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## **LAND DEVELOPMENT ORDINANCE**

### **1. LAND DEVELOPMENT ORDINANCE GENERAL PROVISIONS**

#### **1.1 Title and Intent.**

- (A)** This ordinance governs the conversion of raw land and parcels into subdivided tracts and lots for the construction of buildings and other structures and development and shall be known as the "Land Development Ordinance of the City of Goose Creek, SC," herein referred to as the "Land Development Ordinance."
- (B)** It is the intent that zoning and land development regulations be used interchangeably, where a conflict may occur, the more restrictive shall apply.
- (C)** Purpose. South Carolina Code § 6-29-1120 sets forth five (5) purposes for municipal regulation of land development, restated below. Following these are additional purposes established by Goose Creek to uphold and promote "the public health, safety, economy, good order, appearance, convenience, morals, and general welfare" (SCC § 6-29-1120).
  - (1)** Encourage the development of an economically sound and stable city.
  - (2)** Assure the timely provision of required streets, utilities, and other facilities and services to new development of land.
  - (3)** Assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments.
  - (4)** Assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational educational, transportation, and other public purposes.
  - (5)** Assure, in general, the wise and timely development of new areas, and redevelopment of previously developed areas in harmony with the Goose Creek Comprehensive Plan.

#### **1.2 Policy.**

- (A)** It is the policy of the City of Goose Creek to consider the subdivision of land and development thereof as subject to the control of the city pursuant to the adopted Comprehensive Plan for the orderly, planned, efficient, and economical development of Goose Creek.
- (B)** Land subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace, and land shall not be subdivided until adequate public facilities and improvements exist and proper provision has been made for drainage, water, sewerage, and capital improvements such as schools, parks, recreational facilities, transportation facilities, and other improvements.
- (C)** The existing and proposed public improvements shall conform to and be properly related to the policies of the Comprehensive Plan, official zoning map, and it is intended that these regulations shall supplement and facilitate the enforcement of the provisions and standards contained in building and housing codes, the Zoning Ordinance, the Comprehensive Plan, and the capital budget and program.

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(D) Land that has been subdivided prior to the effective date of these regulations should, whenever possible, be brought within the scope of these regulations to further the purposes of standards identified in Chapter 151 (Zoning).

**1.3 Jurisdiction.**

(A) This ordinance is adopted pursuant to the authority granted under § 6-29-1110 of the Code of Laws of South Carolina.

(B) These regulations apply to all subdivision and development of land located within the corporate limits of the City of Goose Creek. The Planning Commission may grant modifications of these regulations pursuant to the provisions of Section 1.9.

(C) No land may be subdivided through the use of any legal description other than with reference to a plat approved by the City Planner in accordance with these regulations.

**1.4 Severability.**

(A) Should any portion of this ordinance be found illegal by a court of competent jurisdiction, the remainder of the ordinance shall remain in effect.

**1.5 Amendments.**

(A) For the purpose of protecting the public health, safety, and general welfare, the Planning Commission may, from time to time, propose amendments to these regulations, which shall then be approved or disapproved by City Council following the amendment procedure set forth in the Zoning Ordinance.

**1.6 Enforcement.**

(A) **In general.** No grading or excavation of land or construction of any public or private improvements shall commence in violation with the provisions of these ordinances. No land described in this section shall be subdivided, sold, leased, or transferred until the developer/property owner has filed a final plat approved by the City of Goose Creek City Planner and with the Berkeley County Register of Deeds. No zoning or building permit or certificate of occupancy shall be issued for any lot or parcel of land, or any building or structure located thereon, that is subdivided, developed, or sold in violation of the City of Goose Creek Zoning and Land Development ordinances. The City of Goose Creek shall have no obligation to issue a certificate of occupancy or to extend utility services to any parcel created in violation of these ordinances.

(B) **Interpretation.** Terms used in this ordinance shall have the meaning specified in Chapter 151 and Chapter 153. Where the ordinances are mute, the term shall have its regular dictionary definition.

(C) **Limit on re-application.** Except for requests which are continued with the mutual consent of the applicant and the Planning Commission, an applicant shall not initiate duplicate application for land development affecting the same parcel of property or any part thereof more often than once in twelve (12) months.

**(D) Enforcement.**

(1) The City Planner shall be empowered to utilize all of the enforcement tools provided to the Zoning Administrator per the Goose Creek Zoning Ordinance. The enforcement section of Chapter 151 shall apply to the Land Development regulations.

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- (2) The City Planner may deny administrative land development approval and/or withhold a land disturbance permit as they deem necessary to ensure compliance with the Goose Creek Land Development Ordinance. The developer may appeal such action to the Goose Creek Planning Commission per Section 1.10.

### 1.7 City Planner.

(A) The Planning and Zoning Director, or designated Staff, shall be charged with the administration and enforcement of the City of Goose Creek Land Development Ordinance, which shall entail the following duties:

- (1) Interpreting the Land Development Ordinance;
- (2) Administering permits and approvals;
- (3) Processing applications for plan and plat review;
- (4) Fee collection for permits and plan and plat review;
- (5) Processing appeals to the Planning Commission and preparing the record for appeal to Circuit Court;
- (6) Maintaining public records related to land development;
- (7) Investigating and resolving complaints pertaining to the ordinance;
- (8) Enforcing the ordinance; and
- (9) Other duties, as may be assigned.

### 1.8 General Procedure.

(A) **Applicability.** Whenever a person proposes the adjustment or subdivision of the land, vacant or improved, involving two (2) or more lots for the purpose of offer, sale, lease, or development, approval by the City Planner shall be required, in addition to all other procedures and approvals required in the Zoning Ordinance, whether or not applicable zoning procedures also require approval, review, or recommendation. All such proposals are herein referred to as land developments.

(B) **Classification of land developments.** Before any changing of land characteristics through redevelopment, new development, subdivision into parcels and similar developments for sale, lease, or any combination of owner and rental characteristics, the owner(s) of such properties, or their authorized agent, shall apply for and secure approval of the proposed land development in accordance with the procedures provided herein.

(C) **Exempt subdivision.** Certain land developments shall be submitted to the City Planner for information only prior to recordation with Berkeley County. The City Planner shall stamp at least one (1) submitted plat as received and exempt so that the applicant may submit the plat to Berkeley County for recordation. The criteria for exempt subdivisions are as follows:

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- (1) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to city standards (sometimes referred to as a boundary line adjustment).
  - (2) The combination or recombination of entire lots of record where no new street or change in existing streets is involved.
  - (3) The division of land into parcels of five (5) acres or more where no new street is involved.

**(D) Record drawing.** A record drawing is the depiction of the survey of an existing lot, typically performed prior to property transfer. For purposes of the Goose Creek Land Development Ordinance, record drawings shall be subject to the same standards as exempt subdivisions.

**(E) Land development.**

- (1) Any land development requiring or resulting in the installation of new or upgraded infrastructure, including but not limited to transportation, stormwater management, potable water, and sanitary sewerage infrastructure shall be a major land development.

**(F) Major subdivision.**

- (1) Any subdivision of land not classified a minor subdivision shall be a major land development.

**(G) Minor subdivision.** Subdivision of land resulting in the alteration or creation of five (5) or fewer parcels neither requiring or resulting in the installation of new or upgraded infrastructure described in this ordinance, whether privately or publicly maintained, including transportation, stormwater management, and other systems shall be a minor land development.

**1.9 Variance – Land Development (Subdivision) Standards.**

**(A)** Where the Planning Commission finds that extraordinary hardships derived from practical difficulties may result from strict compliance with these regulations and/or that the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve a variance to these subdivision regulations so that substantial justice may be done and the public interest secured, provided that the modification does not have the effect of nullifying the intent and purpose of these regulations; further provided, the Planning Commission shall not approve a variance unless it makes findings based upon the evidence presented to it in each specific case, after public hearing and notification, that all of the following criteria apply:

- (1) The granting of the modification will not be detrimental to the public safety, health, or welfare or injurious to other property;
- (2) The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property;
- (3) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result — as distinguished from a mere inconvenience — if the strict letter of these regulations is carried out; and

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(4) The modification sought will not in any manner be in conflict with the provisions of zoning standards of this ordinance or the policies of the Comprehensive Plan.

(B) **Procedure.** The Planning Commission shall be empowered to modify land development standards in the course of land development review and approval. The developer shall bear the responsibility to demonstrate to the Planning Commission that the modification sought meets the criteria for modification stated above. The procedure shall be that provided for appeals to the Planning Commission in Section 1.10 of this ordinance.

(C) **Conditions.** In allowing modifications, the Planning Commission may require such conditions as will, in its judgment, secure substantially the intent and policies described in this chapter.

(D) **Documentation.** Upon granting or allowing a modification, the Planning Commission shall then state in writing findings of fact supporting its decision to grant or allow the modification.

#### **1.10 Appeals of Decisions of the City Planner on Land Development Applications.**

(A) **Procedure for appeal.** An applicant or any party of legal standing believing to have found error in the written decision of the City Planner may appeal the decision to the Planning Commission.

(1) **Appeal submittal.** The application in question shall be submitted to the City Planner not less than thirty (30) days prior to the meeting at which it is to be considered by the Planning Commission.

(2) **Application and fee.** The appellant shall file an appeal by completing the form available from the City Planner and submit it, together with an application fee in an amount set by Goose Creek City Council. The appellant shall state on the form reasons for the appeal. The date of receipt of the completed application shall be the official submittal date and stamped by the City Planner on the completed written appeal as "received."

(B) **City procedure.** The Planning Commission shall act on the submitted appeal within sixty (60) days of the official submittal date. Failure to act within sixty (60) days shall constitute automatic approval, and the appellant shall be notified of this in writing. The sixty-day time limit may be extended by mutual agreement between the appellant and the City Planner.

(1) **Notification of meeting.** Action taken by the Planning Commission on the appeal shall be at a scheduled public meeting and notice of the time and place of said meeting shall be mailed by the city to the appellant. Such notice shall be sent not less than fifteen (15) days before the date of the meeting. Conspicuous notices shall be posted on or adjacent to the affected property by the City Planner. One notice shall be visible from each transportation right-of-way that borders the property at least fifteen (15) days prior to the public meeting.

(2) **Decision of the Planning Commission.** The concurring vote of the majority of members of the commission shall be necessary to reverse any order, requirement, decision, or determination of the City Planner. Upon decision of the Planning Commission, three (3) copies of the plat shall be retained by the city for its records and the remaining copies returned to the applicant, one (1) of which shall be signed by the chairperson of the Planning Commission and the City Planner and bearing the date of approval or disapproval with written reasons for such action attached.

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- (C) An applicant or any party of legal standing may appeal a decision of the Planning Commission to Circuit Court, filing with the clerk of such court a petition in writing setting forth plainly, fully, and distinctly wherein such decision is contrary to law. The applicant must appeal within thirty (30) days of receiving written notice of the decision.

### **1.11 Vested Rights.**

(See Chapter 151-01: Introductory Provisions)

## **2. APPLICATION AND REVIEW PROCESS**

### **2.1 Intent of Chapter.**

- (A) The following steps constitute the land development approval process for projects in City of Goose Creek. Each step is required unless stated otherwise.

### **2.2 Pre-Application Conference.**

- (A) The developer is required to participate in a pre-application conference with the City Planner before applying to the City of Goose Creek for approval of a land development or Planned Development District. The developer should contact the City Planner to arrange an appointment to discuss a project proposal. The developer shall bring a sketch plan or concept plan of the proposed major subdivision or land development or PD Master Plan to facilitate the discussion.
- (B) The pre-application conference provides the City Planner the opportunity to:
- (1) Determine whether the land development is an exempt subdivision, minor land development, or major land development.
  - (2) Familiarize the developer with the land development approval process of the City of Goose Creek;
  - (3) Assess the compatibility of the proposed land development with the Goose Creek Comprehensive Plan; and
  - (4) Apprise the developer of city, state, and federal standards related to the development of land and their potential applicability to the developer's proposal, including but not limited to:
    - (a) Goose Creek Land Development Design and Improvements Standards;
    - (b) Standards of the Goose Creek Zoning Ordinance;
    - (c) Standards of the Goose Creek Flood Hazard Controls Ordinance;
    - (d) Berkeley County land development and engineering standards for roads and drainage;
    - (e) City of Goose Creek, Charleston Water System, or Berkeley County Water and Sanitation Authority standards for potable water provision and sanitary sewerage;
    - (f) State standards for roads and encroachments, as administrated by the Department of Transportation;

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- (g) State standards for on-site sewage disposal, as promulgated by the Department of Health and Environmental Control;
  - (h) State standards for wetlands protection, stormwater management, erosion and sedimentation reduction, as promulgated by the Office of Ocean and Coastal Resources Management;
  - (i) Federal standards for wetlands and water quality protection, as promulgated by U.S. Army Corps of Engineers; and
  - (j) Federal standards for endangered species protection, as administrated by the South Carolina Department of Natural Resources.

### **2.3 Procedure for Subdivision.**

(A) Whenever any subdivision of land is proposed, before any contract is made for the sale of any part thereof, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the subdividing owner, or his authorized agent, shall apply for and secure approval of such proposed subdivision in accordance with the following procedure:

(1) *Minor subdivision:*

- (a) Zoning application.
- (b) Final plat.
- (c) Land disturbance permit.

(2) *Major subdivision:*

- (a) Zoning application.
- (b) Sketch plan.
- (c) Preliminary plat.
- (d) Land disturbance permit.
- (e) Final plat.

### **2.4 Land Development.**

(A) Whenever the development of land is proposed, before any permit for the erection of a structure shall be granted, the property owner, developer, or authorized agent, shall apply for and secure the approval of such proposed development in accordance with the following procedure:

- (1) Zoning application.
- (2) Concept plan.
- (3) Site plan.
- (4) Land disturbance permit.

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## **2.5 Sketch Plan - Non-Binding.**

- (A)** Sketch Plan. Is a generalized map prepared by the developer that shows the development concept. Its purpose is to serve as a basis for the development of a preliminary plat. This phase of the subdivision process precedes the preparation of the preliminary plat or plan.
- (B)** Before preparing the sketch plan for a subdivision, the applicant should discuss with the City Planner the procedure for adoption of a subdivision plat and the requirements as to general layout of streets and for reservations of land, street improvements, drainage, sewerage, fire protection and similar matters, as well as the availability of existing services. The administrative official shall also advise the applicant, where appropriate, to discuss the proposed subdivision with those officials who must eventually approve those aspects of the subdivision plat coming within their jurisdiction. The sketch plan will be distributed to the Public Works Director, Fire Marshal, Building Official, Zoning Administrator, and any other agencies as determined by the City Planner. The applicant is encouraged to confirm water/sewer available/capacity as applicable, as well as stormwater requirements.
- (C)** The sketch plan review is advisory only to the developer. Sketch plan review does not authorize the developer to commence in any land disturbance, improvements, or other land development activities. Sketch plan is done as a no fee review that will not consider all aspects that may be factored in a full preliminary or final development review. The developer is strongly encouraged to resubmit after two (2) years if no further land development approval process steps are taken. A sketch plan is not a site-specific development plan.

## **2.6 Preliminary Plat.**

- (A)** Applicability.
  - (1)** The preliminary plat a required step in the major subdivision approval process.
  - (2)** A developer proposing an exempt subdivision or a minor land development need not submit a preliminary plat.
- (B)** Purpose.
  - (1)** The Goose Creek Planning Commission is charged with the implementation of the purposes of land development regulations specified in Section 1.1 of this ordinance in part through its review and approval of preliminary plans for major land developments through the City Planner.
  - (2)** The developer shall demonstrate to the City Planner the intent and ability to meet or exceed all zoning and land development standards of the City of Goose Creek.
  - (3)** Approval or conditional approval of a preliminary plan authorizes the developer to begin engineering and construction drawings for community facilities needed for land development.
- (C)** Procedure.
  - (1)** The developer shall submit a preliminary plat to the City Planner for review.
  - (2)** The City Planner shall date and stamp the preliminary plat "received."
  - (3)** A complete preliminary plat includes those items specified in Section 3.2 of this ordinance, which include, but are not limited to an application form and fee.

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**(4) Decision on preliminary land development plan.**

- (a)** The City Planner shall approve, approve conditionally, or disapprove the preliminary plan.
- (b)** The City Planner may attach conditions of approval that uphold and promote the purposes of land development regulations, stated in Section 1.1. The City Planner shall have the authority to require changes to preliminary plans as conditions of approval in order to uphold and promote those purposes. Changes may relate to land development content, arrangement, and design. The Planning Commission may modify land development regulations as they apply to the preliminary plat under review provided those same purposes are upheld and promoted. Standards for modification appear in Section 1.9. The commission shall not require or allow modified zoning standards unless authorized to do so in specific cases, as provided in the Goose Creek Ordinance.
- (c)** The City Planner shall act on the preliminary plan within sixty (60) days of the official submittal date. Failure to act within sixty (60) days shall constitute automatic approval, and the developer shall be notified in writing. The sixty-day time limit may be extended by mutual agreement between the developer and the City Planner.

**2.7 Land Disturbance Permit.**

- (A)** The developer shall be eligible to apply for a land disturbance permit after gaining City Planner approval of a preliminary plat or site plan and meeting any attached conditions, including necessary approvals from agencies, and any other as applicable, described in Section 2.2(B)(4).
- (B)** Purpose.
  - (1)** The land disturbance permit is the enforcement tool by which the City Planner can assure that a major land development is constructed in accordance with the plan approval or conditional approval and furthermore, that the land development will meet or exceed the design and improvements standards.
  - (2)** The developer shall demonstrate upon application for a land disturbance permit achievement of federal, state, and local natural resource protection standards during construction and the ability to meet natural resource protection standards during construction and post-construction.
  - (3)** This step allows the developer to avoid the potential costs of significant changes to engineering drawings required by the City Planner during the review of the preliminary or site plan.
  - (4)** Receipt of a land disturbance permit authorizes the developer to clear and grade land, remove trees in accordance with Goose Creek tree protection standards of the Zoning Ordinance, and install community improvements.
- (C)** Procedure.
  - (1)** The developer shall submit to the City Planner a completed application for a land disturbance permit, which the City Planner shall date and stamp "received."

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- (2) A completed application for a land disturbance permit includes those items specified in Section 3.4 of this ordinance, which include, but are not limited to an application form and fee.
  - (3) The City Planner shall have no more than thirty (30) days in which to review the completed application and either issue the land disturbance permit or submit to the developer in writing reasons for disapproval. The City Planner shall be authorized to inspect natural resource protection measures proposed as part of the land development, as applicable. The thirty-day time limit may be extended by mutual agreement between the developer and the City Planner.
  - (4) The developer shall post an approved land disturbance permit on the major land development site at a location easily visible and accessible from the adjacent transportation right-of-way until improvements specified in the application for the permit are installed, pass inspection of, and are, where applicable, successfully dedicated to the appropriate agency.

## **2.8 Field Changes.**

- (A) On-site conditions may unduly inhibit land development and as depicted in an approved or conditionally approved preliminary plat and/or the successful land disturbance permit application. In this event, the developer shall submit any changes to the preliminary plan or the land disturbance permit application to the City Planner for review and approval. Field changes shall meet the following standards.
  - (1) All land development standards of the City of Goose Creek shall apply, or the developer may seek modification of standards per Section 1.9.
  - (2) The developer shall submit a request in writing for a field change to the City Planner, which the City Planner shall date and stamp "received."
  - (3) The City Planner shall have fifteen (15) days from the date of receipt to review the field change and respond in writing to the developer. The City Planner shall approve the field change or instruct the developer to resubmit for preliminary plat approval. The fifteen-day time limit may be extended by mutual agreement between the developer and the City Planner.

## **2.9 Final Plat.**

- (A) The developer shall be eligible to apply for final plat approval after receipt of a land disturbance permit and completion of all public and/or common improvements indicated in the approved preliminary land development plan.
- (B) Purpose.
  - (1) An approved final plat enables the developer to subdivide property into lots for transfer or to seek a building permit.
  - (2) The final plat shall conform in all respects to the approved preliminary plan, as amended to meet attached conditions and as amended by field changes.

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- (3) The City Planner approves a final plat only after the developer has satisfactorily completed all public and/or private community facilities, such as systems of infrastructure, sites for public buildings, and common open space.
  - (4) Final plat approval does not constitute acceptance of existing or proposed community facilities. The developer shall make arrangements for the maintenance of community facilities per Section 4.4.
  - (5) Final plat approval shall be a prerequisite for a building permit for any lot proposed in the land development.

**(C) Procedure.**

- (1) The developer shall submit a final plat to the City Planner, who shall date and stamp the final plat "received."
- (2) A complete final plat includes those items specified in Section 3.3 of this ordinance, which include, but are not limited to an application form and fee.
- (3) The City Planner shall have no more than thirty (30) days in which to review and either approve or disapprove the final plat. The City Planner shall be authorized to inspect community facilities, natural resource protection measures, and landscaping proposed as part of the land development, as applicable. The City Planner shall then sign and date the approved final plat for recordation or submit in writing reasons for disapproval to the developer. The thirty-day time limit may be extended by mutual agreement between the developer and the City Planner.
- (4) The developer may appeal the decision of the City Planner to the Planning Commission in accordance with the appeals process specified in Section 1.10.

**(D) Recordation of plat.**

- (1) The City Planner shall retain one (1) copy of the final plat for City of Goose Creek records and return remaining copies to the developer. The developer shall be responsible for filing the final plat with the Berkeley County Register of Deeds and returning one (1) copy of the stamped final plat to the City of Goose Creek City Planner.

**2.10 Site Plan for Land Development.**

- (A)** The developer shall be eligible to apply for a site plan review after the receipt of a zoning permit and a concept plan approval.
- (B)** Purpose and applicability.
  - (1) An approved site plan enables the developer to apply for a land disturbance permit and/or building permits.
  - (2) The site plan shall conform in all respects to the requirements outlined in the City of Goose Creek Zoning Ordinance.
  - (3) The City Planner approves a site plan only after the developer has satisfied all comments related to the review.
  - (4) Site plan approval shall be a pre-requisite for a land disturbance permit and a building permit.

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**(C) Procedure.**

- (1)** Concept plan. The developer shall submit a concept plan laying out proposed buildings and general infrastructure and site elements for review and comment by the City.
- (2)** A complete site plan includes those items specified in Section 3.4 of this ordinance, which include, but are not limited to an application form and fee.
- (3)** The City Planner shall provide comments on the site plan in a timely manner. The City Planner shall have the authority to require changes to site plans as conditions of approval in order to uphold and promote those purposes. Changes may relate to land development content, arrangement, and design.

**2.11 Record Drawings.**

- (A)** A record drawing documents completed improvements required to serve the land development and an as-built survey executed by the developer as evidence that all improvements have been installed according to an approved preliminary plat and application for land disturbance permit, in compliance with design and improvements standards of this ordinance.
- (B)** The developer shall submit one (1) copy of record drawings of all completed improvements upon application for final plat approval.
- (C)** The developer shall submit copies of record drawings to utility providers expected to maintain the improvements and shall provide verification to the City Planner from the utility provider that all improvements have been installed to their specifications prior to final plat approval.
- (D)** The developer shall submit four (4) prints of the final plat; as-built drawing of sanitary sewers; as-built drawing of storm sewer system with grade, pipe sizes and location of outlets; as-built drawing of water system with pipe sizes and location of hydrants and valves.

**2.12 Zoning Application.**

- (A)** The developer shall submit a zoning application to verify the intended use of the property and disclose any attributes that may impact the development of the property, including but not limited to wetlands, restrictions, and covenants.

**2.13 Building Permit.**

- (A)** The developer in receipt of a zoning permit shall be eligible to apply for a building permit. All standards for review and approval shall be found in the building code adopted by the City of Goose Creek.
  - (1)** Proposals of construction and reconstruction shall secure a building permit from the City of Goose Creek where such is required by the building code adopted by the City of Goose Creek, as amended, except that public utilities installing and repairing transmission lines, poles, and substations shall be exempt.
  - (2)** The purposes of building code administration shall be those found in the building code adopted by the City of Goose Creek, as amended.

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## **2.14 Certificate of Occupancy.**

- (A)** A developer or other applicant in receipt of a building permit and zoning permit shall obtain a certificate of occupancy prior to taking residence or commencing business in the structure for which the permit is received. The application procedure for a certificate of occupancy shall be that found in the Goose Creek Zoning Ordinance.
- (1)** All public improvements in a major land development shall be completed to the satisfaction of the City of Goose Creek prior to application for a certificate of occupancy for any structure within the major land development. In the event of a phased land development, each of these systems shall be completed within the current phase and all previous phases.
  - (2)** A certificate of occupancy signals to the Building Official and the Zoning Administrator that construction and site improvements specified in applications for a building permit and a zoning permit are complete.

## **3. DOCUMENTATION REQUIREMENTS**

### **3.1 Sketch Plan.**

- (A)** This step is to provide guidance to the developer. The sketch plan of a proposed land development should be legibly drawn to scale without necessarily showing precise dimensions and should contain at least the following information:
- (1)** North arrow;
  - (2)** Written and/or graphic scales;
  - (3)** Location map showing the relationship between the proposed development and the surrounding properties;
  - (4)** Tract boundaries and total acreages;
  - (5)** Approximate sizes and locations of existing structures;
  - (6)** Existing and proposed land uses throughout the development;
  - (7)** Existing character of the land, such as approximate locations of natural resources, which may be identified on aerial photography;
  - (8)** Tentative street and lot arrangement showing average lot size and the number of lots;
  - (9)** Non-residential sites with approximate acreages and gross floor area, where applicable;
  - (10)** Zoning classification(s); and
  - (11)** Designation of phases, where applicable.
- (B)** A completed application for sketch plan review should include a form available from the City Planner that indicates land ownership and representation, where applicable, and contact information for both. The Berkeley County parcel identification number(s) and the property address, where available, of the subject property should be specified on the application form. No fee is required.

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### 3.2 Preliminary Plat.

**(A) Application requirements.** The following constitute a completed application for preliminary plat approval.

- (1)** An application form available from the City Planner. The form shall include the Berkeley County parcel identification number(s) and the address, where available, of the property proposed for land development.
- (2)** An application fee in the amount set by Goose Creek City Council.
- (3)** Three (3) copies of the preliminary plat, where required, printed on bond paper or material of equivalent durability. Data sets appearing in the preliminary plat shall be those below.
- (4)** Three (3) copies of the traffic study, where required. Standards and content requirements for the traffic study appear in Section 3.3.

**(B) Documentation requirements.** The completed application for preliminary plat approval shall meet the following standards.

- (1) Scale.** The preliminary plat shall be legibly drawn at a scale that clearly communicates the information required, typically no smaller than one (1) inch equals one hundred (100) feet on a sheet twenty-four (24) by thirty-six (36) inches. If the preliminary plat necessitates more than one (1) sheet, a key diagram drawn at a smaller scale shall show and reference each portion of the plan. The City Planner may approve alternate scale and sheet sizes at his sole discretion.

**(2) General information.**

**(a)** Title block, including the following:

- (1)** Proposed name of development, which shall not duplicate or too closely approximate, phonetically or otherwise, the name of any development within the jurisdiction;
- (2)** Names, signatures, and seals of applicant, owner, surveyor, engineer and other professionals involved in plan preparation;
- (3)** North arrow, graphic scale, and written scale;
- (4)** Space for city officials' signatures necessary for approval; and
- (5)** The month, day, and year that the original drawing was completed and the month, day, and year for each revision of the original drawing.

**(b)** A vicinity map, for the purpose of locating the property being developed, drawn at a scale of one (1) inch equals two thousand (2,000) feet and showing the relation of the property to surrounding properties, differentiated by tone or pattern, to adjoining property and roads, municipal boundaries, and landmarks existing within two thousand (2,000) feet of any part of the property.

**(3) Existing site information.**

- (a)** Total tract boundaries of the property being developed, showing bearing and distances, and a statement of total acreage of the property.
- (b)** Existing parcel identification numbers (tax map numbers).

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- (c) Location, ownership, parcel identification numbers, zoning classifications, and land uses of adjoining properties, including those across rights-of-way.
  - (d) All existing municipal boundaries, property lines, rights-of-way, easements, railroads, water and sewer lines, fire hydrants, utility transmission lines, culverts, bridges, storm drainage infrastructure, water courses, wetland delineations, and buildings and other structures.
  - (e) All existing roads, including roads of record but not constructed, and bicycle/pedestrian infrastructure, including sidewalks, on or abutting the tract, labeled with names, right-of-way widths, facility widths, and materials.
  - (f) All trees required to be protected, including graphic indication as to whether grand trees and protected trees are proposed to be preserved or removed. Tree survey and protection standards shall be those found in the Goose Creek Zoning Ordinance.
  - (g) Topography: one- or two-foot contours.
  - (h) Flood hazard areas delineated and labeled by type and flood map panel number. Flood hazard information shall be in accordance with the flood hazard ordinance adopted by Goose Creek City Council, as amended.
  - (i) Endangered species habitat areas, where required by state and federal standards.

**(4) Proposed land development information.**

- (a) Roads, rights-of-way, widths, and materials.
- (b) New road names pre-approved by Berkeley County and Goose Creek Planning Commission.
- (c) Extent of all parking areas with number of stalls, including handicap-accessible and loading stalls.
- (d) Bicycle and pedestrian facilities and rights-of-way, widths, and materials.
- (e) Lot lines, dimensions, and sizes.
- (f) Proposed land uses by lot.
- (g) Other easements and rights-of-way, including locations, dimensions, and purposes.
- (h) Plans for utilities (i.e. - sewerage, potable water, electricity, street lighting, cable, telephone, and gas lines, and stormwater drainage).
- (i) Parks, school sites, common areas and other areas designated for public use, if any.
- (j) Sites proposed for single-family detached and two-family residential structures.
- (k) Sites with proposed land uses other than single-family detached and two-family residential structures with approximate footprints of any structures, with approximate gross floor area and dimensions. Approximate footprints shall

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indicate intent to meet or exceed any building design regulations promulgated in the Goose Creek Zoning Ordinance.

- (l) Any required vegetative buffers, tree protection areas, and tree planting requirements such as street trees and roadside trees.

**(5) Platting information.**

- (a) The total tract boundary lines of the area being developed shall be in accordance with the most recent edition of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, as promulgated by the Code of Laws of South Carolina.
  - (b) The preliminary plat shall meet all standards and requirements as set forth in the laws of the State of South Carolina and these regulations.
- (6) Supplemental data.** Any other information required by ordinance or considered pertinent by the applicant, the Planning Commission, or the City Planner to the review of the preliminary plat shall be submitted with or on the plan.

**3.3 Final Plat.**

**(A) Application requirements.** The following constitute a completed application for final plat approval and for minor land development plat approval.

- (1) An application form available from the City Planner. The form shall include the Berkeley County parcel identification number(s) and the address, where available, of the property proposed for land development.
- (2) An application fee in the amount set by Goose Creek City Council.
- (3) Two (2) copies of the final plat or three (3) copies of the minor land development plat, where required, printed on bond paper or material of equivalent durability. Data sets appearing in these plats shall be those below.
- (4) One (1) copy of record drawings of all required improvements.

**(B) Documentation requirements.** The completed application for final plat minor land development plat approval shall meet the following standards.

**(1) Scale.**

- (a) The final plat shall be legibly drawn at a scale that clearly communicates the information required, typically no smaller than one (1) inch equals one hundred (100) feet on a sheet twenty-four (24) by thirty-six (36) inches. If the final plat necessitates more than one (1) sheet, a key diagram drawn at a smaller scale shall show and reference each portion of the plan. The City Planner may approve alternate scale and sheet sizes at his sole discretion.
- (b) The minor land development plat shall be legibly drawn at a scale that clearly communicates the information required, typically no smaller than one (1) inch equals one hundred (100) feet on a sheet eight and one-half (8½) by eleven (11) inches or larger.

**(2) General information.**

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- (a) Title block, including the following:
    - (1) Proposed name of development, which shall not duplicate or too closely approximate, phonetically or otherwise, the name of any development within the jurisdiction;
    - (2) Names, signatures, and seals of applicant, owner, surveyor, engineer and other professionals involved in plan preparation;
    - (3) North arrow, graphic scale, and written scale;
    - (4) Space for city officials' signatures necessary for approval; and
    - (5) The month, day, and year that the original drawing was completed and the month, day, and year for each revision of the original drawing.
  - (b) A vicinity map, for the purpose of locating the property being developed, drawn at a scale of one (1) inch equals two thousand (2,000) feet and showing the relation of the property to surrounding properties, differentiated by tone or pattern, to adjoining property and roads, municipal boundaries, and landmarks existing within two thousand (2,000) feet of any part of the property.

**(3) Site information.**

- (a) Total tract boundaries of the property being developed, showing bearing and distances, and a statement of total acreage of the property.
- (b) Existing parcel identification numbers (tax map numbers).
- (c) Location, ownership, and parcel identification numbers of adjoining properties, including those across rights-of-way.
- (d) Existing and proposed parcel boundaries, dimensions, and sizes in square feet and acres and lot and block numbers.
- (e) Labeled pre-existing, installed, and proposed rights-of-way, easements, railroads, water and sewer lines, fire hydrants, utility transmission lines, culverts, bridges, storm drainage infrastructure, roads including roads of recorded but not constructed, bicycle/pedestrian infrastructure including sidewalks on or abutting the tract, and buildings and other structures.
- (f) Parks, school sites, and other areas designated for public use, if any.
- (g) Municipal boundaries, watercourses, and delineation of wetlands.
- (h) Flood hazard areas delineated and labeled by type and flood map panel number. Flood hazard information shall be in accordance with the flood hazard ordinance adopted by Goose Creek City Council, as amended.
- (i) Endangered species habitat areas, where required by state and federal standards.

**(4) Platting information.**

- (a) The total tract boundary lines of the area being developed shall be in accordance with the most recent edition of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, as promulgated by the Code of Laws of South Carolina.

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- (b) The final plat shall meet all standards and requirements as set forth in the laws of the State of South Carolina and these regulations.
- (C) **Planning and design.** The land development information depicted on the final plat shall conform to the greatest extent possible with the design depicted on the approved preliminary plan, except that all conditions required for preliminary plat approval and land disturbance permit shall be reflected.
- (D) **Certification.** The following certificates shall be lettered, printed, and/or stamped on the face of the final plat.
- (1) **Surveyor or engineer certification of accuracy.** The signature, seal, and certification of a registered professional land surveyor or engineer to the effect that the final plat accurately reflects a survey made by him or her, that any changes from the description appearing in the last recorded transfer of land contained in the final plat are so indicated, that all monuments shown thereon actually exist or will be installed and their positions are accurately shown.
  - (2) **Certification of ownership and dedication.** A notarized certification of title showing that the applicants are the owners, and statements by such owners acknowledging any offers of dedication of land for public use and restricting land by protective covenants.
  - (3) **Certification of the approval of water and/or sewerage systems.** Where applicable, the South Carolina Department of Health and Environmental Control (DHEC) and the appropriate service district shall certify that the water supply and/or sewage disposal system(s) installed or proposed for installation fully meet DHEC requirements.
  - (4) **Certification by subdivider's engineer.** Where applicable, the signature, seal, and approval of the subdivider's engineer shall indicate that required infrastructure improvements have been satisfactorily installed (per Chapter Five).

### 3.4 Site Plan for a Land Development.

- (A) **Application Requirements.** The following constitute a completed application for preliminary plat approval.
- (1) An application form available from the City Planner. The form shall include the Berkeley County parcel identification number(s) and the address, where available, of the property proposed for land development.
  - (2) An application fee in the amount set by Goose Creek City Council.
  - (3) Approvals from any applicable boards and commissions.
- (B) **Documentation requirements.** The completed application for a zoning permit shall include a site development plan meeting the following standards.
- (1) **Scale.** The site development plan shall be legibly drawn at a scale that clearly communicates the information required, typically no smaller than one (1) inch equals fifty (50) feet on a sheet twenty-four (24) by thirty-six (36) inches. If the site development plan necessitates more than one (1) sheet, a key diagram drawn at a smaller scale shall show and reference each portion of the plan. The City Planner may approve alternate scale and sheet sizes at his sole discretion.

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**(2) General information.**

- (a)** Title block, including the following:
  - (1)** Proposed name of development, which shall not duplicate or too closely approximate, phonetically or otherwise, the name of any development within the jurisdiction;
  - (2)** Names, signatures, and seals of applicant, owner, surveyor, engineer and other professionals involved in plan preparation;
  - (3)** North arrow, graphic scale, and written scale;
  - (4)** Space for city officials' signatures necessary for approval; and
  - (5)** The month, day, and year that the original drawing was completed and the month, day, and year for each revision of the original drawing.
- (b)** A vicinity map, for the purpose of locating the property being developed, drawn at a scale of one (1) inch equals two thousand (2,000) feet and showing the relation of the property to surrounding properties, differentiated by tone or pattern, to adjoining property and roads, municipal boundaries, and landmarks existing within two thousand (2,000) feet of any part of the property.

**(3) Existing site information.**

- (a)** The distance and bearing from one (1) corner of the boundary of the development to the nearest intersection of existing streets or roads.
- (b)** Total parcel boundaries of the property being developed, showing bearing and distances, and a statement of total acreage of the property.
- (c)** Existing parcel identification numbers (tax map numbers).
- (d)** Location, ownership, and parcel identification numbers of adjoining properties, including those across rights-of-way.
- (e)** Location, ownership, parcel identification numbers, zoning classifications, and land uses of adjoining properties, including those across rights-of-way.
- (f)** All existing municipal boundaries, property lines, rights-of-way, easements, railroads, water and sewer lines, fire hydrants, utility transmission lines, culverts, bridges, storm drainage infrastructure, water courses, and buildings and other structures.
- (g)** All existing roads, including roads of record but not constructed, and bicycle/pedestrian infrastructure, including sidewalks, on or abutting the tract, labeled with names, right-of-way widths, facility widths, and materials.
- (h)** All trees required to be protected, with species and size at diameter at breast height, including graphic indication as to whether Grand Trees and Protected Trees are proposed to be preserved or removed. Tree survey and protection standards shall be those found in Section 5.1 of the Goose Creek Zoning Ordinance.
- (i)** Type and location of ground cover samples, if required, per Section 5.1 of the Goose Creek Zoning Ordinance.
- (j)** Topography: one- or two-foot contours.
- (k)** Flood hazard areas delineated and labeled by type and flood map panel number. Flood hazard information shall be in accordance with the flood hazard ordinance adopted by Goose Creek City Council, as amended.
- (l)** Critical lines of jurisdictional and isolated wetlands in accordance with state and federal standards as well as any buffers expected to be required by state and federal agencies.

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- (m) The City Planner should advise the developer during the pre-application conference about meeting such requirements.
  - (n) Endangered species habitat areas, where required by state and federal standards.

**(4) Proposed site development information.**

- (a) Proposed land uses.
- (b) Easements, including locations, dimensions, and purposes.
- (c) Plans for utilities (i.e. — sewerage, potable water, electricity, site lighting, cable, telephone, and gas lines, and stormwater drainage).
- (d) Exact footprints of all proposed structures, labeled with function, heated and total floor areas, dimensions, and building setbacks from property boundaries or other features, as may be required in this ordinance.
- (e) Bicycle and pedestrian facilities and widths and materials thereof.
- (f) Extent of all parking areas with indication of stalls, including handicap-accessible and loading stalls.
- (g) Landscape Plan. A landscaping plan shall be submitted with an application for development subject to the requirements of this section. The landscaping plan shall depict how the proposed development complies with the standards in this section. The landscaping plan shall include utility and irrigation plans, if applicable, and documentation of existing trees and a tree protection plan.
- (h) Extent of impervious surfaces in square feet and as a ratio of the parcel. Any required landscaped areas, vegetative buffers, tree protection areas, and tree planting requirements such as street trees and roadside trees, including labeling of species of plants and groundcover type.
- (i) Location, type, and elevation drawings of signage.

**(5) Platting information.** The total tract boundary lines of the area being developed shall be in accordance with the most recent edition of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, as promulgated by the Code of Laws of South Carolina.

**(6) Supplemental data.** Any other information considered pertinent by the applicant, the Planning Commission, or the City Planner to the review of the site development plan shall be submitted with or on the plan.

**(C) Appeals.** The developer may appeal the decision of the Zoning Administrator to the Board of Zoning Appeals in accordance with the appeals process specified in Section 1.10.

**3.5 Traffic Impact Analysis.**

**(A) Traffic Impact Analysis Required.**

**(1)** A Traffic Impact Analysis (a “TIA”) shall be required for all “developments,” which shall include the following:

- (a) All subdivisions (25) or more lots and/or any subdivision of property requiring new streets or roads, or the extension of new water and/or sewer infrastructure). The numerical study thresholds apply to a new subdivision, an

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expansion of an existing subdivision, and the cumulative construction of a subdivision in multiple phases.

- (b) More than 25,000 square feet of building coverage in existing and/or new buildings.
- (c) Any active development wherein substantial changes have occurred in pertinent conditions existing at the time of approval of the development which would, if not addressed, would pose a threat to the public health, safety, or welfare.

(2) The City Engineer may waive the preparation of a TIA or require a traffic statement as opposed to a full TIA if the proposed development is a component of a larger development for which a TIA has recently been provided and the Planning Director is reasonably certain that the results of a subsequent TIA would duplicate prior findings. The City Engineer may require additional components of a TIA if necessitated by special circumstances. Other traffic analysis may be required for any project, if determined by the City Engineer that the project impacts vehicular, bicycle, pedestrian, transit, or other mode of transportation in any way.

**(B) Consultant; Standards.**

- (1) A TIA must be prepared by an on-call consultant (the "TIA Consultant") hired by the City of Goose Creek (the "City") at the expense of the applicant. The TIA Consultant shall be an engineer registered in South Carolina that is experienced in the conduct of traffic analyses.
- (2) The standards in the South Carolina Department of Transportation's Access and Roadside Management Standards Manual shall serve as a guide for the TIA. The City will rely upon the most current edition ITE trip generation manual or any alternative acceptable to the City, and available information on land use, travel patterns and traffic conditions.

**(C) Traffic Impact Analysis Plan Preparation.**

- (1) Prior to beginning the TIA, the applicant shall supply the City with the following:
  - (a) A written narrative describing the proposed land use(s), size and projected opening date of the development, including the current phase and all subsequent phases for phased developments;
  - (b) A site location map showing surrounding development within a one-half mile of the property under development consideration; and
  - (c) A proposed site plan or preliminary subdivision plat illustrating access to public or private roads and connectivity to other contiguous developments.
- (2) After consulting with the SCDOT and Berkeley County, if applicable, the City Engineer will supply to the TIA Consultant with the parameters to be followed in the TIA, including the directional split of driveway traffic, trip distribution, background traffic growth rate, previously approved but not completed projects, and the intersections to be analyzed along with any associated turning movement counts which are available or discussed and approved by the City. The final scope of services and an estimate of the cost of the TIA (the "Estimate") shall be submitted to the City for approval.

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- (3)** The applicant shall pay an amount equal to the Estimate to the City Engineer, who will deposit the amount in an escrow or special account set up for this purpose. Any funds not used shall be returned to the applicant in a timely manner without interest. The applicant may be required to pay additional costs associated with the TIA if: (i) the applicant substantially amends the application; (ii) additional meetings involving the consultant are requested by the applicant; (iii) the consultant's appearance is requested at Planning Commission or City Council meetings beyond what was anticipated in the scope of services; or (iv) the TIA Consultant's 's attendance is required at meetings with regional, State, or federal agencies or boards which were not anticipated in the Estimate. The applicant must pay all such costs prior to the development plan or plat approval.
  - (4)** All phases of a development are subject to review, and all traffic plans for the entire development shall be integrated with the overall TIA. A TIA for a specific phase of development shall be applicable to the phase of development under immediate review; however, each phase of development shall expand and provide detailed analysis at the development plan stage beyond the estimates provided for at the concept plan or master plan stage. For master-planned and phased developments, the City Engineer may require that a TIA take into account subsequent phases of development that are reasonably knowable. The relative share of the capacity improvements needed shall be broken down as follows: development share, other developments share, any existing over capacity, and capacity available for future growth.

**(D)** Plan Contents.

**(1)** The following elements shall be included in a TIA:

- (a)** *Study Area* – Description of the study area including surrounding land uses and expected development in the vicinity that would influence future traffic conditions, including (i) intersections immediately adjacent to the development and other significant intersections identified by the City Engineer. A study area site map showing the site location is required.
- (b)** *Proposed Land Use* – Description of the current and proposed land use including characteristics such as the number and type of dwelling units, gross and leasable floor area, and number of employees, accompanied by a complete project site plan (with buildings identified as to proposed use), and a schedule for construction of the development and proposed development stages.
- (c)** *Existing Conditions* – Description of existing traffic conditions, adjusted for daily and seasonal variations, including existing AM and PM peak- hour traffic volumes adjacent to the site and levels of service for intersections in the study area, and other peak periods as may be determined by the City Engineer. The City Engineer may require that pedestrian counts be taken into consideration. Existing counts may be used if taken within 12 months. In most cases, counts should be taken when school is in session unless otherwise determined by the City Engineer. Other information that may be required may include, but not limited to, crash data, stopping sight distances, and 50th and 85th percentile speeds.
- (d)** *Future Background Growth* – Estimate of future background traffic growth based on local or statewide growth factors, and considering State, local, or

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private transportation improvement projects in the study area that will be underway in the buildout year and traffic that is generated by other proposed developments in the study area. If the planned completion date for the project or the last phase of the project is beyond one year of the study an estimate of background traffic growth for the adjacent street network shall be made and included in the analysis.

- (e) *Estimate of Trip Generation* – The site forecasted trips should be based on the most recent edition of the ITE Trip Generation Manual. A table should be provided in the report outlining the categories and quantities of land uses, with the corresponding trip generation rates or equations, and the resulting number of trips. The reason for using the rate or equation should be documented. For large developments that will have multiple phases, the table should be divided based on the trip generation for each phase. Any reductions for any reason should be justified and documented. All trip generation and trip reduction calculations and supporting documentation shall be included in the TIA appendix.
- (f) *Trip Distribution and Traffic Assignment* – The distribution (inbound versus outbound, left turn versus right turn) of the estimated trip generation to the adjacent street network and nearby intersections shall be included in the report and the basis should be explained. The distribution percentages with the corresponding volumes should be provided in a graphical format.
- (g) *Analysis and Estimate of Impact* – A capacity analysis should be performed at each of the study area intersections and access intersection locations (signalized and unsignalized), including a level-of-service determination for all approaches and movements. Coordination analysis will be required for the signal systems or portion of the signal systems analyzed.
- (h) *Access Management Standards* – The TIA shall include a map and description of the proposed access including any sight distance limitations, adjacent driveways and intersections, and a demonstration that the number of driveways proposed is the fewest necessary and that they provide safe and efficient traffic operations.
- (i) *Traffic Signalization* – If a traffic signal is being proposed, a signal warrant analysis shall be included in the TIA. The approval of a traffic signal on projected volumes may be deferred until volumes meet warrants given in the MUTCD, in which the developer shall provide funds for the future signal(s) to the City to deposit in an escrow or special account set up for this purpose. The developer should make any laneage improvements during construction so that if in the horizon year a signal is warranted, one may be installed with little impact to the intersection.
- (j) *Mitigation and Alternatives* – The average stop time delay in seconds per vehicle for each intersection determined to be critical to the TIA for the proposed development shall be compared to the City's adopted traffic service level goal of "D" for the average delay for all vehicles at any intersection and all movements and approaches to the intersection during peak hours. Improvements must ensure that the level of service at final buildout, meets or

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exceeds the level of service at time of approval of the TIA. The TIA should include proposed improvements or access management techniques that will mitigate any significant changes in the levels of service. The City Engineer will be responsible for final determination of mitigation improvements required to be constructed by the applicant.

- (E) Traffic Impact Analysis Plan Review.** The City Engineer shall review all TIAs as part of the initial approval for the concept plan or master plan, and shall coordinate with Berkeley County, the South Carolina Department of Transportation, and other parties the City Engineer deems appropriate. Final TIAs shall be approved at the development plan phase. Following review of the required TIA, the City Engineer shall recommend action as follows:
- (1)** Approval of the TIA as submitted; or
  - (2)** Approval of the TIA with conditions or modifications as part of the development review and approval process. An acceptable TIA with traffic mitigation measures may include the reduction of the density or intensity of the proposed development; phasing of the proposed development to coincide with State and/or City-programmed transportation improvements; applicant-provided transportation improvements; fees in lieu of construction, or any other reasonable measures to ensure that the adopted traffic level of service goals are met. If mitigation is required, it shall be required as a condition of any approval from the City.
- (F) Timing, Cost of Implementation.** If traffic mitigation improvements are part of an approved TIA, the improvements shall be completed prior to Final Plat approval for major subdivisions, or CO issuance for multi-family and non-residential projects. The City Engineer may use his/her best engineering judgement to determine the most effective solution. The costs of implementation of an approved mitigation program shall be the responsibility of the applicant. No certificates of zoning compliance or building permits shall be issued unless provisions of the TIA are met.
- (G) Function and Safety Improvements.** The City Engineer may require improvements to mitigate and improve the safety and function of multiple transportation modes the site traffic may impact. These improvements may not be identified in the TIA, but improvements to benefit the function and safety of the transportation system of the development site. These improvements may include but are not limited to center medians, sidewalks and/or bicycle accommodations, modifications to ingress and egress points, roadside shoulders, pavement markings, traffic calming and other traffic control devices.

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### 3.6 Zoning Application.

**(A) Application requirements.** The following constitute a completed application for a zoning permit.

- (1) An application form available from the Zoning Administrator. The form shall include the Berkeley County parcel identification number(s) and the address, where available, of the property proposed for development.
- (2) Intended use of the property.
- (3) Recognition of any jurisdictional wetlands and flood hazards on the site.
- (4) Recognition of any restrictions or covenants associated with the site.

### 3.7 Land Disturbance Permit.

**(A) Application requirements.** The following constitute a completed application for a land disturbance permit.

- (1) An application form available from the City Planner. The form shall include the Berkeley County parcel identification number(s) and the address, where available, of the property proposed for land development.
- (2) An application fee in the amount set by Goose Creek City Council.
- (3) An approved preliminary plat or conditionally approved preliminary plat that reflects adherence to all conditions of approval.
- (4) Tree protection plans, per Goose Creek Zoning and Land Development Ordinances.
- (5) Tree mitigation fees shall be paid in advance of permit issuance, unless otherwise determined by the City Planner.
- (6) Any vegetation to be preserved for required and otherwise proposed buffering, undisturbed green space, or other purposes.
- (7) Reviewed and approved engineering plans for necessary utilities (i.e. - sewerage, potable water, electricity, street lighting, and stormwater drainage) proposed to serve the land development. The applicant shall be responsible for submitting plans to appropriate agencies for review and approval. Approvals shall be verified by an official letter from the appropriate agency.
- (8) Plans to control erosion and sedimentation, to protect water quality, and to protect endangered species, as approved by state and federal agencies with jurisdiction. Approval shall be verified by an official letter from the appropriate agency.
- (9) Copies of any encroachment permits required by SC Department of Transportation, Berkeley County, US Army Corps of Engineers, and other county, state, or federal agencies with jurisdiction.

**(B) Documentation requirements.** The completed application for a land disturbance permit shall meet the following standards.

- (1) Engineering plans shall meet the standards of the utility provider expected to accept responsibility for the improvements, including SC Department of Engineering, Berkeley County Engineering, Berkeley County Water and Sanitation Authority, et al.

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- (2) Engineering plans for improvements proposed for private maintenance shall nevertheless meet documentation requirements promulgated by SCDOT, Berkeley County Engineering, and BCW&SA. Engineering plans shall be reviewed by the City Engineer.
  - (3) Documentation shall be in accordance with the most recent edition of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, as promulgated by the Code of Laws of South Carolina.
  - (4) All engineering plans shall include the signature, seal, and certification of a registered professional land surveyor and/or engineer, as applicable, that the drawings accurately reflect a survey made by him or her, that any changes from the description appearing in the last recorded transfer of land contained in the final plat are so indicated, that all monuments shown thereon actually exist or will be installed, and that their positions are accurately shown.

#### **4. COMPLETION AND MAINTENANCE OF IMPROVEMENTS**

##### **4.1 Intent of Chapter.**

- (A) Before the final plat is signed and stamped for approval by the City Planner, the developer shall complete all public improvements, as required in this ordinance, and dedicate those public improvements to the appropriate body, free and clear of all liens and encumbrances on the dedicated property and public improvements.

##### **4.2 Completion of Improvements.**

- (A) As the developer completes improvements, they shall be inspected by the City Planner, Fire Marshal, Building Official, and the City Engineer.
- (B) The City Planner shall review any Staff comments and relay them to the developer.
- (C) Once the developer has completed the guaranteed public improvements as required, he shall prepare record drawings of all improvements, which shall conform in all respects to the final plat and reflect guaranteed public improvements as installed. The developer shall submit the record drawings to the City Planner for review. If the record drawing meets the requirements of this ordinance, the City Planner shall sign and date them approved. The developer shall submit the drawing to Berkeley County Register of Deeds.

##### **4.3 Performance of Completed Improvements to be Guaranteed.**

- (A) The developer shall guarantee the performance of completed roads and other improvements proposed to be dedicated to the City of Goose Creek, Berkeley County, or a property owners association for a period of two (2) years after the improvements are documented and recorded with the Berkeley County Register of Deeds. This shall be accomplished via written, signed agreement by the developer with a financial warranty, which shall be submitted to the City or County Engineer.
- (B) The developer shall submit one (1) or a combination of the following financial warranties to the City Planner with the written, signed agreement completed application for final plat approval:
  - (1) A no-contest, irrevocable bank letter of credit;
  - (2) A performance and payment bond underwritten by a corporate surety licensed by the State of South Carolina; or

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- (3)** A cashier's check or cash equivalent.
  - (C)** The financial warranty shall be in an amount equivalent to twenty (20) percent of the total costs of the completed, guaranteed public improvements. The warranty shall name the City of Goose Creek the beneficiary. The City or County Engineer shall be authorized to approve the costs stated.
  - (D)** The City or County Engineer will forward the agreement and warranty to the city attorney for review and comment, if applicable. The developer shall address those comments and resubmit the agreement if deemed necessary by the city attorney, if applicable.
  - (E)** If the City or County Engineer finds any deficiencies in completed public improvements, they shall notify the developer in writing, who shall have fifteen (15) days to respond and indicate a time frame to correct the deficiency to the satisfaction of the City or County Engineer.
  - (F)** If deficiencies in guaranteed public improvements are not rectified as required, the developer shall be in default. The city shall be authorized to utilize funds of the financial warranty to let or re-let a contract to complete the improvements.
  - (G)** The financial warranty and performance guarantee for completed public improvements shall expire within two (2) years and any remaining funds shall be returned to the developer.

#### **4.4 Maintenance of Improvements.**

- (A)** The developer shall provide for the perpetual maintenance of all public improvements via one (1) of the following:
  - (1)** Dedication to a public entity equipped to maintain those public improvements offered to it. The public entity may accept or refuse the improvements at its sole discretion.
  - (2)** Conveyance of public improvements to a private entity equipped to maintain those public improvements offered to it.
  - (3)** Establishment of a property owners association and conveyance of public improvements thereto. The association must be duly chartered by the State of South Carolina and recorded with the Berkeley County Register of Deeds.
- (B)** The developer shall provide for the perpetual maintenance environmental resources, including open space and wetlands and any associated buffering, via one (1) of the aforementioned maintenance vehicles (subsections A.1—3) or via one (1) of the following:
  - (1)** Conveyance of the environmental resources to a landowner, typically a non-profit organization, whose principal mission is conservation of natural and cultural resources, with deed restrictions to that effect; or
  - (2)** Dedication of a conservation easement protecting the environmental resources to a landowner, typically a non-profit organization, whose principal mission is conservation of natural and cultural resources, with a legal maintenance agreement from the same.
- (C)** The improvements shall be conveyed with appropriate easements and/or deed restrictions that ensure perpetual service of the improvements to the community and public that shall appear on the plat in illustration and/or in writing, as appropriate. The text shall specify the purpose and use of the improvements.

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#### 4.5 Private Streets.

(A) An owner of any land may subdivide a tract of land utilizing private streets pursuant to this section provided the following requirements are satisfied:

(1) *Restrictive covenants:* Prior to the recording of any deed or plat subdividing the property, the owner shall submit to the City Planner a properly executed and duly recorded set of restrictive covenants covering the tract to be divided. These restrictive covenants shall be in a form acceptable to the city and shall provide, at a minimum, as follows:

- (a) A privately maintained street shall be established providing access to a public street for each lot in the subdivision, said private street to be jointly owned by all property owners in the subdivision or association composed of all lot owners.
- (b) Provision shall be made for maintenance of the private street by the property owners in the subdivision. All lot owners shall be jointly and severally financially required to maintain the street, said obligation to be enforceable by the filing of a lien against the property of a defaulting owner. The following statement in all capitals shall be conspicuously displayed in the restrictive covenants: "THE PRIVATE STREET(S) PROVIDING ACCESS TO LOTS IN THIS SUBDIVISION IS NEITHER MAINTAINED BY THE CITY OF GOOSE CREEK OR OTHER GOVERNMENTAL AGENCY NOR IS IT LIKELY TO BE SO MAINTAINED IN THE FUTURE. OWNERS OF LOTS IN THIS SUBDIVISION ARE FINANCIALLY OBLIGATED TO MAINTAIN THE STREET(S) FOR THE BENEFIT OF ALL PROPERTY OWNERS IN THE SUBDIVISION."
- (c) Restrictive covenants shall refer to the plat required by the subdivision regulations.
- (d) The restrictive covenants shall provide for road amendments or modifications only with the consent of all property owners in the subdivision. No amended restrictive covenants shall be valid without the signatures of all property owners in the subdivision.
- (e) The restrictive covenants shall require that any deed conveying any interest in a lot in the subdivision shall conspicuously contain the following language with an appropriate space for a signature by the grantee(s) acknowledging the following:

"The real property described in this deed is subject to restrictive covenants recorded in Deed Book \_\_\_\_\_ at page \_\_\_\_\_. These restrictive covenants provide, among other things, notice that the subdivision street(s) are privately owned and provide an obligation for each lot owner to maintain, repair and/or replace the private street(s). These restrictive covenants are specifically acknowledged by the grantee(s). Grantee(s)"
- (f) Road Agreement. A road maintenance agreement must be approved before a "Preliminary Plat Approval" can be given to a project. If these provisions are incorporated into a master deed or other document containing covenants and restrictions for the subdivision, that document may be submitted in addition to a road agreement. City Planner shall require a public agency release, hold harmless-indemnification agreement, and road maintenance agreement.

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- (2) *Plat*: All plat(s) of property accessible by private roads shall contain the following language: "Access to this property is by private street. The lot owner(s) is totally responsible for maintenance and repair of the streets."
  - (3) *Street frontage*: The tract proposed to be divided must have frontage on a public road or street no less than fifty (50) feet.
  - (4) *Sign*: The owner(s) shall conspicuously place on the privately maintained street near the entrance to the exempt subdivision a sign stating "Private Street".
  - (5) *Design standards*: Subdivisions with private streets are exempt from the minimum pavement width provisions. Private streets shall be constructed with pavement widths determined by the City Engineer, City Planner, and Fire Marshal, based upon the nature of the use of the street but in no event less than twenty (20) feet. All other provisions, including minimum right-of-way requirements, shall fully apply. Private road subdivisions shall be subject to additional intersection standards.

## 5. DESIGN AND IMPROVEMENTS STANDARDS

### 5.1 Intent of Chapter.

- (A) Assurance of completion of improvements is necessary to ensure the performance of installed public improvements to the prospective property owner, occupant, public, and the City of Goose Creek.

### 5.2 General Standards.

- (A) **Conformity.** Improvements shall be installed in accordance with the requirements and standards set forth in this ordinance and other specifications and policies of the City of Goose Creek, Berkeley County Engineering, Berkeley County Water and Sanitation Authority, Charleston Water System, the South Carolina Department of Transportation, the South Carolina Department of Health and Environmental Control, and other agencies of jurisdiction prior to final plat approval and after all applicable permits have been issued by the agencies.
- (B) **Access and inspections.** Before beginning any work within the development, the developer shall make arrangements with those public agencies charged with the enforcement of the provisions of this ordinance to provide for adequate inspection of the improvements. All public agencies shall have access to the premises and structures of a development under jurisdiction of this ordinance during reasonable hours to make those inspections as deemed necessary by them to ensure compliance with the provisions of this ordinance.

### 5.3 Monuments.

- (A) Monuments shall be installed at all angles formed by intersection of lot lines, right-of-way boundaries, and all exterior corners of the development.
- (B) Monuments shall be one-quarter ( $\frac{1}{4}$ ) inch steel rods or three-quarter ( $\frac{3}{4}$ ) inch iron pipes not less than twenty-four (24) inches long and shall be placed vertically in the ground so as to extend two (2) inches above finished grade.

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## 5.4 Lots.

### (1) Lot boundaries and proportions

- (1) The developer shall propose parcel boundaries insofar as practical such that grand trees and significant groupings of protected trees occur in required yards and do not need to be cleared for building sites.
- (2) Corner lots shall be of sufficient size and shape to permit required building setback and orientation to both streets.
- (3) Flag lots shall be discouraged.

### (2) Lot access and orientation. The developer shall demonstrate access to all proposed parcels, either by frontage on a transportation or ingress/egress easement in compliance with one (1) of the following options.

- (1) The lot shall abut a transportation right-of-way or ingress/egress easement with a street meeting or exceeding Goose Creek Land Development Standards.
- (2) The lot facing a common area for pedestrian circulation shall abut a transportation right-of-way or ingress/egress easement with an alley meeting or exceeding Goose Creek Land Development Standards.
- (3) The lot shall be oriented directly toward the street insofar as practical. Side lot lines shall be perpendicular to straight streets or radial to curved streets insofar as practical.
- (4) The lot shall directly address the street intended to serve it. No other property or structure shall partially or wholly intervene between the lot and the street serving the lot.

## 5.5 Blocks.

### (A) Block conditions.

- (1) For the purposes of this ordinance, and determination of compliance therewith, blocks shall be any area defined by two (2) or more linear elements of vehicular circulation providing access to residential or non-residential units, lots, offices, storefronts etc., including roads, fire lanes, and other drives providing access to and within residential and non-residential communities, including townhouse developments, apartment complexes, commercial and industrial parks, shopping centers, mobile home parks, and other similar land developments.
- (2) Alleys, parking lot aisles, and other lanes intended for access to covered or uncovered parking stalls and not relied upon for access to residential or non-residential units, lots, offices, storefronts etc., shall not be considered part of the block perimeter.
- (3) In the event that vehicular circulation does not constitute the entire perimeter of a block, the block shall be considered bounded by adjacent property boundaries and/or drainage ways, including wetlands, for the purpose of considering the size and scale of the block.

### (B) Block design, orientation, and scale.

- (1) Blocks shall be oriented to complement natural topography, so as to minimize need for grading and clearing of natural resources such as trees.
- (2) Blocks shall be oriented to complement natural stormwater drainage patterns and wetlands.

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- (3) Blocks shall be sized in proportion to the speed and volume of vehicular and pedestrian traffic expected within those rights-of-way or easements defining the block.
  - (4) Blocks shall be sized in proportion to existing and/or proposed land uses within the block and in proportion to the scale of structures sheltering such land uses.
  - (5) Dimensions for blocks may be specified in zoning districts to ensure the existing or intended scale of the district is achieved and enhanced.

#### **5.6 Public Roads**

- (A) All public roads must meet the standards set by Berkeley County and South Carolina Department of Transportation, as amended.
- (B) The City of Goose Creek accepts no roads for public maintenance. Meeting or achieving land development standards for roads in Goose Creek implies no acceptance of such roads for public maintenance. The developer seeking to dedicate roads to a public entity shall meet or exceed road standards required by that entity, which may differ from or conflict with Goose Creek standards.

#### **5.7 Private Roads.**

##### **(A) Road System Design Standards.**

- (1) Proposed roads shall be part of a circulation plan within the proposed development and coordinated with the existing road system of the surrounding area.
- (2) Proposed roads shall be integrated into the existing system and, where possible, provide for the continuation of the road system into adjacent undeveloped high lands for future development. Such continuations, called road stubs, shall be dedicated as transportation rights-of-way and/or easements that allow for use by the traveling public and utilities for future development of the adjacent land. Road stubs shall be constructed to the same specifications as those for bulk of the road system within the proposed land development.
- (3) The City of Goose Creek accepts no roads for public maintenance. Meeting or achieving land development standards for roads in Goose Creek implies no acceptance of such roads for public maintenance. The developer seeking to dedicate roads to a public entity shall meet or exceed road standards required by that entity, which may differ from or conflict with Goose Creek standards.
- (4) Proposed roads shall be designed to serve all users, including truckers, automobile drivers, bicyclists, pedestrians, and wheelchair operators. Where possible conflicts may emerge, the road shall be designed for context and proposed use. For example, road design in industrial areas shall promote truck access, whereas road design in neighborhoods shall promote pedestrian access and safety.
- (5) Roads shall be located so as to minimize loss of natural resources, including trees and wetlands.
- (6) Proposed road location and design shall account for soils, floodplains, and other natural conditions and adjust accordingly to ensure the longevity and durability of the road.
- (7) All roads shall be designed above the 25-year storm event requirements.
- (8) The proposed road shall not cause flooding or erosive run-off on adjoining parcels.

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- (9) Roads shall be constructed to accommodate the type and weight of vehicles routinely expected within the proposed development once it is occupied by permanent users.
- (a) Roads in wholesale commercial and industrial areas shall be constructed to accommodate heavy-truck traffic generated by the proposed development.
  - (b) Roads in neighborhood commercial, office, institutional, and residential areas shall be constructed to accommodate private automobile traffic generated by the proposed development.
  - (c) Alleys serving as secondary access to residences shall accommodate minimal local private automobile traffic and may therefore be constructed with a permeable surface, such as gravel, coquina, or other material that minimizes dust and erosion of the road base.
  - (d) All roads except alleys shall be constructed with a hard surface, except where the Developer can demonstrate specific benefits to the City of Goose Creek from the construction of permeable surfaces.
- (10) Any design standards not addressed in this ordinance shall follow Berkeley/SCDOT.

**(B) Intersection standards.**

- (1) All roads intersecting other roads shall either intersect directly opposite each other or shall be separated by at least one hundred twenty-five (125) feet from centerline to centerline.
- (2) All roads shall intersect at angles no less than seventy-five (75) degrees unless a traffic circle or movement controls are proposed to prevent awkward or unsafe turning movements.
- (3) Turning movements shall be designed to serve the predominant land uses existing or proposed in the surrounding area. Pedestrian crossing distances shall be minimized to the greatest extent practical in residential and retail areas. Turning radii shall be designed to serve truck traffic in industrial areas.
- (4) Mini roundabouts and neighborhood traffic circles are encouraged be utilized for uncontrolled intersections in private road subdivisions. Crosswalks should be marked to clarify where pedestrians should cross and that they have priority. ADA-compliant ramps and deflector strips are required.

**(C) Single-terminus road standards.**

- (1) Proposed permanent single-terminus roads shall be no longer than four hundred 800 feet, measured from the center point of its intersection, except to provide access to land accessible by no other means due to natural constraints, such as wetlands.
- (2) Proposed permanent single-terminus roads shall end in a turn-around at least forty-five (45) feet in radius. The turn-around may have a traversable island of a durable surface and resistant to ponding bounded by a ribbon or mountable curb to ensure the stability and longevity of the adjacent roadway. The minimum lane width of a turnaround shall be sixteen (16) feet.
- (3) Proposed temporary single-terminus roads providing access to future phases of the same proposed land development or to an adjacent developable tract shall be equipped with either a turn-around specified above or a hammerhead that enables emergency and service vehicles to perform a three-point turn.

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- (4) Proposed single-terminus alleys shall be equipped with a turn-around or a hammerhead.
  - (5) No turn-around or hammerhead feature is required for a temporary single-terminus road provided that such road is less than two hundred (200) feet long and that provides no access to a lot.

**(6) Alley**

- (a) Minimum continuous lane width: 9 – 12 feet
- (b) Typical curb radius: 10 – 20 feet
- (c) Parking: parallel, angled
- (d) Drainage: inverted crown
- (e) Sidewalks: not required

**(7) Standard Road Section**

- (f) Minimum continuous lane width: 11 feet
- (g) Typical curb radius: 15 – 25 feet
- (h) Parking: parallel, angled, perpendicular
- (i) Drainage: inverted crown, curb and cutter
- (j) Sidewalks: required 5 feet minimum

**(D) Existing roads.**

- (1) To avoid undue hardship on small landowners and prospective homeowners, a pre-existing road need not be upgraded to meet current standards for a land development that is in all other respects a minor land development, as defined by this ordinance.
- (2) A major land development relying upon a pre-existing substandard road shall upgrade the road as practical. The City Planner, in consultation with City Engineer, and Planning Commission, if deemed necessary, shall determine the extent of upgrades required in its review of the major land development based on the findings of a traffic study, as set forth in Section 3.3, and a cost estimate of upgrades recommended in the study.

**(E) Standards by road type.**

- (1) An alley shall be no longer than three hundred (300) feet without intersecting a local or collector road. Alleys shall not intersect arterial roads or highways.
- (2) Internal circulation roads provide off-site access to residential, commercial, office, and similar units in larger land developments, such as apartment complexes, shopping centers and malls, and office parks. Internal circulation roads link external roads to parking aisles or private garages.
- (3) Collector roads shall be designed as through roads, where practical, to utilize their capacity and to reduce strain on intersecting collector and arterial roads and highways. Techniques to calm traffic and deter heavy trucks shall be utilized in residential areas.
- (4) Lane widths shall be the narrowest width feasible to serve the land development to calm traffic and reduce pedestrian crossing times. The table provides wider lane widths for certain

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roads with medians, two-way left-turn lanes, or outside lanes to be shared with bicycle traffic.

- (5) A landscaped median may be proposed in place of a two-way left-turn lane.
- (6) "Typical" curb radius standards are intended for roads designed for bicycle and pedestrian access and safety as well as slower vehicle speeds. The City Planner may allow larger radii for existing roads with higher design speeds and/or an unusually high percentage of heavy truck traffic.

**(F) Pedestrian facilities out of the right of way.**

- (1) Applicable to major subdivisions and land developments over 25 acres.
- (2) Dedicated multi-use paths eight (8) to ten (10) feet wide shall be provided on all proposed developments.

**(G) On-street parking.**

- (1) Parking provided adjacent to the road, whether or not within a road right-of-way, shall be designed to allow safe and efficient movement into and out of travel lanes. Parking stalls shall be spatially separated from through-lanes to provide visibility for motorists driving, parking, or disembarking parked vehicles. This separation shall typically range from two (2) to ten (10) feet, depending on the target speed and traffic volume of the road. No such separation shall be required for parking aisles.
- (2) No parking shall be designed to allow more than twenty (20) feet between the parking stall and the through-lane where motorists would back into the through-lane. Driveways to garages for single-family attached and detached homes shall be exempt.
- (3) Parallel parking. On-street parallel parking spaces should be twenty (20) to twenty-two (22) feet in length and seven (7) to nine (9) feet in width from face of curb.
- (4) Angled and perpendicular parking. Design standards for on-street angled and perpendicular parking shall be identical to those for on-site parking.

**(H) Tree planting along roadways.**

- (1) **Street trees.** The developer shall install street trees along arterial, commercial collector, and internal circulation roads in a major land development to calm traffic, buffer private property from light and noise of traffic, shade the road and sidewalks, and reduce urban heat island effect. If a road is maintained or is proposed to be maintained by a government entity that prohibits street trees, roadside trees shall be required.
  - (a) One (1) street tree shall be installed per forty (40) feet of road, on average, measured at edge of pavement, on each side of the road, exclusive of intersections with other roads. On-center spacing between street trees shall be thirty (30) to fifty (50) feet.
  - (b) If curb bulb-outs are proposed to define on-street parking, one (1) street tree may be planted in the bulb-out in place of two (2) street trees otherwise required per Subsection (1)(a), above.
  - (c) Street trees shall be upright growing hardwood trees with an average life expectancy of at least forty (40) years.

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- (d) Street trees shall be installed at three (3) inches in caliper in tree wells or in a verge (between the road and the sidewalk).
  - (e) Street trees shall be planted within the road right-of-way or easement and protected from vehicular traffic by curbs, swales, or pre-existing ditches.
    - (1) Street trees shall be planted at least two (2) feet from barrier (standing) curbs.
    - (2) Street trees shall be planted at least five (5) feet from rolled curbs.
  - (f) Conservation of an existing tree three (3) inches or more in caliper in the road right-of-way or easement may meet the requirement for a street tree.

**(I) Driveways.**

**(1) General standards.**

- (a) This section of the ordinance sets design standards for the facility providing access to private property; therefore, the term "driveway" shall apply to an internal circulation road as well as a private single-family residential access for the purposes of this section.
- (b) All land development proposals shall provide vehicular access to the parcel, which shall be accomplished via private access or community access and parking area.
- (c) Driveways shall be designed with the minimum width necessary to provide safe and efficient vehicle access to the site so as to limit encroachment into pedestrian facilities, bike lanes, and on-street parking, where applicable.
- (d) Where applicable, the developer shall obtain an encroachment permit from the entity maintaining the road. Successful receipt of an encroachment permit does not constitute approval by the City of Goose Creek, which may require standards that differ from the entity issuing the encroachment permit.
- (e) Stricter driveway standards may be imposed by zoning district.

**(2) Standards for residential lot with on-site parking for single unit**

- (a) The driveway shall be at least eight (8) feet wide and twelve (12) feet wide at the edge of the road or alley serving the lot.
- (b) The driveway shall be at least sixty (60) feet from the nearest intersection, measured between centerlines and shall be at least twenty (20) feet from the nearest tangent point of an intersection curb or pavement edge.

**(3) Standards for off-street parking areas.**

- (a) Standards shall meet the City of Goose Creek, Berkeley County or South Carolina Department of Transportation, as amended.

**5.8 Design and Improvements Standards for Pedestrian Facilities in the Right of Way.**

- (A) Proposed walkways shall be at least five (5) feet wide.
- (B) Proposed walkways shall be significantly differentiated from their surroundings by color, texture, materials, grade elevation, or any combination thereof, unless specifically stated otherwise, to protect users from automobile traffic.

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(C) Proposed walkways shall be constructed so as to prevent the erosion or deterioration of edges, to withstand wear and tear from expected users and adverse natural conditions and events, and to otherwise ensure their durability and longevity.

**(D) Sidewalks.**

- (1) On roads with target speeds thirty (30) miles per hour or greater, sidewalks shall be separated from through-lanes on roads by at least five (5) feet, except as needed to access crosswalks. The interstitial space may be hardscaped or provided with vegetative ground cover.
- (2) On roads with target speeds forty (40) miles per hour or greater, sidewalks shall be separated from through-lanes on roads by at least ten (10) feet, except as needed to access crosswalks. The interstitial space may be hardscaped or provided with vegetative ground cover.
- (3) On single-loaded local roads, sidewalks shall only be required on the side of the street with proposed home sites, but shall be at least six (6) feet wide.
- (4) On permanent single-terminus local roads, sidewalks shall only be required on one side of the street, but shall be at least six (6) feet wide.
- (5) Proposed sidewalks shall meet or exceed standards of the Americans with Disabilities Act, as amended, including curb ramps and passing areas, as applicable.
- (6) Sidewalks shall be constructed of concrete, bricks, granite pavers or similar hardscape on a compacted base sufficient to support the surface and reasonably expected pedestrian traffic and outdoor furniture under all weather conditions.
- (7) Proposed sidewalks shall be constructed to withstand automobile traffic entering driveways or parking alongside the road where they are not reasonably protected from such.

**(E) Bike/ped facilities.**

- (1) Facilities designed for bicycle and/or pedestrian circulation independent of a road (i.e., not a sidewalk) may be constructed with asphalt or permeable or natural surfaces like gravel. Such facilities shall be designed to ensure minimal loss of loose material over time (e.g., edging) and constructed on ground or base that adequately supports the surface material in all weather conditions while meeting the demands of expected traffic.
- (2) Internal blocks longer than eight hundred (800) feet shall be approximately bisected by mid-block walkways to ensure adequate pedestrian access throughout the neighborhoods, except where such walkways would end in wetlands or other inaccessible features.
- (3) Multi-use facilities proposed for bicycle and pedestrian traffic shall be at least ten (10) feet wide. The width of the multi-use walkway may taper thereafter, although this is discouraged.

**(F) Crosswalks.**

- (1) Crosswalks shall meet Berkeley County and/or South Carolina Department of Transportation Standards.

- (2) Proposed crosswalks shall be significantly differentiated from their surroundings by color, texture, materials, grade elevation, or any combination thereof, unless specifically stated otherwise, to protect users from automobile traffic.

**5.9 Illumination of Vehicular and Pedestrian Facilities**

- (A) The developer shall propose, install, and maintain service on a system of illumination of all roads and adjacent sidewalks within a major land development. Illumination shall provide lighting for the safety of the traveling public without causing nuisances to adjoining land uses due to glare or intensity. The proposal shall meet or exceed the American National Standard Practice for Roadway Lighting, Illuminating Engineering Society of North America, as amended.
- (B) Illumination of vehicular and pedestrian facilities in all proposed land developments shall be provided by fixtures appropriate to the facility and surrounding land uses in size, height, scale, and on-center spacing.

**5.10 Tree Corridor**

- (A) New residential subdivisions shall preserve a portion of a site area dedicated to the preservation and/or establishment of natural woodland areas. These areas shall be delineated on the required site plan or final plat.
- (B) **Applicability.** Tree corridor determination.
  - (1) All new residential subdivisions in the RSF zoning district, 25 acres or greater, are required to have dedicated tree corridor areas.
  - (2) All single-family detached uses within the RM zoning district, 25 acres or greater, are required to have dedicated tree corridor areas.
- (C) **Calculating Requirements.** A twenty-five-foot-wide tree area shall be required around the entire perimeter of the project site and shall be delineated on the required site plan or final plat. Each acre of designated tree area must be planted or maintained at the following rate; areas less than one acre will be required a pro-rated amount:

<i>Minimum Number of Tree</i>	<i>Minimum Size</i>
12 Large Maturing Trees	2-inch caliper
5 Understory Trees	1.5-inch caliper

- (1) Species composition. Native trees must be used. No single tree species shall constitute more than 40 percent of the total requirement.
- (2) Qualifying areas. Open, common space areas and required property line buffers may not be included in the required corridor.

**5.11 Sanitation Service.**

- (A) **Curbside pick-up.** Land developments proposed for curbside trash pick-up shall be designed so as to minimize backtracking by sanitation vehicles by limiting single-terminus streets and providing two (2) routes of egress from each lot to the exterior of the land development, as practical.

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- (B) Community pick-up.** Land developments proposed for community trash pick-up shall locate the dumpster(s) at convenient point(s) of access for users and sanitation vehicles. To the extent practical, dumpsters shall be located along alleys or internal circulation roads that can be easily accessed by sanitation vehicles but that are not easily visible from public view. Where practical, dumpsters shall be located to the rear, and not near the public face, of structures. Screening and buffering per landscaping standards of the Goose Creek Zoning Ordinance shall apply.

## **5.12 Stormwater and Floodplain Management**

### **(A) Application of Berkeley County Standards.**

- (1) Where practical, the proposed land development shall meet or exceed the requirements of the Berkeley County Stormwater Drainage Ordinance, as amended, and the "Berkeley County Engineering, Construction, and Development Standards Manual."

### **(B) Application of state standards.**

- (1) Where required by the South Carolina Codes and Regulations, the developer shall propose a plan that minimizes erosion and sedimentation during construction. The plan and its implementation shall meet or exceed the standards of the South Carolina Office of Ocean and Coastal Resources Management (OCRM), which has jurisdiction. The approved plans and letter denoting approval from OCRM shall be submitted to the City Planner as part of an application for a land disturbance permit.
- (2) Where applicable, the developer shall meet or exceed OCRM standards for stormwater management, which typically require that the proposed development provide for stormwater management that neither increases nor decreases existing stormwater run-off. The approved stormwater management plans and letter denoting approval from OCRM shall be submitted to the City Planner as part of an application for a land disturbance permit.

### **(C) Floodplain management standards.**

- (1) The developer shall account for flood hazard areas that occur on the land proposed for development. It shall be the responsibility of the developer to locate boundaries of any floodplains delineated by the Federal Emergency Management Agency (FEMA) on the land and to indicate and label them in illustrations submitted during the land development review process.
- (2) The proposed land development shall meet or exceed the standards of Goose Creek Flood Hazard Controls Ordinance.
- (3) Where practical, development shall be concentrated on land out of floodplains.
- (4) **Road standard related to flooding.** The centerline elevation of proposed roads shall be above the ten-year floodplain. The Planning Commission may, however, modify this standard where necessary to prevent the filling of land resulting in loss of protected trees.

## **5.13 Wetland Protection and Mitigation.**

### **(A) State and federal standards for wetlands protection and mitigation.**

- (1) The developer shall survey land proposed for development and delineate wetlands where required by standards of S.C. Office of Ocean and Coastal Resources Management and/or

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U.S. Army Corps of Engineers. Delineated wetlands shall be indicated on the appropriate development plan submitted to the City of Goose Creek for review.

- (2) The developer shall indicate all measures required by S.C. OCRM and U.S. ACE to protect wetlands or mitigate impacts thereto on the same development plan.

**(B) Buffer design standards for recreational access.**

- (1) Buffers twenty (20) feet or more in depth are mandatory and may be encroached by pervious walkways.
- (2) Clearing and grubbing of vegetation and grading for the walkway shall be limited to the width of the walkway plus three (3) feet on both sides for shoulders. Twenty (20) feet shall be the maximum allowable width cleared and graded for the walkway.
- (3) The shoulders of the walkway shall be revegetated, mulched, or otherwise stabilized to prevent erosion.
- (4) The walkway shall be a pervious surface, including but not limited to a boardwalk with spaced boards, which may be raised for brief wetland crossings, where approved by appropriate state and federal authorities.

**5.14 Open Space Standards.**

See Zoning Ordinance

**5.15 Potable Water.**

- (A) Access to potable water.** The developer shall demonstrate that each buildable lot within the proposed land development shall be provided access to potable water. The means of potable water provision shall meet or exceed the standards of the South Carolina Department of Health and Environmental Control and the water service provider, where applicable, from which service is desired.

- (1) The developer proposing a land development within five hundred (500) feet of a public water system shall extend the water system to the land development, if acceptable to the public water service provider. The developer shall then extend the public water supply system to each buildable lot in the land development.
- (2) On-site water supply. The developer not required to extend public water system to a proposed land development may choose on-site water supply. This developer shall demonstrate that each proposed buildable lot can be served by a private on-site system. The developer shall make that system available prior to transferring the lot or shall make the installation of the system prior to issuance of a building permit a condition of sale for each lot. This condition shall be noted on the deed to the property transferred.

- (B) Access to water for fire protection.** The developer proposing extension of the public water supply system shall install fire hydrants as required by building and fire codes, as adopted by the City of Goose Creek.

**5.16 Sanitary Sewerage.**

- (A) Ability to dispose of sewerage.** The developer shall demonstrate that each buildable lot within the proposed land development shall be provided direct access to sanitary sewerage along the

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road frontage of the parcel or have the capacity — including soils and environmental conditions — required for an on-site disposal system. The means of sewage disposal shall meet or exceed the standards of the South Carolina Department of Health and Environmental Control and the sanitary sewer service provider, where applicable, from which service is desired.

- (1) The developer shall connect to sanitary sewerage as required by the Berkeley-Charleston-Dorchester Council of Governments under its regional water quality management plan.
- (2) Where proposed to serve the land development, the sanitary sewer system shall be extended to each buildable lot in the proposed land development. The extension shall meet or exceed the standards of the service provider for inclusion in the sanitary sewer system as public infrastructure.
- (3) Where connection to sanitary sewerage is not required or desired, the developer shall demonstrate that each buildable lot has the capacity to accommodate an on-site disposal system.

**(B) Property redevelopment.** A parcel proposed for development with an existing on-site disposal system shall demonstrate, where the redevelopment triggers compliance with this ordinance, that the system is functioning properly. Routine maintenance shall be performed on the system prior to the issuance of a zoning permit for the property served. In the event that the system is found deficient, the applicant for a zoning permit shall rectify the condition by repairing or replacing the system or connecting to a sanitary sewer system.

**(C) Pump station.** Where needed to adequately serve the land development, as determined by the service provider, the developer may include a pump station on a remnant parcel of land adjacent to a transportation right-of-way or ingress/egress easement. The pump station shall be readily accessible to utility Staff but shall be located, to the extent practical, in an unobtrusive location away from areas of potentially heavy pedestrian traffic and away from the primary entrances of non-residential structures open to the public.

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### 5.17 Other Utilities.

- (A) **Electrical power.** The developer shall demonstrate that each buildable lot within the proposed land development shall be provided access to electricity via written notice from the proposed provider that describes means of access and point of entry into the existing system. The means of electrical power provision shall meet or exceed the standards of the proposed service provider.
- (B) **Natural gas, telephone, television, and internet access.** The developer who proposes natural gas, telephone, television, and internet access via pipeline, wire, and cable, as applicable, shall meet or exceed the requirements of the service provider.
- (C) **Utility lines.**
  - (1) All utility lines proposed in a major land development shall be located underground and parallel to roads, except as necessary to cross bridges, connect to existing above-ground lines, and connect structures served. The lines and related equipment shall be readily accessible to utility Staff.
  - (2) Utility lines shall be collected in easements or rights-of-way, to the extent practical, to use land more efficiently and to minimize disruption to and loss of natural vegetation.
- (D) **Utility equipment location.** Equipment related to the transmission of the utility shall be located in discreet locations to the extent practical, such as lot corners. The developer shall ensure that equipment is in no danger of inundation from stormwater and shall not locate equipment in or too near drainage facilities.
- (E) **Major transmission.** The standards of this section are intended for the developer installing service within a proposed land development. Major transmission lines and related equipment may be designed and constructed to meet the needs of the utility provider. The proposal shall not violate the objectives of this ordinance.

### 5.18 Rights-of-Way and Easements.

#### (A) General Standards.

- (1) All public improvements shall be incorporated into an easement or right-of-way dedicated to perpetual public use and assigned to an entity responsible for its maintenance per Section 4.4. This shall be noted on the final plat and any record drawing illustrating public improvements.
- (2) Easements and rights-of-way shall be of such dimensions to incorporate the public improvements, including shoulders and banks, and to provide sufficient access for adequate maintenance of the improvements.
- (3) The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access as promulgated in the International Fire Code.
  - (a) Fire access roads shall be remote from one another so that the possibility of impairment of one does not affect the other. No less than 500 ft. within an access on the same road.

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- (b) All major subdivisions of 50 lots or more or multi-family dwelling units of 200 or more shall be required to install a secondary access road. For every additional 300 units above the thresholds stated above, an additional access road shall be provided.

**(B) Roads and driveways.**

- (1) All improvements intended for the traveling public shall be incorporated into a transportation right-of-way dedicated to S.C. Department of Transportation, Berkeley County, or a property owners association, representative of all properties reliant upon the improvements for access, established for the purposes of owning and maintaining the improvements. Exceptions shall be as follows:
  - (a) Land intended for the expansion of a pre-existing road and right-of-way shall be reserved as an easement dedicated for that purpose. Land intended for the future extension of an existing or proposed road and right-of-way shall be reserved as an easement dedicated for that purpose. Once constructed, the improvements may be dedicated and incorporated into a transportation right-of-way.
  - (b) Two (2) neighboring lots with one (1) primary structure each may share a driveway within an ingress/egress easement. The easement shall be centered along the common lot line with a width equal to the width of the driveway and any provided sidewalks plus two (2) feet, minimum, on both sides.
  - (c) Internal circulation roads in attached-unit residential community shall be incorporated into easements dedicated for perpetual access to the traveling public, except where rights-of-way are provided. A property owners association representative of all properties reliant upon the improvements for access shall be charged with responsibility for maintenance of these internal circulation roads. The easements shall occur on land owned by the same.
- (2) **Access management.** The City Planner, S.C. Department of Transportation or Berkeley County may require the developer of a large land development to implement "access management." The purpose is to coordinate the access to the public right-of-way from multiple parcels in a land development to reduce vehicular conflict points in the right-of-way.
  - (a) To accomplish access management, internal circulation roads in land developments shall be incorporated into easements dedicated for perpetual access to the traveling public, except where rights-of-way are provided. The improvements in the easement shall be maintained by the largest landowner relying on access, such as the anchor of a commercial land development, or by a property owners association representative of all properties reliant upon the improvements for access.
  - (b) Each parcel with frontage on the public right-of-way shall nevertheless provide pedestrian access directly to and along that right-of-way.
- (3) No property shall be proposed to be solely reliant on an ingress-egress easement for access, except as provided for access management.
- (4) An ingress-egress easement incorporating a road shall not encroach a required yard. Setbacks required by zoning district may be measured from the boundaries of the ingress-egress easement.

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- (5) Not more than 15 percent of a residential lot area or 500 square feet within such area, whichever is greater, shall be occupied by vehicular surface area. Vehicular surface area includes any pervious or impervious area where a vehicle is regularly parked and stored. If more than one street abuts the parcel (e.g. corner lot or through lot), parking spaces and driveway shall not be located in more than one such area. Parking area shall be of adequate length to fully park a vehicle without stacking in the right-of-way, or in any instant to impede pedestrian walkways.

**(C) Drainage.**

- (1) Natural drainage courses as well as tidal marsh (saltwater wetlands) under the control of the State of South Carolina shall be incorporated into rights-of-way.
- (2) Stormwater management features that discharge into or otherwise utilize freshwater wetlands in stormwater management plans shall be incorporated into a drainage easement, if they are not incorporated into a natural drainage course right-of-way.
- (3) All artificial drainage improvements shall be incorporated into easements or rights-of-way adequate in width and condition to accommodate the improvements and allow for access for maintenance.
- (4) Drainage easements shall be centered along lot boundaries where practical. Drainage easements may be located in required yards. Encroachment of drainage easements into building envelopes shall be minimized to the greatest extent practical.

**(D) Water and sewer.**

- (1) Water and sewer improvements shall be generally located in rights-of-way or easements adequate in width and condition to accommodate the improvements and allow for access for maintenance. Improvements proposed for dedication to public utilities shall meet or exceed the standards thereof.
- (2) Easements for water and sewer improvements shall be centered along lot boundaries where practical. Such easements may be located in required yards. Encroachment of water and sewer easements into building envelopes shall be minimized to the greatest extent practical.

**(E) Other utilities.**

- (1) Utilities not specified above, including but not limited to telephone, electricity, and television, shall be located in rights-of-way or easements adequate in width and condition to accommodate the improvements and allow for access for maintenance.
- (2) Easements shall collocate where practical to minimize encroachment into building envelopes and natural resources.

**5.19 Adequate, Oversized, and Off-Site Improvements.**

- (A) Improvements shall be designed and constructed to serve all current and future phases of the major land development and the planned development district, as applicable.
- (B) **Oversized improvements.** The City Planner may require the developer to install capital improvements adequate in size and capacity to serve future development on nearby land where the service provider determines that such improvements are needed to adequately serve future development in the vicinity of the proposed development.

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- (1) Oversized improvements required during development review. The developer shall be notified of the need for oversized improvements prior to approval of the preliminary land development plan, and the requirement shall not delay the development review timeline. The service provider (City of Goose Creek, Berkeley County, or other) shall verify the need for oversized improvements and shall commit to accepting and maintaining the improvements upon completion.
  - (2) **Infrastructure system connectivity.** Road stubs and other improvements designed to ensure interconnected systems of infrastructure in Goose Creek shall not be considered oversized improvements and shall be considered basic requirements for proposed improvements.
  - (3) **Cost sharing.** The developer shall be responsible only for costs associated with improvements needed to serve his development, including future phases and the Planned Development District. The developer shall install oversized improvements required by the City Planner. The service provider shall provide the materials and reimburse the developer for expenses incurred. The service provider and the developer may enter into a voluntary alternative arrangement achieving the goal of complete systems of infrastructure.
- (C) **Off-site improvements.** The developer shall be responsible for all capital improvements to existing systems of infrastructure to which the development proposes to connect.
- (1) The developer shall perform any studies needed (e.g., traffic study) to determine what improvements to systems will be necessitated by the proposed development. The study may be reviewed or performed by the service provider, if it accepts the responsibility, or an independent third party qualified to review or perform the study.
  - (2) The developer shall fully implement improvements that the study concludes are necessitated by the proposed development.
  - (3) The City Planner may require that off-site improvements also be oversized to serve future development outside the proposed Land Development or Planned Development District, in which case oversized improvements standards (above) shall apply.
- (D) **Limitations on city requirements.**
- (1) The City of Goose Creek shall not require a developer to rectify pre-existing inadequate levels of service that are unrelated to, or out of scale and proportion with, the proposed land development and expected impacts thereof. The developer shall only be responsible to offset impacts reasonably expected from the proposal at build-out.
  - (2) The developer shall not be required to fund or provide equipment, maintenance, personnel, or other operating costs for public infrastructure or service providers.