Vegetated Conveyance Systems
- Stream Buffers
- Disconnected Rooftop Drainage to Pervious Areas
- Cluster Development
- Natural Infiltration

4.4 Structural Controls

Structural Controls can be utilized with a wide variety of land uses and development types. Structural Controls have the ability to effectively treat storm water runoff volume to reduce the amounts of pollutants discharged to downstream systems. Structural controls are recommended for limited use for special site or design conditions.

Structural Controls may consist of the following:

- Storm Water Wetlands
- Bioretention Areas
- Infiltration Trenches and ponds
- Enhanced Grassed Swales
- Pre-Fabricated Control Devices
- Vegetated Filter Strips (VFS)
- Grass Paving and Porous Paving Surfaces

It is recommended that structural controls be utilized with other BMP's (Structural and Non-Structural) to help achieve the necessary water quality levels defined by the state.

Section 5: Master PDD Map and Table of Uses

5.1 General Provisions

The Master PDD map and Table of Uses is included in Appendix F and I. All Uses and requirements set forth in the approved documents shall govern the PDD.

Section 6: Signage on Project

6.1 General Provisions

All road signage and property entrance signage will comply with the Oconee County Code of Ordinances, as amended. All commercial signage in the PDD shall be designed and located so as to avoid any negative impacts on neighboring uses both inside and outside of the PDD. The signage shall comply with the standards contained within Appendix A of Chapter 38 of the Oconee County Code of Ordinances.

Section 7: Setbacks, Buffers and Building Height Standards

7.1 General Provisions

The purpose of this section of the Development Standards is to ensure protection of onsite resources such as lakes, streams and rivers along with wooded areas while allowing the developer to situate buildings and home sites as needed in the development. The Lake buffer of 50 feet from the 804 contour shall be established. The uses and values established for the PDD are shown in Appendix D.

Section 8: Non-residential parking, Buffers/Screening and Lighting Standards

8.1 General Provisions

The non-residential off-street parking shall be provided to accommodate the average amount of expected traffic utilizing the structure. A minimum of two spaces shall be provided off of the road right of way. Parking whenever feasible shall occur to the rear or side of the structure. All ADA parking requirement must be met. The non-residential parking, buffers and lighting shall comply with Appendix A of Chapter 38 of the Oconee County Code of Ordinances.

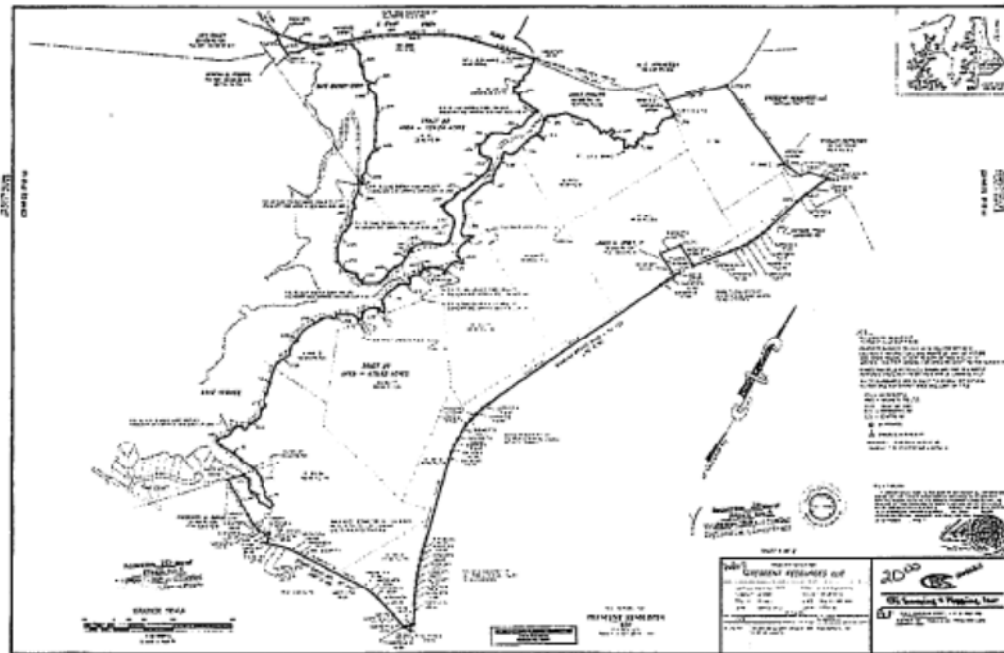
Section 9: Existing and New Zoning Standards

9.1 General Provisions

The provision contained within Section 38-11.1 Lake Overlay District shall not apply the Gardiner Group LLC PDD. These districts shall be governed by the provisions contained with Appendix I, all provisions contained within document and all other applicable Oconee County, state and federal regulations.

Appendix A Legal Descriptions

EXHIBIT A
PROPERTY
Tract 7077.04



Tracts 7077.04, 7077.05, and 7077.06

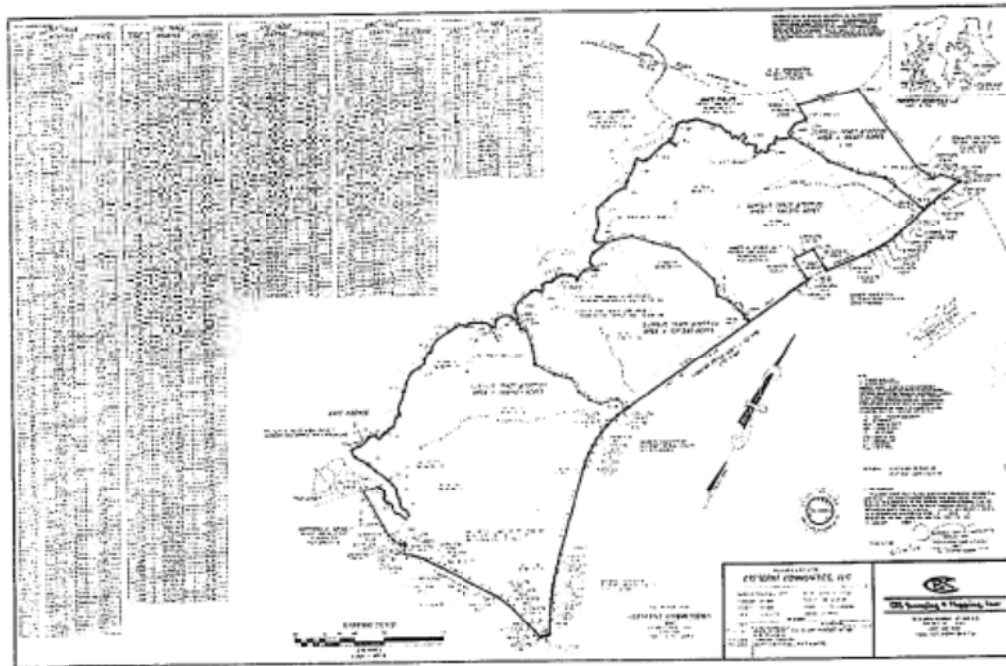
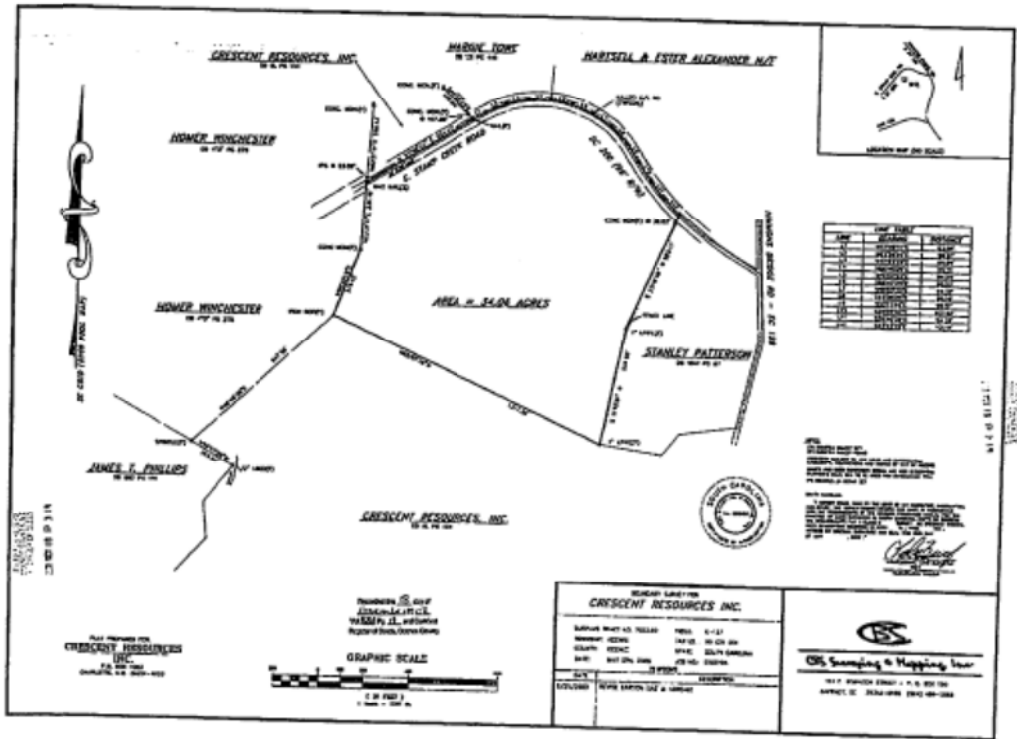


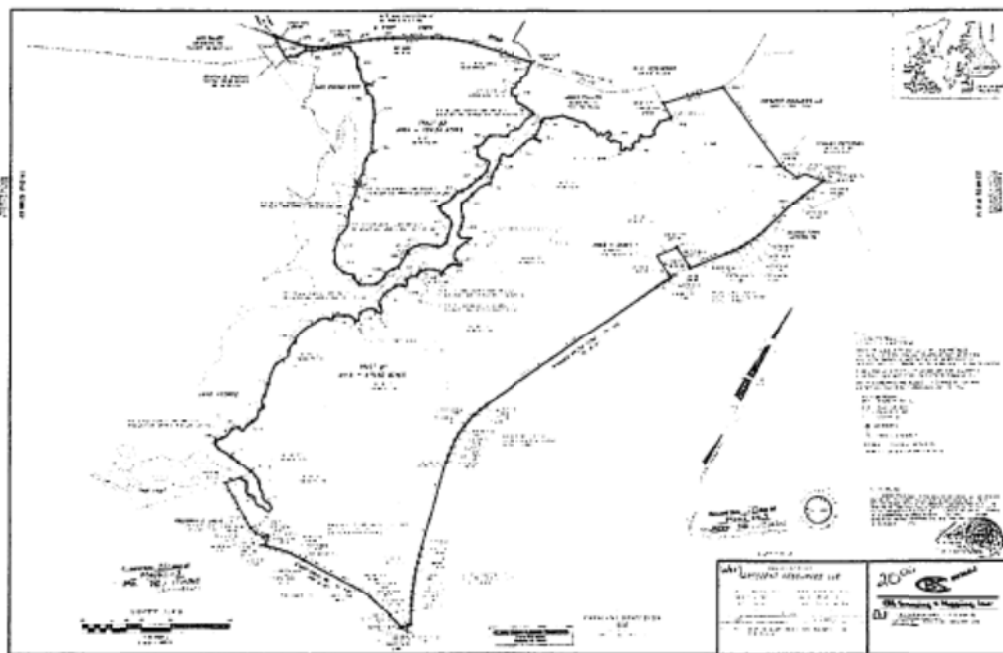
EXHIBIT A

PROPERTY

Tract 7052



Tract 7077.02



Less and except the portion of Tract 7077.02 shown on the following page A-3

Less and Except Tract 7077.02

FILED FOR RECORD
 GEORGE DUNN & SONS
 REGISTER OF DEEDS

PL -3 A 9 25

LINE	BEARING	DISTANCE
L1	N70°14'30"E	53.80'
L2	N73°14'12"E	27.37'
L3	S89°56'33"W	65.51'
L4	N43°01'33"E	54.20'
L5	N57°43'30"E	100.82'
L6	N52°03'00"E	88.20'
L7	S67°24'30"W	33.37'
L8	S71°36'30"W	28.34'
L9	S78°23'00"W	21.74'
L10	S81°53'17"W	34.43'
L11	S88°00'31"W	60.87'
L12	S47°32'11"W	46.20'
L13	S86°01'21"W	53.54'
L14	S82°34'30"W	50.43'
L15	S85°01'57"W	57.88'
L16	S86°02'53"W	53.27'
L17	S49°31'13"W	26.24'
L18	S44°11'01"W	46.28'
L19	S72°27'42"W	54.52'
L20	S52°38'32"W	47.53'
L21	S40°28'13"W	44.11'
L22	S31°22'52"W	39.21'
L23	S24°27'54"W	31.38'
L24	S34°30'21"W	23.05'
L25	S52°31'34"W	50.80'
L26	S52°17'30"W	24.84'
L27	S19°27'13"W	25.42'
L28	S33°29'50"W	21.84'



COPYRIGHT © 2012 CBS SURVEYING AND MAPPING, INC. ALL RIGHTS RESERVED.
 NO PORTION OF THIS PLAN MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF CBS SURVEYING AND MAPPING, INC. THIS DOCUMENT IS NOT VALID IN ANY STATE OR JURISDICTION WHERE IT IS NOT REGISTERED OR RECORDED. CBS SURVEYING AND MAPPING, INC. IS NOT A PROFESSIONAL ENGINEER OR ARCHITECT IN ANY STATE OR JURISDICTION. THIS DOCUMENT IS NOT VALID IN ANY STATE OR JURISDICTION WHERE IT IS NOT REGISTERED OR RECORDED.

NOTES:
 (1) OWNER TRACT SET.
 (2) OWNER TRACT FOUND.
 PROPERTY SUBJECT TO ANY SALES AND INSTRUMENTS, EASEMENTS, ENCUMBRANCES AND RIGHTS OF WAY OF RECORD AND ANY OTHER INSTRUMENTS AND RIGHTS OF WAY OF RECORD. NO FIELD CORRECTIONS OR FIELD NOTES TO BE CONSIDERED.
 ALL SALES AND INSTRUMENTS SHOWING ARE FOR INFORMATION PURPOSES ONLY AND DO NOT AFFECT THE SURVEYING. FIELD NOTES AND CORRECTIONS ARE SUBJECT TO CHANGE BY NATIONAL CALIBER AND NOT FIELD AREA AND PART OF FILE.
 (3) (4) (5) - CONCRETE MONUMENTS
 (6) - IRON NAIL
 (7) - MAGNETIC NAIL
 (8) - MAGNETIC NAIL
 (9) - TOP OF BOLT
 (10) - RIGHT OF WAY
 (11) - PROPERTY LINE
 (12) - CENTERLINE
 (13) - UTILITY POLE

PLAT PREPARED FOR:
CRESCENT RESOURCES LLC
 227 WEST TRADE STREET
 SUITE 1000
 CHARLOTTE, N.C. 28202

MAGNETIC NAILS FOUND AT ALL CORNERS IN E. STAMP CREEK RD.
 PROPERTY LINE IS APPROXIMATE TO CENTERLINE OF STAMP CREEK RD. PROJECT BOUNDARY.

CRESCENT RESOURCES
 PLOD TRACT # 2
 MAP 089-00-01-034
 OF SC PG 83
 8-31
 SEE PLAT BY THIS OFFICE DATED 3/8/2002, RECORDED IN PG 4030 PG 9/10.



SOUTH CAROLINA
 I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE SURVEYING AND MAPPING ACT FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA. AFTER AN EXHAUSTIVE SEARCH OF THE RECORDS FOR A CLASS "C" SURVEY AS PROVIDED THEREIN, I DID NOT DISCOVER ANY RECORDS IN BOOK 90 - PAGE 83 WHICH MAY CONTRADICT, SUPERSEDE AND BE IN CONFLICT WITH THE DATE OF JUNE 1, 2012.

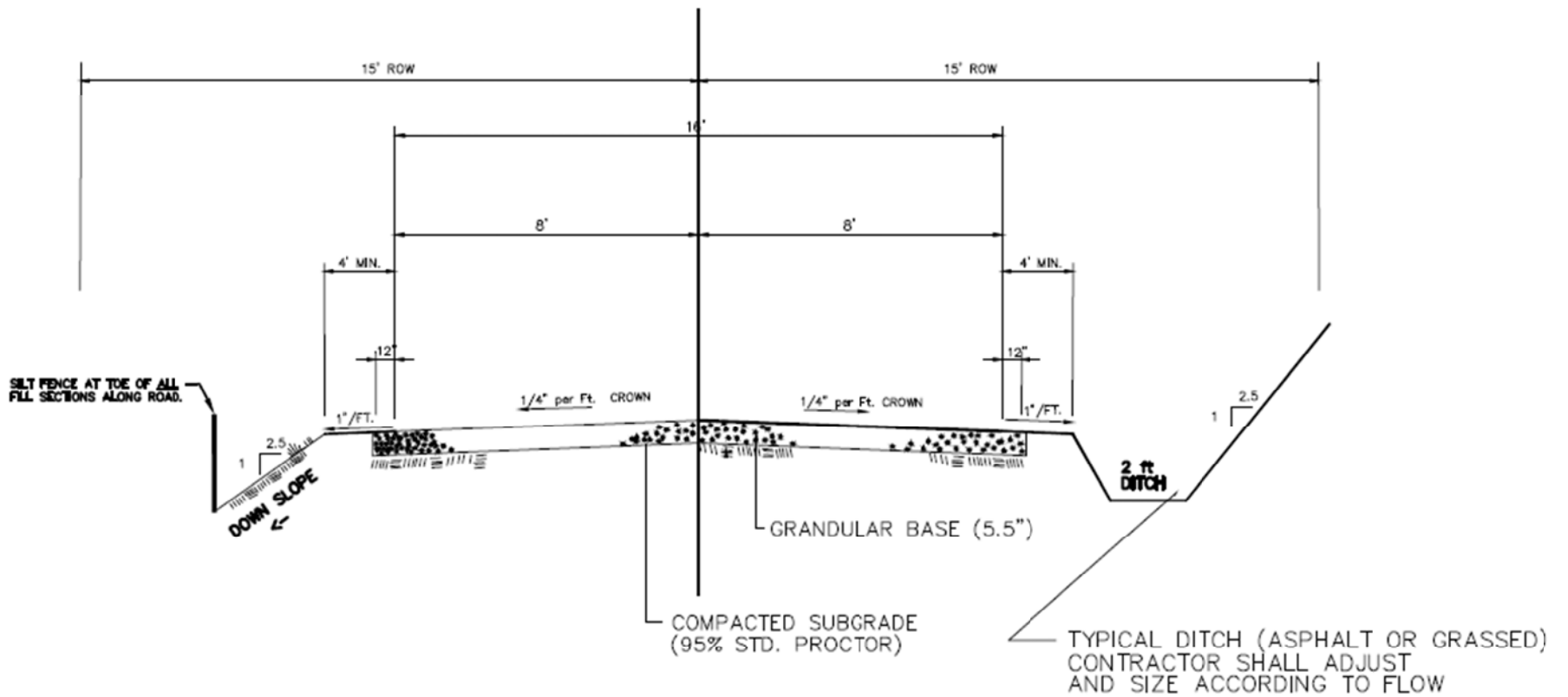
Recorded this 3 day of July, 2012
 Vol. 8609 Pg. 3
 and Certified
 Register of Deeds, Oconee County

BOUNDARY SURVEY FOR:	
CRESCENT RESOURCES, LLC	
TOWNSHIP: KEEHCE	TAX ID.: P/O 089-00-01-034
COUNTY: OCONEE	STATE: SOUTH CAROLINA
DATE: APR 1, 2012	JOB NO.: 061201
DATE	DESCRIPTION

CBS
CBS Surveying & Mapping, Inc.

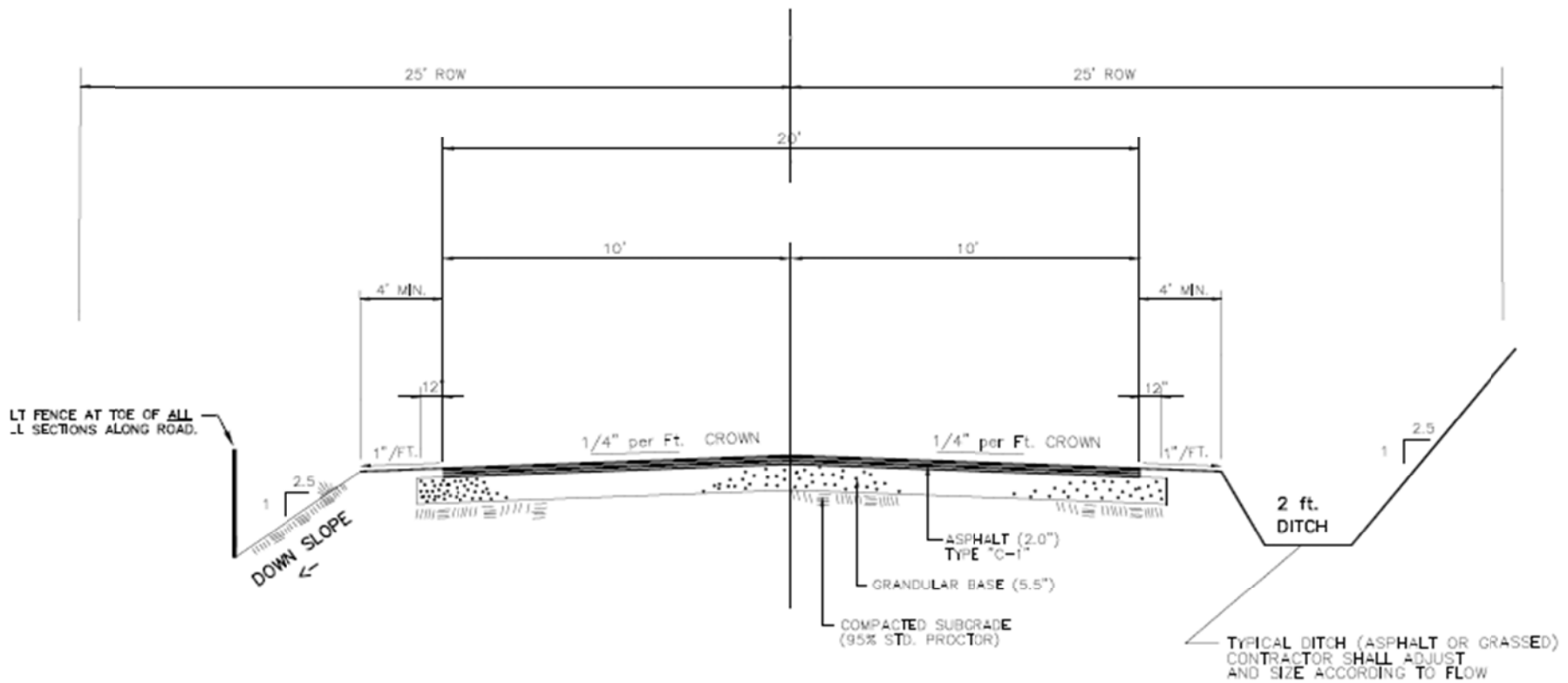
3810 UNION HIGHWAY PO BOX 578
 GATNEY, SC 29342
 (804) 488-5068

Appendix B Standard Details

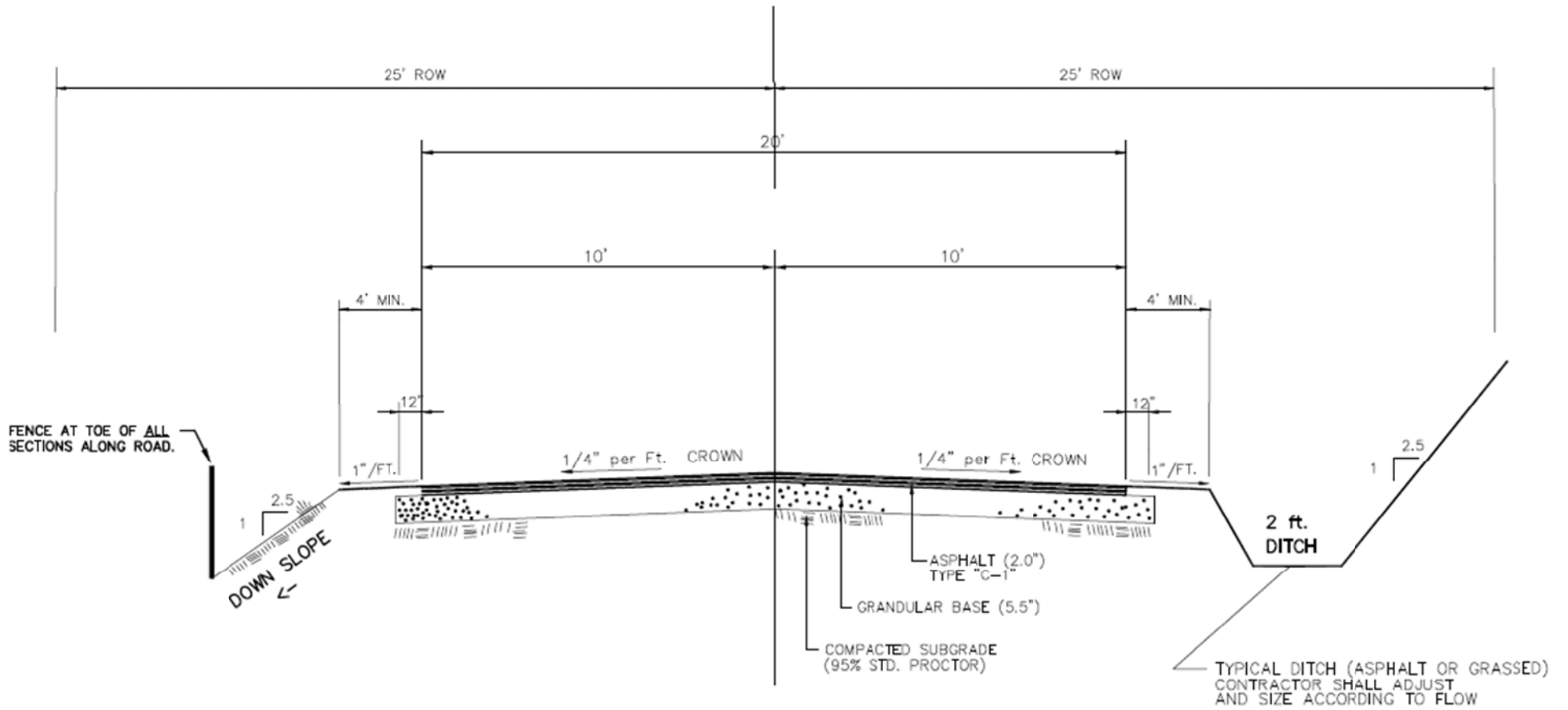


TYPICAL GRAVEL PRIVATE DRIVEWAY (CROWNED SLOPE)

(N . T . S .)



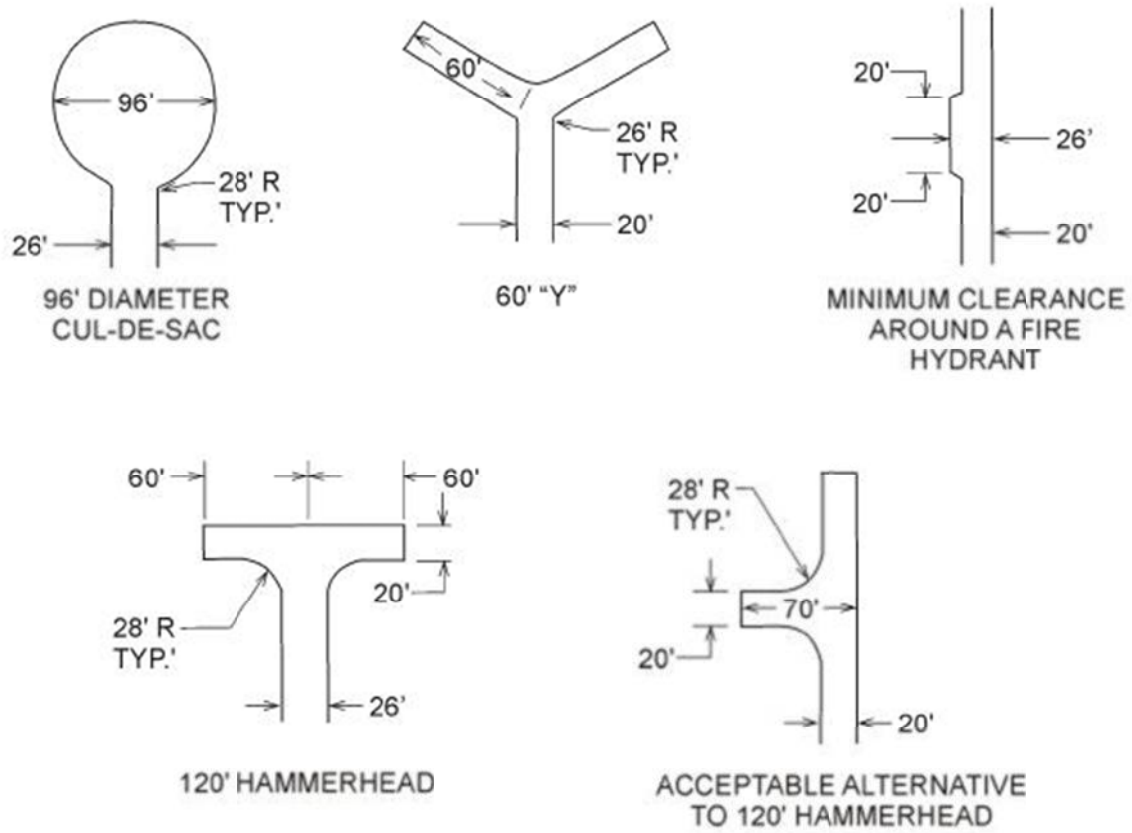
TYPICAL PAVED PRIVATE DRIVE (CROWNED SLOPE)
(N . T . S .)



TYPICAL PAVED PRIVATE ROAD (CROWNED SLOPE)

(N . T . S .)

Appendix C Fire Apparatus Roads



For SI: 1 foot = 304.8 mm.

FIGURE D103.1 DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade.

Exception: Grades steeper than 10 percent as *approved* by the fire chief.

D103.3 Turning radius. The minimum turning radius shall be determined by the *fire code official*.

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions

in accordance with Table D103.4.

TABLE D103.4 REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
Over 750		Special approval required

For SI: 1 foot = 304.8 mm.

D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. The minimum gate width shall be 20 feet (6096 mm).
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one *person*.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be *approved* by the *fire code official*.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the key(s) to the lock is installed at the gate location.
7. Locking device specifications shall be submitted for approval by the *fire code official*.
8. Electric gate operators, where provided, shall be *listed* in accordance with UL 325.
9. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

D103.6 Signs. Where required by the *fire code official*, fire apparatus access roads shall be marked with permanent NO PARKING—FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

Appendix E Private Road Standards

Private Road Standards for the Gardiner Group, LLC PDD (dated 10-12-15)

General provisions.

These general provisions shall apply to both private roads and drives and public roads. The definitions section of the land development and subdivision chapter of the Oconee County Unified Performance Standards Ordinance (Ordinance 2008-20, [as codified in chapter 32, article VI, §§ 32-211—32-226]) shall apply to this article.

- (1) Survey standards. Route surveys and plats shall be prepared and survey data entered thereon in accordance with the most recently adopted version of the "Minimum Standards Manual of the Practice of Surveying in South Carolina" established by the South Carolina Board of Registration for Professional Engineers and Land Surveyors, provided that all elevations information shall refer to Mean Sea Level Datum or other established datum (with a minimum of two benchmarks). Accuracy of plats and attendant data shall be no less than required in said manual for Class B Suburban Land Surveys.
- (2) Utilities. When utilizing a road right-of-way, all utility lines shall be buried at a depth of at least 36 inches. Such lines shall be located a minimum of two feet, outside the portion of the road to be surfaced to prevent having to cut into the paved surface or reconstruct drainage structures to serve abutting properties. In order to prevent future road cuts, utility stub-outs shall be added to all utility lines extending beyond the roadway to each property line.
- (3) Road signs. Road name signs shall be installed at all intersections within a subdivision. All other signs shall be installed as required by and at the direction of the county engineer or his/her designee. All signage will be in accordance with the manual of uniform traffic control devices. The developer shall be responsible for all cost of road signage for private drives, private roads, and proposed county roads (at a cost determined by resolution of county council from time to time) prior to acceptance of road by the county. Any person who shall willfully or maliciously damage, deface, remove or otherwise tamper with a sign erected by a subdivider or the county designating the name of any county road shall be guilty of a misdemeanor and punished in accordance with this article. In addition thereto, such person shall be liable to the county for the cost incurred by the county as a result of said criminal acts.
- (4) Submission of road plans. Construction plans for roads shall include accurate topographic information with increments of no more than five feet. In addition, all such plans should note the following items: the location and dimensions of all drainage features; routes of surface water drainage for the entire development; a typical cross section of the proposed roadway; road profiles; horizontal and vertical curve designs; right-of-way dimensions; the location of all cuts and fills; finished grade elevation; all necessary erosion control practices, which may include but are not limited to, permanent vegetation, lined or piped ditches or vegetated waterways; and contact information of all interested parties.
- (5) Road alignment and location. The direction and pattern of roads shall take advantage of the land contour to eliminate or reduce excessive cutting and filling, and provide roads with reasonable grades.

Private road standards and regulations.

Oconee County shall have no responsibility for nor control of the design, engineering, construction, inspection or maintenance of private driveways, drives and roads in Oconee County and shall only be involved with private driveways, drives and roads to enforce these regulations and to the extent required for the county to carry out its other duties and functions, such as approving the subdivision of property.

(a) Road Class 1 (Private Driveways)

Private driveways shall serve up to an Average Daily Traffic (ADT) of less than 30. Private driveways that exceed 150 feet in length shall require a minimum 20 foot wide stone base centered under the pavement to support fire vehicle access. Alternative methods to provide a stable fire lane may be employed pending review and approval of the fire code official. The required width can be met by extending the road base outside the driving surface and covering it with pavers or grass.

(b) Road Class 2 (Private Drives)

Private drives shall serve less than an Average Daily Traffic (ADT) less than 50. Private drives can vary in width from two 10 feet lanes for two-way traffic or one 15 feet lane for one-way traffic.

- (1) Serve no more than ten lots or dwellings;
- (2) Have a minimum road right-of-way of 50 feet, or an appropriately executed private roadway easement as defined by these regulations;
- (3) Have an appropriate encroachment permit from either the county or the South Carolina Department of Transportation;
- (4) Have a minimum driving surface width of 20 feet constructed of no less than five inches of compacted crushed stone or gravel base; a minimum height clearance of 13½ feet; and appropriate documentation from a professional engineer licensed by the State of South Carolina certifying the maximum weight limit of any bridge or culvert located along the drive. All bridges and any culvert over which a private drive crosses a perennial stream must include appropriate signage (located at each end of the bridge) displaying the structure's weight limits;
- (5) Be maintained by an individual, association of property owners, or commonly held by the property owners fronting the private drive;
- (6) Roads will comply with all current fire regulations and codes. When private drives offer access into parking lot areas, fire lanes may be designated in parking lots to provide the necessary space for fire truck parking.

- (7) Shall serve no more than ten dwellings, and shall connect to another road, either public or private, on one end only. In the event proposed construction and/or development will result in an existing private drive serving 11 or more dwellings, the existing drive shall be upgraded so as to meet the standards put forth in these regulations for private roads;
- (8) If the PDD is subdivided the parcel boundaries will extend to private road right of way line. The Developer or its successors or assigns will be responsible for maintenance of these roadways and right-of-ways. In areas where private roadways cross public right of ways, the Developer or its successors or assigns will be responsible for maintenance of these roadway in public right of way areas.
- (9) Be named in accordance with adopted E-911 addressing regulations and procedures;
- (10) Allow at least 100 feet of sight distance for each ten miles per hour of the posted speed limit where the private drive intersects a public road. The sight distance shall be measured from a seeing height of 3½ [feet], offset 15 feet from edge of road, to an object 4¼ feet in height above the grade of the public road, as stated in SCDOT's 1996 Access and Roadside Management Manual. If the proposed drive does not meet the sight distance requirement, a waiver must be signed by the individual(s) constructing the private drive stating that the property owner(s) is liable and responsible for any accidents, injuries, problems, and property damage resulting from improper sight distance;
- (11) Meet all applicable stormwater management and sediment control regulations;
- (12) Be approved in writing by planning commission or designated staff prior to submission of plat(s) to the register of deeds for recording. The following shall be prominently printed on the plat(s):

"THE ROAD RIGHT-OF-WAY SHOWN ON THIS PLAT SHALL BE PRIVATE DRIVES NOT OWNED, MAINTAINED OR SUPERVISED BY OCONEE COUNTY, AND WERE NOT CONSTRUCTED PURSUANT TO ANY PLAN FOR FUTURE ACCEPTANCE BY OCONEE COUNTY. ROAD RIGHT-OF-WAYS SHOWN UPON THE PLAT SHALL NOT BE ACCEPTED FOR MAINTENANCE BY OCONEE COUNTY AT ANY TIME IN THE FUTURE UNLESS CONSTRUCTED IN ACCORDANCE WITH ALL ADOPTED OCONEE COUNTY REGULATIONS. MAINTENANCE OF THE RIGHT-OF-WAY SHALL BE THE RESPONSIBILITY OF _____."
- (13) Signage shall comply with the manual for uniform traffic control devices.

(c) Road Class 3 (Private Roads)

Private roads shall serve greater than an Average Daily Traffic (ADT) of more than 50 and less than 400. Private roads can vary in width from two 10 foot lanes for two-way traffic or two divided 15 feet lanes with one-way traffic when lane separation is required to accommodate a median or landscaped area. All private non-dedicated roads shall be prominently indicated as such on plats prior to subdivision approval. Private maintenance statement for such roads must be noted in writing on subdivision plat submittals and must be subsequently recorded as required. The development served by a private road system shall have direct access into a public road.

- (1) Serve a minimum of 11 lots;
- (2) Have a minimum road right-of-way width of 50 feet;

- (3) Be designed in accordance with the regulations set forth in subsection 26-3(e) of these regulations;
- (4) Be constructed in accordance with the regulations set forth in subsection 26-3(f) of these regulations;
- (5) Be maintained by an association of property owners or the developer and be designated on all plats and recorded in appropriate deed covenants and restrictions, or an appropriately executed private roadway easement as defined by these regulations;
- (6) Parcel boundaries may extend to the centerline of the road, with the appropriate right-of-way designated on all plats and deeds;
- (7) Be legally certified for compliance by a surveyor/engineer licensed by the State of South Carolina;
- (8) Be named in accordance with adopted E-911 addressing regulations;
- (9) Meet all stormwater management and sediment control regulations;
- (10) Be properly approved in writing by planning director prior to submission of plat(s) to the register of deeds for recording. The following shall be prominently printed on the plat(s):

"THE ROAD RIGHT-OF-WAY SHOWN ON THIS PLAT SHALL BE PRIVATE ROADS, NOT OWNED, MAINTAINED OR SUPERVISED BY OCONEE COUNTY AND NOT CONSTRUCTED PURSUANT TO ANY PLAN FOR FUTURE ACCEPTANCE BY OCONEE COUNTY. ROAD RIGHT-OF-WAY SHOWN UPON THE PLAT SHALL NOT BE ACCEPTED FOR MAINTENANCE BY OCONEE COUNTY AT ANY TIME IN THE FUTURE UNLESS CONSTRUCTED IN ACCORDANCE WITH ALL OCONEE COUNTY REGULATIONS. MAINTENANCE OF THE RIGHT-OF-WAY SHALL BE THE RESPONSIBILITY OF THE _____."

- (11) Have installed signs that control the traffic flow in a safe manner as specified by standards in the Manual for Uniform Traffic Control Devices.

With the exception of the requirements put forth in this section, all private roads shall meet the requirements for all public roads as defined by this article.

- (12) All roads will be designed for a speed limit of 20 mph on commercial roads, 20 mph on residential collector roads and 15 mph on private dead end roads.

(13) If the Developer proposes a planted median island, the median shall be centered in the right-of-way. The right-of-way may vary as needed depending on the median design. Sufficient spacing between the edge-of-pavement and right-of-way shall remain to allow utility access and placement. The Developer or its successors and assigns, subject to reimbursement by residents of the Gardiner Group, LLC Planned Development, shall be responsible for maintaining any median vegetation. All planted medians shall be drained and maintained by methods developed by a qualified consultant.

- (14) Dead End Streets and Cul-De-Sacs. Streets with a length of 150 feet or more that dead end shall terminate in a cul-de-sac (details in Appendix E-fire code ref.), unless turnarounds are prohibited. All unpaved islands located within perimeters of a cul-de-sac will ideally be centered within the right-of-way and properly drained. Medians may be shaped as needed to best suit the conditions of the

roadways in the development. The area utilized by any unpaved island shall not be considered part of the minimum area needed to meet the required dimensions for the cul-de-sac or right-of-way and shall be governed by the same Standards for planted median islands, as set forth in this article.

(15) Roads will have an appropriate encroachment permit from either the county or the South Carolina Department of Transportation, as needed where they encroach on public rights of way.

(16) Roundabouts are a successful proven form of traffic control as an alternative to the more conventional intersection control methods. The basic geometric design guidelines for typical roundabouts include the central island of a roundabout, surrounded by the circulating 1 way roadway. One way roadways are to have a minimum width 15 feet for residential roadways and 20 feet for non-residential roadways. The minimum size of the central island is determined the SCDOT standard for mini-roundabouts. All roundabouts must be approved by the fire code official.

(17) Roads will be named in accordance with adopted Oconee County E-911 Addressing regulations and procedures.

(18) In cases where utilities cannot be placed in right of way, adequate utility easements will be provided as needed to the public and private utilities serving the development. The easements must be shown recorded plats.

(19) Sidewalks/trails will be allowed in the private right of way of the roads. Sidewalks/trails material and placement will be determined based on the development's need for pedestrian traffic with in the PDD. The sidewalks and trails serving the public must meet approved local specifications. The sidewalks will be maintained by the Developer or its successors and assigns, subject to reimbursement by residents and individual lot owners of the Gardiner Group, LLC Planned Development.

(20) Parking shall be allowed directly adjacent to private roads as shown on the Roadside Parking Detail.

Sec. 26-3. - Public roads.

- (a) Continuation of adjoining road system. The proposed road layout shall extend existing roads on a logical course at a width which meets the minimum required by this article. A minimum 100:1 taper section shall be used to transition from one width to another.
- (b) Road system coordination. The road system within a subdivision shall be coordinated with existing, proposed, and anticipated roads (hereinafter "surrounding roads") outside the subdivision, as determined by the county or the State of South Carolina. Subdivision roads shall intersect with surrounding roads at safe and convenient locations and where necessary to permit the efficient movement of traffic between residential neighborhoods by emergency service vehicles. Subdivision roads shall only enter arterial roads when absolutely necessary. Whenever connections to surrounding roads are required by this section, the road right-of-way shall be extended and the street developed to the property line of the subdivided property (or to the edge of the remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected. In

addition, the permit-issuing authority may require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles. All temporary dead-end streets must be approved by the planning director and the county engineer.

- (c) Road names. A proposed road which is obviously in alignment with or an extension of an existing named road shall bear the name of the existing road. Except for the above, in no case shall the name of a proposed road duplicate or be phonetically similar to an existing road name, irrespective of the use of suffix (road, avenue, boulevard, drive, place, court, lane, etc.). It shall be unlawful for any person in laying out any new road to name such road on any final plat or instrument, without first obtaining the approval of the Oconee E-911 Addressing Office.
- (d) Residential buffers for collector or arterial roads. Where a subdivision abuts or contains an existing or proposed collector or arterial road; lots which abut or are adjacent to these existing or proposed collector or arterial roads shall face a local road. Other treatment may also be required, as necessary, for adequate protection of the landscape and residential properties and for separation of through and local traffic. Special treatment may be required, such as screen planting contained in a nonaccess reservation along the rear property line adjacent to the arterial road.
- (e) Road design (geometric criteria). In general, geometric criteria for road design shall be in accordance with standards of the South Carolina Department of Transportation (SCDOT). Said standards are those contained in the latest edition of "A Policy on Geometric Design of Highways and Streets" by the American Association of State Highway and Transportation Officials. Local and collector residential roads (public) shall be designed in accordance with the following standards.

(1) Minimum right-of-way, pavement, and shoulder width shall be as follows:

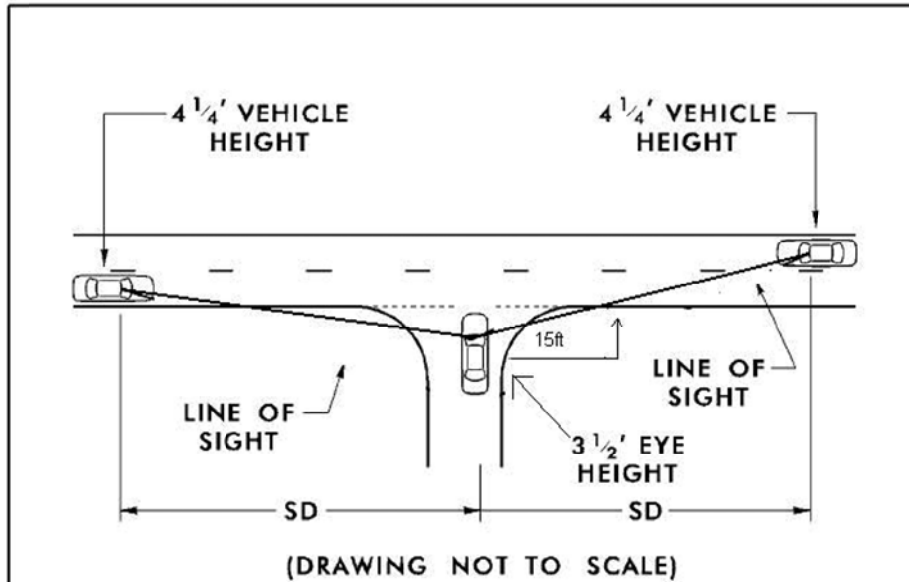
Road Type	Right-of-Way	Pavement	Shoulder
Arterial ¹	66' or greater	28'	10'
Collector	50'	24'	8'
Major local	50'	22'	6'
Minor local	50'	20'	4'

¹As determined by county engineer

For high density residential or nonresidential subdivisions or portions thereof, additional right-of-way or pavement width shall be provided when determined as necessary by the planning commission or county engineer.

- (2) Cul-de-sacs shall comply with current fire regulations and codes. Dead-end streets without turnarounds are prohibited. All unpaved islands located within perimeters of a cul-de-sac shall be round in configuration, centered within the right-of-way, curbed and properly drained. The area utilized by any unpaved island shall not be considered part of the minimum area needed to meet the required dimensions for the cul-de-sac or right-of-way and shall be governed by the same standards for planted median islands, as set forth in this article.
- (3) Horizontal curvature, minimum centerline radius, tangent lengths, intersections, stopping distances, and sign distance shall meet the guidelines of AASHTO "Guidelines for Geometric Design of Very Low-Volume Roads" for traffic county less than 400 ADT (latest edition). For traffic counts greater than 400 ADT the American Association of State Highway and Transportation Officials (AASHTO), "A Policy on Geometric Design of Highways & Streets" guidelines shall be used.
- (4) Horizontal curves and Vertical (crest-sag) Curves design shall be based on AASHTO guidelines based on the ADT and the design speed limit.
 - a. The sight distance shall be measured from a seeing height of 3½ feet, offset 15 feet from edge of road, to an object 4¼ feet in height above the grade of the public road, as stated in SCDOT's 1996 Access and Roadside Management manual. See drawing.

SIGHT DISTANCE REQUIREMENTS
(DISTANCES GIVEN ARE FOR FLAT GRADES)



DESIGN VEHICLE ENTERING ARTERIAL	SIGHT DISTANCE (SD) PER 10 MPH OF ARTERIAL SPEED FOR ARTERIAL WIDTH OF:		
	2 LANES	4 LANES	6 LANES
	FEET	FEET	FEET
PASSENGER CAR	100	120	130
SCHOOL BUS	130	150	170

- b. Minimum sight distance at intersections shall provide a clear sight triangle. The right-of-way shall be clear of obstacles to enable the minimum sight distance required, as determined by the speed limit of the road being accessed increases. The necessary right-of-way in either direction shall be entered upon the final plat prior to recording. Modifications may be required by the county engineer in order to insure safety.

- (5) Roads shall be designed to intersect as nearly as possible at right angles. In no case shall the angle of intersection be less than 75 degrees. Minimum radius of curb or pavement edge at intersections shall be at least 20 feet at intersections with local roads and 25 feet at intersections with collector roads.
 - (6) Road grades for private residential and non-residential roadways shall be no less than 1% and the maximum shall not be more than 12% except in locations where the natural grade is greater than 12% and a transition segment is needed to connect developed areas. A transition segment is one section of the road that allows for a grade change to adjust to match an existing site condition. The maximum transition segment grade of 15% is allowed for a maximum of 500 feet. The location of all slopes exceeding average 12% shall be reviewed and approved by the County staff and the Fire Code Official
 - (7) Proposed intersections on one side of a road shall coincide with existing or proposed intersections on the opposite side. Minimum centerline offset for intersections on the opposite side of a road shall be 100 feet. No two private roads may intersect on the same side of the road at a centerline separation distance of less than 150 feet.
 - (8) Intersections shall be designed with a flat grade whenever practical. When approaching an intersection in hilly or rolling areas, a leveling area shall be provided having not greater than a five percent grade at a distance of 30 feet, measured from the nearest right-of-way line of the intersecting street.
 - (9) If the developer proposes a planted median island, the road right-of-way shall be divided in half for each half of the road (25 feet each side) with each lane centered in the right-of-way. A perpetual maintenance plan shall be submitted to the county prior to construction of said planted median island. the county shall not be responsible for maintaining any median vegetation. Vegetation within the right-of-way may be removed by the county if it presents a safety or visual hazard. All planted medians shall be drained and maintained by methods submitted by the developer and approved by the county engineer.
 - (10) All driveway locations must be approved by the county engineer.
- (f) Road construction. In general, all public roads shall be constructed in accordance with the SCDOT "Standard Specifications for Highway Construction" (latest edition) as it related to earthwork, bases/subbases, paved surfaces, etc. The following requirements shall also apply:
- (1) Paved road surfaces are required for all new roads. The county engineer may wave the strict application of aggregate requirements for hot mixed asphalt pavement with materials prepared with stone from the county rock quarry.
 - (2) The minimum base course for all roads shall consist of type #1 (550 lbs. per square yard) crushed gravel aggregates compacted on the roadway to a depth of not less than five inches. Compaction of the aggregate shall comply with the standards set forth in this article.
 - (3) Local roads. When hot asphaltic mix will be applied, specifications for set up are same as for the surface treatment. Asphalt shall be applied at no less than two-inch compacted of type as specified by the county engineer.
 - (4) Collector roads. Road base shall include 550 lbs. of stone per square yard (approx. 5) with two-inch surface course of asphaltic concrete.

- (5) Industrial/commercial roads. Road base shall include 650 lbs. of stone per square yard (approx. 6) with two-inch surface course of asphaltic concrete.
- (6) Road paving is required for all new nonresidential subdivisions falling under the jurisdiction of this article. Pavement design requirements for a nonresidential subdivision shall be in accordance with sound engineering principles as outlined in procedures adopted by the American Association of State Highway and Transportation Officials; or the Portland Cement Institute; or the National Asphalt Institute. All designs shall be subject to review and approval of the county engineer and the county planning commission. However, in no case shall the paving standard be less than the standard required for a new residential subdivision. Alternate surface materials, including, but not limited to cobblestone, concrete pavers, etc. may be utilized in lieu of asphalt surfacing. The alternate surface material must meet the same design standards for traffic and loads as the material that will be replaced to be approved as an alternate by the County. The Developer also reserves the right to utilize other alternate surfaces treatments on an as needed basis.
- (7) The entire right-of-way area shall be cleared of all stumps, roots, brush, and other objectionable materials prior to grading roads. All tree stumps and other vegetation shall be removed to a depth of two feet below the sub-grade. Rock, when encountered, shall be scarified to a minimum depth of three inches below sub-grade. The entire right-of-way shall be graded.
- (8) All debris and other material deemed unsuitable by the county engineer shall be removed before any dirt or soil is placed in fills for the subgrade. Unsuitable materials include any organic matter, unstable soil, trash, large stones, or other items that prevent the soil from being properly compacted.
- (9) All fill lifts shall be formed by placing and spreading the material in successive, uniform, horizontal layers of not more than six inches in depth for the full width of the cross section and shall be kept level by the use of approved equipment. Prior to each subsequent layer the compacted layer shall be scarified before placing fill. The county engineer or his designated representative may call for compaction tests at the completion of any of the six-inch lifts being made. Each level will be compacted to a 95 percent proctor.
- (10) Suitable material shall be placed in the embankment for the formation, compaction, and shaping of all embankments, subgrades, shoulders, slopes, intersections, approaches and private entrances to conform to the typical cross section shown on the approved road construction plan.
- (11) When an embankment is to be on a hillside or against an existing embankment sloping more than 20 degrees from the horizontal, the slope of the hillside or existing embankment shall be plowed deeply or cut into steps before filling is commenced. All embankments shall be formed by placing and spreading the material in successive, uniform, horizontal layers of not more than six inches in depth for the full width of the cross section and shall be kept level by the use of approved equipment. Embankments over and around pipes, culverts, arches, bridges, or other structures shall be constructed of materials approved by the county engineer.
- (12) All pipe culverts shall consist of the following materials:
 - a. Reinforced concrete conforming to the requirements of American Association of State Highway Officials (AASHTO) M170 Class 3 pipe.

- b. High density polyethylene (HDPE) corrugated with a smooth interior pipe conforming to the requirements of American Association of State Highway Officials (AASHO) M294M, Type S pipe.

All pipe culverts shall be of sufficient size to adequately insure proper drainage. Calculations by a professional engineer licensed by the State of South Carolina must be submitted and approved by the county engineer. Rip-rap shall be securely installed over an approved silt barrier to the height of the high water mark around the end of all pipe culverts.

- (13) Bridges/Culverts. Bridges/culverts in right-of-ways shall meet current SCDOT standards. All bridges/culverts over which a private road crosses a perennial stream must include appropriate signage located at each end of the bridge/culvert displaying the structure's weight limits. All Bridges and culverts must be designed to pass the 25 year frequency storm event.
- (14) All drainage inlets and outlets not accessible from the road right-of-way must include a permanent easement allowing the county access to the adjacent property needed to perform necessary maintenance work. Oconee County will not be responsible for any damage off of the right-of-way due to high water or flash flood conditions
- (g) Compaction and testing. Compaction of sub-grade and base courses shall conform to the applicable sections of the latest published edition of the South Carolina Highway Department Standard Specifications for Highway Construction. Nuclear compaction test may be conducted on all sub-bases as directed by the county engineer. A loaded (minimum of 60,000 lbs. gross weight) tandem roll test of the sub-base shall be performed. Any of the compaction tests may be directed by the county engineer or his designated representative during an intermediate six-inch lift. A loaded (minimum of 60,000 lbs. gross weight) tandem roll test will also be performed upon setup of the base material prior to paving the road. Any substandard materials will be replaced and retested as directed by the county engineer or his designated representative. Upon completion of a road, all fills shall be protected by either seeding or rip-rap. All fills of 2½:1 or steeper shall be protected by rip-rap. Shoulders and other disturbed soil along the entire cleared area of the right-of-way shall be seeded in such a manner as to ensure uniform sod.
- (h) Inspections.
 - (1) A developer/owner shall notify the county engineer at least 48 hours prior to any requested inspection. Work done prior to inspection is done so at the contractor's and owner's own risk and may, upon decision of the county engineer or designee, be required to be removed and redone or have the quality substantiated by any tests deemed necessary all at the contractor's and/or owner's sole expense. Inspections shall be required for the following:
 - a. At the completion of clearing and grubbing operations;
 - b. At the completion of rough grading;
 - c. At the completion of all utility construction along road right-of-way (including but not limited to water, sewer, electrical);
 - d. At the completion of subgrade;
 - e. After installation and compaction of base course;

- f. During all pavement applications; and
 - g. Final acceptance inspection.
- (2) The contractor/owner's engineer shall be present for the following inspections:
- a. Rough grading inspections;
 - b. Subgrade;
 - c. Base course inspections; and
 - d. Final acceptance inspection.
- (i) Financial responsibility for maintenance. Following acceptance for maintenance by the county of any road, the developer/owner shall be financially responsible for all maintenance necessary due to deficiencies resulting from initial construction for a period of three years. The developer/owner shall post a bond or a letter of credit for the estimated cost of maintaining the road for three years from the date of acceptance. The county engineer shall determine the amount of the bond or letter of credit. The bond or letter of credit shall be maintained by the county finance department. The bond or letter of credit shall expire after three years from the date of acceptance of the road, or in the case of a subdivision road, after a build out of 70 percent of the subdivision, whichever occurs first. In order to facilitate the acceptance process, once a road had been substantially completed the developer/owner may request a written punch list from the county engineer. The punch list will note the items that must be completed prior to acceptance of the road by the county.
- (j) Contracts. Notwithstanding any other provision of this section, the owner/developer may utilize an independent contractor to perform road work. In such case, the owner/developer shall be fully responsible for work performed by the contractor on said roads.
- (k) Financial liability. The owner/developer shall be responsible for all costs in the design and construction of a road until said road is accepted as a county road by the county.
- (l) Road swales and channels. All roadway ditches and channels shall be designed to contain, at minimum, a peak flow from a 25-year frequency storm. All roadway ditches and channels shall be designed so that the velocity of flow expected from a 25-year frequency storm shall not exceed the permissible velocities for the type of lining used. Rip-rap shall be placed for stops in road drainage swales as instructed by the county engineer. Swales shall be stabilized against erosion by grassing with a mixture of rye and bermuda grass, or the appropriate grass for the season. Road swales shall be installed at a maximum depth of three feet and be designed to enable mowing by adjoining property owners.
- (m) Road maintenance signs. Where subdivision roads are not to be dedicated to the state or county for public maintenance the subdivider shall install signs that control traffic flow in a safe manner as specified the manual of uniform traffic control devices. Also, at the beginning of the private subdivision roads there shall be signs which state "Private Road" The subdivider may assume the responsibility to install signs provided the county engineer approves in writing the signage.
- (n) Roadside drainage. Roads may be constructed with drainage swales shoulders at a 12:1 slope. Where road grade exceeds ten percent, curb and gutter, paved drainage swales, or rip rap swales shall be provided. Curb and gutter may be roll type or standard 90 degrees curb.

(o) Temperature and weather restriction on asphalt paving work.

- (1) No hot mix asphalt surfacing work shall be performed on wet surface, or when the temperature is below 45 degrees Fahrenheit in the shade and falling, or when weather conditions are otherwise unfavorable. unless approved in writing by the county engineer, no surface treatment of a road planned by the owner/developer for acceptance into the county road system shall be begun before March 15 of each year. Unless approved in writing by the county engineer, surface treatment of a road planned by the owner/developer for acceptance into the county road system shall be completed prior to October 15.
- (2) The mixture shall be delivered to the spreader at a temperature between 225°F and 325°F and, except for sand asphalt mixture for base course construction, within 30°F of the temperature at the plant.

(p) Drainage structures.

- (1) Crossline pipes shall be designed to carry runoff from a 25-year, 24-hour design storm and shall be RCP Class III concrete. The design shall be determined using runoff data sources and standard methods approved by the county engineer. In no event shall a pipe less than 18 inches in diameter be accepted by the county. Crossline pipes or structures along Waters of the State shall be designed to pass a 100-year, 24-hour design storm.
- (2) Concrete culverts must conform to South Carolina Highway Department requirements. HDPE double wall corrugated with a smooth interior pipe conforming to the requirements of American Association of State Highway Officials (AASHTO) M294M, Type S pipe or an approved equivalent shall be accepted where sufficient fill over the pipe is provided. No corrugated metal pipes shall be accepted. No culvert shall be less than 15 inches in diameter.
- (3) Unless approved by the county engineer prior to construction, all pipes shall be laid in a trench. All trenches shall be excavated so as to allow for safe and proper installation. All backfill work shall comply with standards specified by the pipe manufacturer; however, in no case shall backfill covering a culvert be less than ten inches deep (pavement and/or base thickness shall not be considered part of this required minimum depth). All fill shall be compacted to 95 percent of standard proctor test in the top foot of fill.
- (4) The jointing of sections of culvert shall be done in a workmanlike manner in accordance with the standard practice recommended by the manufacturer of the culvert being used.
- (5) The ends of all pipe culverts shall be properly protected to prevent piping, erosion and scour. Placement of filter fabric and rip-rap shall be considered minimum treatment. End treatments shall be approved by the county engineer and shown on the plans.
- (6) All crossline drainage culverts shall be located in natural drainage areas or depressions, and shall terminate in a dedicated drainage easement no less than 20 feet wide.
- (7) Junction boxes of an approved type will be constructed at all points where the line of pipe changes course or direction ten degrees or more and at proper intervals along the line of pipe.
- (8) A means of access to inlet and outlet points of drainage structures and appurtenances must be provided and shown on the plans. Oconee County shall not be held liable for flood damage outside recorded drainage easements.
- (9) Exits for surface water in sideline ditches shall comply with the standards put forth in the following table:

Table—Surface Water Exit Intervals

Road Grade	Maximum Exit Interval
0—2 percent	800 feet
2.1—4 percent	700 feet
4.1—6 percent	600 feet
6.1—8 percent	500 feet
8.1—10 percent	400 feet
10.1—12 percent	300 feet
More than 12 percent	200 feet

(10) Exit intervals for surface water along curb and gutter roads, also known as catch basin spacing, shall be designed to limit the spread to seven feet from the face of curb. The two-year design storm shall be the basis for determining the stormwater runoff. In no case shall the spacing exceed 800. Special attention should be used designing exits at cul-de-sacs, to prevent overtopping the curb and catch basin.

(q) Sidewalks/trails will be allowed in the private right of way. Sidewalks/trail material and placement will be determined based on the development's need for pedestrian traffic with in the PDD. The sidewalks will be maintained by the Developer or its successors and assigns, subject to reimbursement by residents and individual lot owners of the Gardiner Group, LLC Planned Development.

Sec. 26-4. - Commercial and industrial roads and streets.

- (a) In addition to residential road requirements set forth, the following standards shall apply to commercial and industrial roads.
- (1) Right-of-ways and road widths. The following right-of-way and road widths are established:
 - a. Right-of-way: Minimum width is 66 feet.
 - b. Roadway width: Width is 24 feet with 12-foot lanes plus two-foot valley gutters or six-inch high curbing and two-foot concrete valley on each side.
 - (2) Grades.
 - a. The minimum grade shall not be less than one percent and the maximum shall not be more than seven percent.
 - b. All proposed street grades, when intersecting an existing street or highway, shall be constructed so as to meet the same horizontal grade at the existing intersection and shall have an elevation for a distance of 30 feet equal to the curb line grade of the existing street to which the proposed connection is being made. All proposed street connections to existing streets or highways having existing sidewalks crossing their intersection alignment shall be constructed by removal of the sidewalk to the new proposed curb radii.
 - (3) Horizontal (circular) curves. Where a deflection angle of more than five degrees in the alignment of the street occurs, the right-of-way shall be curved. The minimum horizontal radius of curvature at the centerline of the proposed street right-of-way shall not be less than 250 feet.
 - (4) Vertical (crest-sag) curves. Changes in vertical grade shall be connected by vertical curves of minimum length equal to 25 times the sum of both approaching grades stated in percent of grade. Example: A five percent slope upward meeting a four percent slope downward requires a curve length of $9 \times 25 = 225$ feet.
 - (5) Intersecting roads and road offsets.
 - a. Intersecting roads. Industrial/commercial roads shall be laid out so as to intersect as nearly as possible at right angles and no road shall intersect any other road at an angle less than 80 degrees.
 - b. Road offsets. Where there is an offset in the alignment of a road across an intersection, the offset of the centerline shall be not less than 200 feet.

- (6) Cul-de-sacs. The circular right-of-way radius shall be 66 feet and paved turning circle with the same center point and a radius of 50 feet is required.
- (7) Temperature and weather restrictions on asphalt paving work.
 - a. No hot mix surfacing work shall be performed on wet surface, or when the temperature is below 45 degrees Fahrenheit in the shade and falling, or when weather conditions are otherwise unfavorable. Unless approved in writing by the county engineer, no surface treatment of a road planned by the owner/developer for acceptance into the county road system shall be begun before March 15 of each year. Unless approved in writing the county engineer, no hot mix surface treatment of a road planned by the owner/developer for acceptance into the county road system shall be done after October 15.
 - b. The mixture shall be delivered to the spreader at a temperature between 225 degrees Fahrenheit and 325 degrees Fahrenheit and except for sand asphalt mixture for base course construction, within 30 degrees Fahrenheit of the temperature at the plant.

Sec. 26-5. - Road upgrades.

- (a) Upgrade of existing county roads.
 - (1) Roads owned and/or maintained by the county shall be listed on a road maintenance plan maintained by the county road department. Any road not meeting the current standards for public roads as adopted by the county shall be identified. Those roads that do not meet the current county standards and are in the primary development areas identified on the county future land use map shall be placed on the priority upgrade list. A rating system shall be used to prioritize the roads on the priority upgrade list, with those roads receiving the highest score having the highest priority. Until the county future land use map is amended in 2009, primary development areas shall include those areas identified in the comprehensive plan defined as residential areas and transitional growth areas.
 - (2) Roads on the priority upgrade list shall be upgraded in such a manner as to account for the current and projected traffic levels. These projections shall be based upon the best information available and anticipate changes occurring over the next 25-year period.
 - (3) The following rating factors shall be used in determining the priority upgrade list:
 - a. Condition and width of driving surface;
 - b. Existing hazards;
 - c. Right-of way acquisition; and
 - d. Current and projected traffic levels.

- (4) County roads (whether paved or gravel) that are located outside the primary development areas as identified in the county future land use map may be placed on the priority upgrade list based on the recommendation of the county engineer and the agreement of the council's transportation committee.
 - (5) The county engineer shall review all roads within the county road system on an annual basis and make recommendations to the county planning commission regarding changes to the priority upgrade list. The planning commission shall review the priority upgrade list on an annual basis and make recommendations to county council for changes to the list. The county engineer shall estimate a projected completion date for all roads on the Priority Upgrade List. The county engineer shall update the projected completion date on an annual basis. The county engineer shall consider available funding sources in making these completion projections.
 - (6) In the event that a developer/subdivider is required to upgrade a county road in the primary development area, in accordance with section 26-5(b) of this article, the county and the developer/subdivider shall enter into a reimbursement agreement. The reimbursement agreement shall allow the developer/subdivider to receive reimbursement for the total cost of upgrading the road to the minimum county road standard. The cost of upgrading a county road may include the cost of right-of-way acquisition and the moving of existing utilities. The cost of upgrading the road shall not include the upgrade of utilities within the road right-of-way. The source for reimbursement shall be from rollback taxes, if any, and the incremental tax increase of property resulting from New Development accessed by the upgraded road. The reimbursement agreement shall include not more than ten percent of any rollback taxes on the property to be developed and such percentage of said incremental tax increase sufficient to allow the developer/subdivider to receive reimbursement for his/her/its total cost in upgrading the road over a period of time not to exceed ten years from the date that the county approves the final plat and the plat is recorded. Any reimbursement agreement shall only include the county portion of any rollback tax or incremental tax increase.
 - (7) A developer/subdivider who is planning a development that will impact a county road in such a way that the road classification will change, and said road is already scheduled to be upgraded by the county within the next five years, according to the Priority Upgrade List, may be assigned a higher priority on the Priority Upgrade List by agreeing to allocate ten percent of the proposed development for affordable housing or provide the same amount of affordable housing in another location in the county. Affordable housing provided in this section shall be of the same type of construction (ex. stick built, modular, etc.) as the new development.
- (b) Impact on existing roads system. In order for the county to approve a subdivision site plan, a subdivision plat or a building permit for a subdivision project, the county road or network of county roads that serve said proposed development must be adequate to accommodate any increase in traffic resulting from said proposed development. For all developments consisting of more than ten dwelling units, the developer/subdivider shall submit a traffic impact/road capacity study demonstrating the impact of traffic upon any county road servicing the subdivision, either directly or indirectly. The extent of the study shall be determined by the county engineer on a case by case basis. The traffic impact/road capacity study shall be reviewed by the county planning director and the county engineer. In the event that the county planning director and the county engineer determine that the subdivision will increase the average daily traffic (ADT) on a county road to the extent that said road will need to be upgraded to safely accommodate the

increase in traffic, improvements to the road must be made in accordance with the road classification set forth in the definitions section of the land development and subdivision regulations ordinance (Ordinance 2008-20 [as codified in chapter 32, article VI, §§ 32-211—32-226]). The developer/subdivider shall be responsible for all costs (including right-of-way acquisition) necessary to upgrade the road.

(c) Criteria for road improvement projects.

- (1) A minimum of 50 feet of right-of-way is required for the entire road.
- (2) Utilities must not be located, to the extent practicable, beneath the road surface (excluding sanitary sewer).
- (3) A minimum of 50 feet radius of right-of-way is required for the purpose of constructing an appropriate turnaround for improvements projects along terminating roads.
- (4) Road improvement projects to match existing county standards, to the extent practicable.

The above criteria shall apply to paved and unpaved road improvement projects. From time to time, council may need to waive the above requirements on a case-by-case basis.

(d) Scoring gravel roads.

- (1) A trip generation prediction will be calculated with data collection and other methods outlined by the Institute of Transportation Engineers.
- (2) ADT (Modeled or Measured Average Daily Trips) will be combined with safety Parameters as follows:

Slope or grade	X 20 points
Intersection	X 20 points
Width	X 20 points
No Cul-de-sac	X 20 points
Alignment	X 20 points

- (3) ADT and safety parameters will be the primary factors in scoring gravel roads.
- (4) For example, if traffic counts were measured to be 480 ADT; and the slope exceeded 12 percent, it was 20 feet, and had no cul-de-sac the score would equal $480 + 60 = 540$.

Sec. 26-6. - Acceptance of roads into county road system.

The following provisions shall apply to the construction of any road intended for future acceptance into the county road system.

- (1) No road shall be accepted by the county for maintenance and incorporated within the county road system unless the same be shown and delineated upon a plat of survey duly recorded in the office of the county Register of Deeds.
- (2) A construction plan with sufficient detail, including a cross section of the proposed road, shall be submitted to the county engineer prior to commencement of construction. No construction shall commence unless the plan has been approved by the county engineer.
- (3) A deed granting a right-of-way as specified in this article shall be tendered to the county by the property owner/developer before a road shall be accepted into the county road system. Upon acceptance of such deed or right-of-way by the county, the owner/developer shall be notified in writing of the fact of such acceptance, and the same writing shall constitute an agreement on the part of the county to maintain and incorporate the said road into its system. The the county administrator shall accept or deny the proffered deed or right-of-way for the county upon receipt of certification by the county engineer that said road has been constructed in accordance with the regulations set forth in this article.
- (4) Prior to acceptance by the county for maintenance and incorporation within the county road system, all roads shall meet all road construction standards set forth in this article.
- (5) No road shall be accepted into the county road system until the surface is treated in a manner and using such materials as approved by the county engineer. The county engineer shall furnish specification requirements upon request. The county engineer shall be notified by the developer/owner prior to the commencement of any construction, and shall be given periodic progress reports and periodic inspection reports as specified by the county engineer. Such progress and inspection reports are to include notification of the ending and planned commencement of construction intervals or phases. The county engineer shall certify in writing to county council that the road to be accepted into the county road system has been constructed in accordance with the regulations set forth in this article. A copy of the certification shall be sent to the county administrator.
- (6) The county may accept a road as a county road through the creation of a special tax district, a legislatively created administration division of the county whereby resident freeholders fund, through the collection of uniform fees included on the annual property tax bill, upgrades to existing private roads in order for such roads to meet the standards of and for the purpose of acceptance into the county road system.
- (7) No expenditures of any public funds shall be made on any road or right-of-way, which has not been accepted as a county road.
- (8) The roadway must connect to at least one federal, state, county, or municipal roadway.
- (9) The county administrator is hereby authorized to accept roads and rights-of-way on behalf of county.

Sec. 26-7. - Regulating the use of county roads.

- (a) Connection to, or easements or rights-of-way on county roads. Notwithstanding any other provision of this Code, all connections to county roads, whether temporary or permanent, such as, without limitation, driveway cuts, logging or construction cuts, roadway intersections, and every other form of connection, must be approved in writing, in advance of any such connection, temporary or permanent, by the county engineer, in accordance with subsection 26-3(e)(10) hereof.

The county may only authorize encroachments or grant easements or rights-of-way, for any purpose, on those county roads for which it owns the right to do so, such as on rights-of-way deeded to the county in fee simple title. For other roads, such as those for which the county owns less than fee simple title, such as roads for which the county has only prescriptive easements, the county may only grant encroachments, easements, and rights-of-way consistent with its interests. Any encroachment, easement or right-of-way granted by the county on a county road must be approved in writing by the county engineer after making a full investigation of the matter and considering all factors, including the applicant's needs, as well as the needs of the county, including, without limitation, good engineering standards, the need to maintain county rights-of-way and keep them open, the convenience of the traveling public, and other similar professional considerations. If the county engineer approves such encroachments, easements, or rights-of-way, the easements or rights-of-way may only be granted by county council, by ordinance, following a public hearing as a conveyance of interests in real property. The county engineer may approve encroachments properly undertaken in accordance with this chapter.

- (b) Work on county right-of-way. Property owners adjoining the county road right-of-way may request that the county perform work within the right-of-way to install new driveway aprons, mailbox turnouts, and/or culverts within the county maintained right-of-way. The county, at its sole discretion, may elect to perform such work on a first pay, first scheduled, time-available basis. If the county performs such work, the property owner shall pay 2.5 times the material costs to cover the material cost and labor for said project. The property owner shall sign a hold harmless agreement releasing the county from any liability associated with said work, in advance of scheduling the project. If the county constructs such driveway aprons, mailbox turnout, or culverts within the county right-of-way, such work will be maintained by the county as a part of the county road system from that point.

The county engineer, or his designee will provide a nonbinding, cost estimate for the material cost of the project. Special services or equipment needed to complete the job will be billed as invoiced by the contractor or vendor providing the special service or equipment.

- (c) Drainage.

- (1) Property owners adjoining the road right-of-way may request that the county perform work to assist the property owner with a drainage problem. The county may, at its sole discretion, construct berms, swales and/or ditches, or install pipe along the county maintained road right-of-way. The property owner shall pay 2.5 times the material costs to cover the material cost and labor for said project. The property owner shall sign a hold harmless agreement releasing the county from any liability associated with future drainage problems, in advance of the county considering and scheduling such project. Such projects will be scheduled, if at all, on a first pay, first scheduled, time-available basis and will be maintained by the county, as a part of the county road system from that point.
- (2) The county engineer or his designee, will provide a cost estimate for the material costs of the project. Special services or equipment needed to complete the job will be billed as invoiced by the contractor or vendor providing the special service or equipment.

- (3) The county cannot assist in any drainage matter outside of the road right-of-way, and may only perform work within the county right-of-way.
- (4) No property owner or any other person shall modify any drainage in any manner that affects a county road without the written approval, in advance, of the county engineer.

(d) Damages.

- (1) Any person, entity or utility that engages in an activity which causes damage to a county road or road structure shall be responsible for repairing said county road or road structure to SCDOT standard specifications for highway construction. This does not include normal wear and tear to a road caused by normal use of said road.
- (2) Any person driving, operating or moving any vehicle, object or contrivance upon any county road or road structure shall be liable for any damage which road or structure may sustain as a result of dragging, scraping, breaking or any other damage done to said road or structure. Any such persons will also be liable to the county for the cost of such injury or damage.

(e) Encroachment.

- (1) All persons desiring to excavate within, encroach upon, or in any way alter a county maintained road and/or right-of-way, shall notify the county engineer and submit to the county road department an application for an encroachment permit, together with the required fees and security as determined and established periodically by county council. Notice will be given by the applicant to the county at least 48 hours prior to initiating such work, and only after receiving an approved permit from the county. A schedule of required fees and securities shall be available for review from the county road department. No person may excavate within, encroach upon, or in any way alter a county maintained road or right-of-way without the written approval, in advance, by approved permit, of the county engineer. In determining whether to approve any such request, and issue a permit, the county engineer will consider all factors, including the needs of the applicant, as well as the needs of the county, including, without limitation, good engineering standards, the need to maintain county rights-of-way and keep them open, the convenience of the traveling public, the applicant's compliance with previous permits, including temporary permits, and policies of the county, and other similar professional considerations, including, without limitation, the provisions of the encroachment permit policy (encroachment permit policy) which is maintained by the Oconee County Road and Bridges Department and approved by county council from time to time and is included herein by reference. The county engineer may impose restrictions on any granted approval and permit under this section, consistent with such professional considerations; including, without limitation, up to and including temporary suspension or permanent revocation of such permit, for failure to comply with the permit terms or these policies. Any appeal from any decision of the county engineer under this section will be treated as a request for a variance from road standards and handled in accordance with the procedures of section 26-8 of this Code.

Oconee County Council shall, from time to time, approve the county's encroachment permit policy, including, without limitation, the policy itself, as well as the encroachment permit application form, and the schedule of fees for the application of the policy. The initial encroachment permit policy, encroachment permit application form, and fee schedule are attached as exhibits to this section, and are hereby approved. For minor nonsubstantive revisions, the county, acting by and through the county council, may revise the policy, application form, or fees, as it desires, in the future by simple resolution of county council, and may include the fees schedule in the schedule of departmental fees that is contained in a proviso in the annual county budget

ordinance. More substantial, and all substantive revisions to policy, application form, and fees must be revised by county council ordinance, including, without limitation, the annual county budget ordinance.

- (2) Upon completing the permitted activity, the applicant shall restore the county maintained road and/or right-of-way to its original condition (except for any permanent alteration approved by county permit, and through a county-granted right-of-way or easement), insuring that all repairs conform to the requirements contained in the SCDOT standard specifications for highway construction and the encroachment permit policy. Eighteen months after the permitted activity is satisfactorily completed, the security shall be returned to the applicant provided the county engineer, upon final inspection, approves the repair. If the county engineer deems the repair to be unacceptable, the security shall be retained by the county and used to properly repair and restore the road and/or right-of-way to its original condition. Once the road and/or right-of-way has been properly repaired, any excess security will be returned to the applicant, it being understood that, in one form or another, all costs of encroachment upon, or any alteration of a county maintained road or right-of-way shall be borne by the applicant.
 - (3) Driveway aprons and mailbox turnouts abutting county maintained roads are encroachments, subject to the provisions of this section, and will be the responsibility of the property owner, as to construction and maintenance, subject to the provisions of subsection 26-7(b), and subject to the caveat that if the county constructs or manages a road project, driveway aprons and mailbox turnouts may be part of the project, subject to the terms of such subsection 26-7(b).
 - (4) Violation of the encroachment permit policy is a violation of this Code and is punishable by civil fine of \$500.00/day/violation. Each and every day of a continuing violation shall be deemed a new and separate offense. Failure to pay any civil fine levied hereunder shall constitute a violation of this Code and shall be punished in accordance with section 1-7, hereof.
- (f) Road safety.
- (1) All persons shall park vehicles and equipment at least three feet from the edge of the driving surface on all roads. Parked vehicles and equipment shall not block ditches and swales or in any way inhibit drainage.
 - (2) No person shall place any type of material within three feet of the driving surface.
 - (3) No person shall place a sign on a road in the county that will restrict visibility or inhibit sight lines of drivers.
 - (4) Signs (other than these regulated by state or federal law, such as political signs) remaining in place for more than seven days on county roads, will require an encroachment permit from the county road department.
- (g) Inspections. A developer/owner or any other affected entity shall notify the county engineer at least 48 hours prior to any requested inspection required by this chapter for public or private roads. Inspection fees, for such inspections, shall be established by resolution, ordinance or other official act of county council from time to time, and must be paid, in full, before the county will finally accept the road(s) in question. All such fees, once paid, shall be maintained by the county in a separate account used only for the road inspection program of the county, and will only be in such amount(s) as will be sufficient to maintain such program. Work done prior to inspection is done at the contractor's and owner's own risk and may, upon decision of the county engineer or designee, be required to be removed and redone or have the quality substantiated by any tests deemed necessary, all at the contractor's and/or owner's sole expense. Inspections shall be required for the following:
- (1) At the completion of clearing and grubbing operations;

- (2) At the completion of rough grading;
 - (3) At the completion of all utility construction along road right-of-way (including but not limited to water, sewer, electrical);
 - (4) At the completion of subgrade;
 - (5) After installation and compaction of base course;
 - (6) During all pavement applications; and
 - (7) At final acceptance inspection.
- (h) Penalties. Failure to comply with any of the requirements of this article constitutes a misdemeanor and shall be punishable as set forth in section 1-7. In addition, in the event that the county must file a civil suit in order to enforce its rights under this article, the county shall be entitled to reasonable attorney's fees.

Editor's note— The Oconee County Roads and Bridges Department Encroachment Permit Application and Policy are incorporated herein by reference as if fully set out at length. A copy is on file and available for inspection at the offices of the county.

Sec. 26-8. - Variance from road standards.

- (a) Any variance from these road standards shall be consistent with the intent of this article, and shall be approved in writing by the board of zoning appeals. Any person or entity requesting a variance from road standards shall submit a written request for a variance to the planning director of the county. A variance can only be granted for actions to take place in the future. No variance may be granted for past actions.
- (b) Prior to scheduling a variance hearing before the board of zoning appeals, the person or entity requesting said variance shall work with the county planning department and the county road department in an effort to eliminate or minimize the need for a variance. After reasonable efforts and no other solution can be reached, a hearing shall be scheduled before the board of zoning appeals. The county staff shall submit written reports to the board of zoning appeals setting forth the county regulation in question, the efforts made to remedy the situation, and a recommendation setting forth the county's position regarding the variance. These written reports shall be submitted to the person or entity requesting the variance at least five days before the variance hearing.
- (c) Notice of the variance hearing shall be provided by first-class mail to the person or entity requesting the variance at least 15 days prior to the hearing. Notice of the hearing shall also be published in a newspaper of general circulation in the county at least 15 days before the hearing.
- (d) Any party may be represented by counsel. Any person or entity that would be directly impacted by the granting or denial of the variance may participate as a party in the hearing, provided notice of intent is submitted in writing to planning department at least seven days prior to the hearing. The planning department shall immediately notify all other parties of the new party's participation. The county may support or oppose the variance request or be neutral.
- (e) The board shall make the initial determination concerning the variance request and may consider any and all evidence it deems relevant concerning the variance issue. The paramount issue for all variance requests shall be the reasonable safety of the road

under the proposed circumstances. If the board concludes that a safe road can be constructed without strict application of the regulations set forth in this article or other county ordinances and policies, the board may then consider issues such as the cost of right-of-way acquisition, placement of utilities, and unusual circumstances in determining whether to grant a variance. The board should use reasonable discretion in its decision making.

- (f) A person or entity whose request for a variance has been denied by the board may appeal the board's decision to the transportation committee of the county council.

Sec. 26-9. - Road closure and abandonment.

- (a) Prior to any request for abandonment and closure of an Oconee County public road being brought before county council, county staff, including, without limitation, the Oconee County Roads and Bridges Department, will conduct a thorough investigation, adequate to determine: whether the road in question is, or ever has been, a county road; whether the road still is a county road; whether the road is still in general public use or has been practically abandoned; whether the county has any documentation relating to the status of the road, such as a dedication of right-of-way or easement, or a deed, or whether such road was subject to a prescriptive easement or easement by usage; whether there is any other information which would assist county council in determining whether the best interests of the Oconee County public will be served by consenting to the abandonment and closure of the road in question or by not so consenting. As a part of the investigatory process addressed herein, the Oconee County Roads and Bridges Department will post, adjacent to the road in question, a sign, marked so as to be as conspicuous as possible, prominently providing notice that the road, or portion thereof abutting the sign, is proposed for abandonment and closure, soliciting citizen comments concerning such proposed abandonment and closure, and providing notice of address and telephone number at the Oconee County Public Works Department to which concerned citizens may forward comments concerning such proposed abandonment and closure.
- (b) Following the investigation referred to in paragraph 1, supra, county staff will make a recommendation to the Transportation Committee of Oconee County Council, which, in turn, will make a recommendation to Oconee County Council as to whether the request for abandonment and closure should be honored or not, and provide the results of the staff investigation to county council

for its use and final determination whether the county will consent to such abandonment and closure. Included with the recommendation will be any public comments received and the recommendation(s) of county staff and the transportation committee.

- (c) County council shall then, in public meeting, make a determination as to whether the request for abandonment and closure should be consented to by the County, acting by and through county council, and shall signify its decision by motion, if such decision be negative, and shall signify its decision by resolution of county council, if such decision be positive.
- (d) If county council consents to the abandonment and closure of a county public road, as addressed herein, the resolution of county council consenting to such abandonment and closure shall state, with particularity, the road, or section thereof, to be closed; the basis for county council's decision to consent to the abandonment and closure of the road; and the absolute requirement that, prior to the road, or portion thereof, in question being closed, the primary private party(ies) in interest (unless the county, itself, is the party requesting the road closure, in which case the county will be the primary party in interest to comply with this section) shall fully comply with all applicable law, including, without limitation, S.C. Code 1976, § 57-9-10, as amended, and shall provide all required notice and service of process. Only upon the meeting of such conditions and the fulfillment of such procedures will the county council consent to such abandonment and closure be considered final, and that shall be stated in such resolution.

Sec. 26-10. - Legal provisions.

- (a) These regulations expressed in this article 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.
- (b) Conflict with other laws, ordinances, or regulations. Whenever the requirements made under authority of these regulations impose higher standards than are required in any statute or local ordinance or regulation, provisions of these regulations 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.

Sec. 26-11. - Identify roads in the county road system.

- (a) Purpose. The purpose of this section is to establish the criteria, method and means of identification of all roads making up and comprising the Oconee County (the "county") road and highway system (the "county road system") and to discontinue from the county road system those streets, roads and highways found by the county to be useless and unnecessary for the convenience and necessity of the general public. Nothing herein shall be deemed to amend, alter, or revoke, in any regard section 26-6 of the Oconee County Code of Ordinances (the "Code of Ordinances"), relating to the acceptance of roads into the county road system, nor any other section of chapter 26 of the Code of Ordinances, except as explicitly addressed herein.
- (b) Oconee County road map. The county department that currently maintains the Geographic Information System (the "GIS") of the county shall maintain in its office a map of the county and such other records as may be deemed necessary or convenient showing the location and number of each roadway within the county which is a part of the county road system (the "county map"). On the direction of the Oconee County Council, in accordance with policy established by the Oconee County Council and actions of the

Oconee County Council, the public works director shall request the county department that maintains the GIS to make such additions and deletions of road and highway sections upon such county map, as may be necessary to keep such county map current as conclusive evidence of the existence of a county road or highway. The public works director shall review such additions and deletions of road and highway sections, made through the GIS, to such county map for accuracy and shall inform the county administrator that such county map has been updated appropriately. At such time, the county administrator shall inform the county council that such county map has been updated as directed by county council. Where practical, written rights-of-way shall be obtained on roads and highways maintained by the county. Provided, however, recognizing that many roadways presently a part of the county road system have been acquired by prescriptive right or use, written easements or deeds of right-of-way shall not be necessary to conclusively establish the existence of a county road. All newly-constructed county roads, including subdivision roads, shall become a part of the county road system only in accordance with section 26-6, hereof, and only when granted by written instrument, either by deed or dedication on plats of subdivisions duly filed in the office of the clerk of court which are formally accepted by the administrator of the county, pursuant to policy established by the Oconee County Council.

Notwithstanding any other provision of this section, it shall not be necessary to notify the Oconee County Council when merely the name of an existing county road or highway section, which is currently included in the county road system, as evidenced by the inclusion of the road or highway section in the county map, is changed on the county map in accordance with existing county policy and procedures, to keep such county map current.

(c) Findings of fact. The Oconee County Council, by this section, declares the following findings of fact:

- (1) An attempt has been made and will continue to be made to identify all roadways located in the county which are useful and necessary for the traveling public and have been designated and treated by the county as county roads; and
- (2) Such roadways have been maintained by the county since at least January 1, 1981, or have been dedicated to and accepted by the county in accordance with then-current county policies as county roads; and
- (3) There exist many roadways which were formerly maintained by the county, upon which maintenance is no longer required by reason of disuse or which were maintained by the county under circumstances possibly contrary to the statutory law of this state, none of which have ever been accepted by the county as county roads or designated as such in accordance with then-current county policies.

(d) Official roads; discontinuance of all other roads as Oconee County roads. Based upon the continuing findings of fact of the Oconee County Council set out by subsection (c) hereof, the official road and highway system of Oconee County shall include only the following roads as Oconee County roads:

- (1) Those unpaved roads or highways continuously maintained by county equipment as duly authorized by the administrator (or his/her predecessor) of the county since January 1, 1981, and thereafter, and treated as and called county roads; and
- (2) Those roadways, streets or highways accepted into the county road system since January 1, 1981, by reason of and in accordance with the provisions of the Code of Ordinances pertaining to non-subdivision roads, including newly-constructed roads, and subdivision roads; and
- (3) All paved or asphalted roads running in and through the county other than roads and highways of the state and federal highway systems, and roads designated on the county records as "private roads", upon receipt of evidence satisfactory to the county

administrator and public works director that such road(s) are, in fact, public roads of the county, including, without limitation, through proof of dedication to public use and acceptance by the county, or by proof of continuous use and maintenance as public roads by the county for the period of time as statutorily required by Section 15-67-210, et seq., of the Code of Laws of South Carolina, 1976, or successor legislation, as amended, to establish adverse possession, or other good and sufficient proof; provided, however, any portion of a paved road which has been barricaded or blocked because of the construction of Lakes Keowee, Hartwell or Jocassee shall not be considered part of the county road system from the point of the blockade and shall not be maintained by the county. Upon the identification of any such "orphaned" sections of roads which were previously county roads, actions shall be initiated by the county pursuant to Section 57-9-10, et seq., of the Code of Laws of South Carolina, 1976, as amended, to make such orphaned parts be judicially closed and abandoned and title thereto vested as dedicated by the courts.

Notwithstanding any other provision of this section and upon recommendation of the administrator or the Oconee County Council, on a case-by-case, specific basis, and only for good and sufficient cause shown, of record, any other road may be declared by the Oconee County Council to be a part of the county road system.

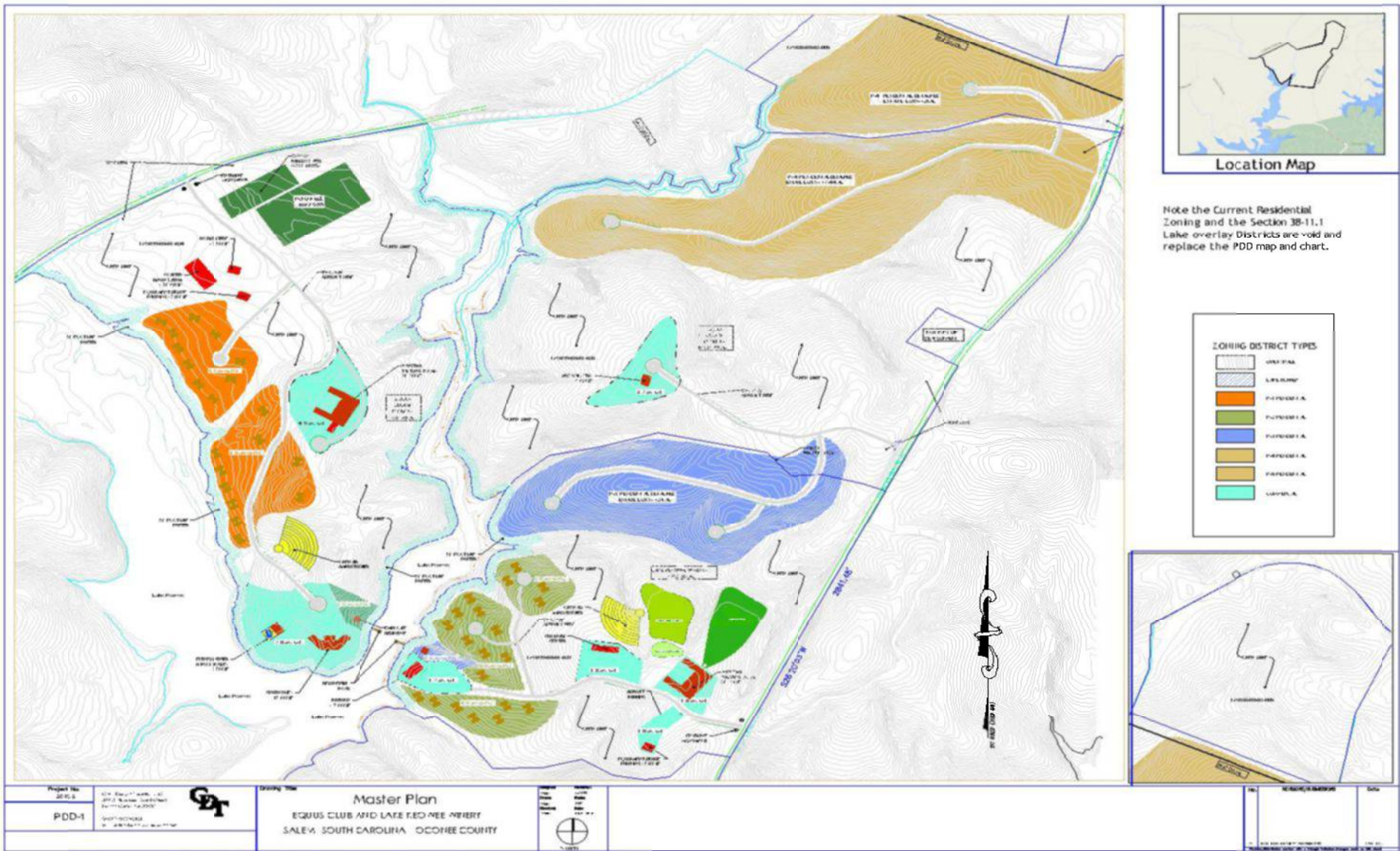
No other roads are part of the county road system, nor shall they be part of the county road system without dedication to public use and acceptance by the county in strict accord with the Code of Ordinances. Only roads that are part of the county road system in accordance with this section shall be reflected on the county map as county roads.

- (e) Status of abandoned state highways and roads within municipalities. Notwithstanding the provisions of Section 57-5-120 of the Code of Laws of South Carolina, 1976, as amended, any section of the state highway system so abandoned outside the limits of any municipality located in the county shall not become a part of the county road system unless specifically accepted by the county as a county road or highway and the abandonment of such road or highway by the State of South Carolina shall be prima facie evidence that the same is useless and not necessary or convenient for use by the public of the county. By appropriate action, however, the county may accept and incorporate any such abandoned roadway into its county road system, at the Oconee County Council's sole discretion, and in accordance with this chapter.

In the event a county municipality's boundaries are expanded, through annexation or other such action, and such expanded boundaries then encompass or include any part of a road that has previously been maintained by the county and incorporated as a county road into the county road system, as evidenced by such road's inclusion in the county map, the municipality whose expanded boundaries then encompass such road portion shall be solely and exclusively responsible for all maintenance, of whatever kind, of such road portion in accordance with Section 5-27-110 et seq., of the Code of Laws of South Carolina, 1976, as amended. Such road portion, only (not the remainder of the road which is not annexed), shall be removed from the county road system and the county map, in accordance with the guidelines and procedures set forth in this chapter, and such road portion shall henceforth be a road of that municipality and shall no longer be a county road.

Appendix F

PDD Master Plan District Map



Appendix G: PDD Master Plan District Map (see larger copy of Map attached to PDD Document)

Appendix H

PDD Land Use, Zoning, and Allowable Uses

Appendix H (continued)

	Total Project
For all Tracts (088 00 03 005,099 00 01 034,099 00 01 039,099 00 01 038, and 099 00 01 037)=	437.532 acres

Open Space & Agriculture	PDD-District Allowed Uses	See required totals at bottom	Acres total for PDD (see note 3)	PDD ratio	Status
	Forest (see note 3)				to be determined
	Lake Buffer		17.2		<div style="border-bottom: 1px solid black; padding: 5px;"> <p style="text-align: center;">based on conceptual layout may vary in size</p> </div> <div style="padding: 5px;"> <p style="text-align: center;">to be determined</p> </div> <div style="border-bottom: 1px solid black; padding: 5px;"> <p style="text-align: center;">based on conceptual layout may vary in size</p> </div> <div style="padding: 5px;"> <p style="text-align: center;">based on conceptual layout may vary in size</p> </div>
	Waking trails		20.0		
	Horse Riding trails		6.0		
	Pasture open & fenced		50.0		
	Farm to Table Garden		1.0		
	Vineyards (see note 3)				
	Ponds		2.0		
	Barns/Stables		3.0		
	Outdoor Amphitheater		2.0		
	Sculpture Garden		5.0		
	Sheds		2.0		
	Indoor & Outdoor Riding Rinks		1.0		
	Polo Field and grass parking		10.0		
	Open Air Chapel on one acre		1.0		
	Golf Event hole and Fairway		3.0		
		Planned uses total=	123.2	71.7%	the calculated percentage may never be less than 15 percent
	Required	15.00%	65.6	317.9	Open space is the total acres minus residential, Commercial, and roads

	Total Project
For all Tracts (088 00 03 005,099 00 01 034,099 00 01 039,099 00 01 038, and 099 00 01 037)=	437.532 acres

Appendix H (continued)

Commercial district	PDD District Allowed Uses	See required totals at bottom	Planned Areas (see note 3)	PDD ratio	Status
	Private Winery, Tasting rooms, Wine cave, parking, Distribution and other warehouses		4.9		based on conceptual layout may vary in size
	Public Winery, Tasting rooms, Wine cave, parking, Distribution and other warehouses		2.8		
	Private Club House Fitness Center , Pool, and parking		7		
	Event Center and parking		1.7		
	Art Gallery and parking		3.7		
	Cooking School, Dining, and parking		1.8		based on conceptual layout may vary in size
	Planned uses total=		21.9	5.00%	the calculated percentage may never be less than 5 percent
	Required	5.00%	21.9		

Zoning Notes:

- 1 The areas zoned for residential are shown based on the current conceptual plan. The locations can change. The percentage can not change. All changes must be approved by Planning staff.
- 2 Impervious Surface Ratio(s) (ISR) will be calculated during the design and permitting phase of each area of construction and submitted to the Planning staff.
- 3 The planned zoning uses can change in type and size if approved by planning staff. The required percentage for the entire development must meet the minimum. The Forest and Agriculture land areas and uses will be based on best management practices for forestry and agriculture.
- 4 The Average Daily Traffic Count will be based on the approved Master Plan and the design for the area served by the road. The road class may change to meet the requirements. Planning staff level review and approval is required.



Oconee County
Capital Project
Advisory Committee



Oconee County
Administrative Offices
415 South Pine Street
Wahalla, SC 29691
www.oconee.org

Phone: 864 718 1024
Fax: 864 718 1024

E-mail:
pubse@oconee.org

Mr. Paul Cain
CPAC Chairman

Voting Members
Chairman

Mr. Scott Woulder
Mr. Frankie Pearson
Mr. Julian Abbott
OPEN

Non-Voting Members

Mr. David Lyle
Ms. Ladale Price
Mr. Lake Julian
Mr. David Stokes
Mr. Josh Stephens

MEMORANDUM

TO: Ms. Gwen McPhail, Chairman
Oconee County Planning Commission

FROM: Mr. Paul Cain, Chairman
Capital Project Advisory Committee

DATE: September 17, 2015

RE: **Capital Project Advisory Committee's
Capital Project List: Listing of Projects by Priority**

Dear Ms. Chairman:

The Oconee County Capital Project Advisory Committee upon approval by the voting members is forwarding to the Planning Commission for review and recommendation to County Council the attached Capital Improvement Project Listing [CIP v2015-02].

This list reflects both projects evaluated by the Committee and projects proposed for future review. Projects evaluated by the Committee have been forwarded under separate cover previously.

The estimated cost shown for a project is either that provided by an estimate by the Department Head / Sponsor or by a professional firm.

I would ask that this list be added to your next agenda for review and recommendation regarding capital projects for Council's consideration during the next fiscal year.



Oconee County, South Carolina
 Capital Project Advisory Committee
**Capital Improvement
 Project Listing**
PENDING

Department Name	Public Service & Operations	Short Term Economic Development Goals	Ongoing / Long Term Economic Development Goals	Description	** Projected Proposed Budget	Source (see key at bottom)	Date Presented to Cmte	Status of Project
Facilities Maintenance		X	X	Brown Building - Up-fit into office space	\$750,000	OCE	Unscheduled	On Hold - Facility in use - Some work ongoing for
Economic Development		X	X	Revolving Street Building (R&I)	\$2,000,000	OCE	Unscheduled	On hold pending approval of its financing from Decision by Company
Economic Development			X	Golden Corner Commerce Park	\$3,500,000		Unscheduled	
Solid Waste	X			Landfill Expansion	\$750,000		Unscheduled	On Hold - pending some Acquisition

PROJECTS SCORED

High Falls	X			Composite Renovations (water electric, rebuild)	\$300,000	PE	03-2012	Project Presented - Moved Forward to Plan Comm.
Solid Waste	X			Expand 2nd busiest MDC	\$950,000	PE	05-2012	Project Presented - Moved Forward to Plan Comm.
Economic Development		X	X	Revolving Street Building (R&I)	\$2,000,000	PE	08-2012	Project Presented - Moved Forward to Plan Comm.
Economic Development		X	X	Development of Seneca Rail Site	\$2,300,000	OCE	9-26-12	Project Presented - Moved Forward to Plan Comm.
Library	X			Seneca Branch	\$9,100,000	OCE		
Library	X			Removal Interior of Wayhalla Branch	\$600,000	OCE	5-22-13	Projects Presented - Moved Forward to Plan Comm.
Library	X			Washington Branch Expansion	\$1,000,000	OCE		
Library	X			New 7,400 SF South County Branch	\$2,000,000	OCE		
Economic Development		X	X	Sevier Line to Commerce (R&I) SOCP	\$11,833,839	PE	06-18-15	Project Presented - Moved Forward to Plan Comm.

This project is partially completed and will be moved off this list when the final portion is complete.

** Projected Proposed Budget: This amount is based on current best available information and is a projected cost only. It does not reflect what County Council may approve in future for any project receiving capital project funding.