

STATE OF SOUTH CAROLINA
COUNTY OF SPARTANBURG
TOWN OF LYMAN

ORDINANCE NO. 03092020 B

**AN ORDINANCE AMENDING TOWN OF LYMAN, SOUTH CAROLINA, LAND
DEVELOPMENT REGULATIONS:**

**SECTION 5.1, 5.2 AND 5.4 TO REVISE APPROVAL FROM PLANNING
COMMISSION TO PLANNING ADMINISTRATOR IN THE EVENT OF NO
SIGNIFICANT CHANGES TO THE PLAT**

WHEREAS, the Town Council has determined that it is in the interest of the Town, for the benefit of the health, order, safety, general welfare and convenience of the Town and its residents, to amend the Town of Lyman, South Carolina, Land Development Regulations, to revise Article 5, Sections 5.1, 5.2 and 5.4 of the Land Development Regulations to allow for the Planning Administrator (in place of the Planning Commission) to receive all Final Plat submission materials prior to the hearing on the same, to require the Planning Administrator to present any Final Plat submissions with significant changes to the Planning Commission for their review, and to allow for the Planning Administrator (in place of the Planning Commission) to approve Final Plat submission in the event that there have been no significant changes from the preliminary plat submission. (As detailed and recommended by the Planning Commission in attached proposals)

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF THE TOWN OF LYMAN IN COUNCIL ASSEMBLED, that the current Article 5, Sections 5.1, 5.2 and 5.4, are replaced with revised language and are hereby amended to read as follows:

Section 5.1 REQUIREMENTS FOR FINAL PLAT

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


Section 5.2 SUBMITTAL

The approved preliminary plat and two (2) copies of the final plat shall be submitted to the **Planning Administrator** with the application for approval. **If any significant changes from the approved preliminary plat are noted by the Planning Administrator, the final plat shall be submitted to the Planning Commission.** The final plat shall include certification from Administrator that required site improvements have been installed to the Town's satisfaction and a bond posted securing the Town actual construction and installation of required site improvements.

Section 5.4 PLANNING COMMISSION ACTION

The Planning Commission will review the final plat in accordance to the approved preliminary plat **if there are any significant changes from the preliminary plat.** The Planning Commission will verify with staff as to the compliance of all improvements. Action on the final plat is not a public hearing.

This Ordinance shall take effect upon second reading approval by the Town Council.


Larry Chappell, Mayor

ATTEST:

R. Noel Price Blackwell, Town Clerk

First Reading: 3/9/2020 Second Reading: ~~4/13~~ 4/13/2020

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PROPOSED AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS

PART 3

Attached please find:

1. Current Land Development Regulations page 20 Section 5.1: Requirements For The Final Plat, Section 5.2: Submittal, Section 5.4: Planning Commission Action, items proposed to be revised, highlighted.
2. Proposed revised Land Development Regulations page 20 Section 5.1: Requirements For The Final Plat, Section 5.2: Submittal, Section 5.4: Planning Commission Action, with proposed revision highlighted.

DESCRIPTION OF ITEMS PROPOSED FOR AMENDMENT:

- Original adopted version
Section 5.1: Requirements For The Final Plat
The current LDR Section requires that all required materials be submitted to the Planning Commission in its entirety, along with the receipt of all fees, prior to the hearing of any request by the Planning Commission.

The proposed amendment is to replace the words Planning Commission with Planning Administrator. The Planning Administrator will receive all required materials.
- Original adopted version
Section 5.2: Submittal
The current LDR Section requires the approved preliminary plat and two copies of the final plat shall be submitted to the Planning Commission with the application for approval.

The proposed amendment is to replace the words Planning Commission with Planning Administrator and add if any significant changes from the preliminary plat are noted by the Planning Administrator, the final plat shall be submitted to the Planning Commission. This will reduce the time for final plat approvals that have no significant changes from the preliminary plat.
- Original adopted version
Section 5.4: Planning commission Action
The current LDR Section requires the Planning Commission will review the final plat in accordance to the approved preliminary plat. The Planning Commission will verify with staff as to the compliance of all improvements.

The proposed amendment will revise the Planning Commission will review the final plat in accordance to the approved preliminary plat if there are any significant changes from the preliminary plat. The Planning Commission will verify with staff as to

the compliance of all improvements. This will reduce the time for the developer to obtain a final plat approval that has no significant changes. It will streamline the final plat reviews with only final plats with significant changes to be brought before the Planning Commission.

ORIGINAL ADOPTED LDR

ARTICLE 5. FINAL PLAT REQUIREMENTS

SECTION 5.1: REQUIREMENTS FOR FINAL PLAT

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

SECTION 5.2: SUBMITTAL

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

SECTION 5.3: FEES

To defray the costs of investigation and processing the application, the subdivider shall pay the final plat fee in the amount of fifty dollars (\$50.00), provided the applicant has paid the preliminary fees as outlined in **Section 4.4**.

SECTION 5.4: PLANNING COMMISSION ACTION

The Planning Commission will review the final plat in accordance to the approved preliminary plat. The Planning Commission will verify with staff as to the compliance of all improvements. Action on the final plat is not a public hearing.

SECTION 5.5: TOWN COUNCIL ACTION

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

SECTION 5.6: RECORDING OF PLAT

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

PROPOSED REVISED LDR

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Spartanburg County Cities and Towns- Final Plats Approved by Administrator or Planning Commission

Cities and Towns of Spartanburg County	
Campobello	Fire Chief is the P&Z Commission
Chesnee	City Administrator
Cowpens	Town Administrator or Zoning Adminstrator
Duncan	Fire Chief
Greer	Planning Staff
Inman	Zoning Administrator
Landrum	Zoning Administrator
Lyman	Planning Commission
Pacolet	Planning Commission
Reidville	Zoning Administrator
Spartanburg	No Reply
Wellford	NoReply
Woodruff	Zoning Administrator