

- a. The combination or recombination of portions of previously platted lots, where the total number of lots is not increased and the resultant lots meet the standards of the governing authority.
- b. The completion of existing subdivisions where the subdivision plat has already been recorded prior to the adoption of these regulations and where construction of all streets and utilities have been substantially completed within one (1) year from the adoption of these regulations.
- c. The division of a tract of land into no more than 10 lots by a single owner, where all resultant lots are in compliance with the UDO and have at least 25' foot of road frontage.
- d. Dividing land into parcels of five acres or more where no new street is involved.
- e. Combining or recombining entire lots of record where no new street or change in existing streets is involved.

A major subdivision is the division of a tract of land into more than 10 lots.

See section 13.4 for review procedures and regulations.

Section 13.4 Regulation of Subdivisions.

1. All subdivisions of property must be reviewed by the Lancaster County Joint Planning Commission. However, minor subdivisions are included only for the purpose of requiring that the Joint Planning Commission be informed and have record of such subdivision. **Also, major subdivisions reviewed by Planning staff (11-40 lots), upon approval, are required to be presented to the Joint Planning Commission for information in regard to subdivision name, number of lots approved and location.** Minor subdivision plats may be submitted to the Lancaster County Joint Planning Department for approval in final plat form without being subject to preliminary subdivision review by Lancaster County Joint Planning Commission.
2. Major subdivisions are subject to a three (3) step approval process: (a) A sketch plan may be required (at the discretion of the Planning Director) prior to submission of a preliminary plan, (b) **Preliminary plan approval, and (c) Final plat approval; sale of lots is permitted only after the final plat has been approved and recorded with the Lancaster County Clerk of Court.**

Preliminary plans for subdivisions of more than forty lots are subject to the three step approval process and are to be reviewed by the Lancaster County Joint Planning Commission. Preliminary plans for major subdivisions for forty or fewer lots are subject to the three step approval process, but may be reviewed and approved by the Planning Staff, provided two signatures of approval are provided. Physical improvements to the land to be subdivided are authorized by this preliminary plan approval issued by the Lancaster County Joint Planning Commission and/or the Planning staff.

All major subdivisions are subject to Section 13.6, Approval Procedures. The

Planning Department reserves the right to submit any major subdivision plat to the Joint Planning Commission for approval.

Major subdivisions reviewed by Planning staff (11 - 40 lots) shall be posted within seven (7) days of the submittal of a preliminary plan application. The Planning Department shall accept public comment on the application for fourteen (14) days from the date of the posting of the property.

Major subdivisions reviewed by the Joint Planning Commission shall be subject to Section 8.7.10.11, Public Hearing Notice and Section 8.7.10.12, Public Hearing Procedure.

3. Minor subdivisions only require a one (1) step approval process: final plat approval. Subdivisions plat submittals falling under Section 13.3, #34 (c), shall be accompanied by written approval of water supply and waste disposal system(s) from the appropriate division of DHEC and, if applicable, the utility entity that will supply central water and/or waste disposal service. Subdivisions plat submittals falling under Section 13.3, #34 (d), must be received by Lancaster County Joint Planning Commission as information and indicate the fact on the plats. The Planning Department reserves the right to submit any minor subdivision plat to the Joint Planning Commission for approval.
4. Final plats for major and minor subdivisions and development plans, once approved by the appropriate entity, must be recorded within sixty (60) days with the County Clerk of Court. If the plat or plan is not recorded within that time, the approval of the plat or plan is null and void. Approval of the plat or plan is then subject to full review as outlined by the Land Use Regulations.

Section 13.6.2.3 Lancaster County Joint Planning Commission and/or Planning Department Staff Review.

The Lancaster County Joint Planning Commission shall review and act upon the preliminary plan submittal at their regular meeting next following the date of a composite report by the Planning Director detailing the comments of agencies by which review was requested. The Lancaster County Joint Planning Commission shall not override the requirements of an outside agency or department but may seek to resolve conflicts by mutual agreement. **If the Joint Planning Commission is not responsible for reviewing the application (see Section 13.4), the Planning Department staff will review and act upon the preliminary application.**

Section 13.6.2.4 Deadlines.

In an effort to achieve balance between the need for thorough review and timely response, the following deadlines are required.

- a. Agencies and departments shall provide written comments to the Planning Director within 20 days of the date of the preliminary plan application.
- b. **In accordance with Section 13.4**, the Lancaster County Joint Planning Commission **or the Planning Department** shall render a decision within 60 days of the date of when the preliminary plan application **is first heard by the Joint Planning Commission**. This time limit may be extended by mutual agreement between planning staff and the applicant. Failure to act within this time limit shall constitute approval of the plat. The Lancaster County Joint Planning Commission **or Planning Department's** action and reasons shall be transmitted in writing to the subdivider, and noted on copies of a preliminary plan.

AND IS SO ORDAINED this 31st day of January, 2000.

LANCASTER COUNTY COUNCIL

Ray E. Gardner, Chairman

Polly C. Jackson, Secretary

Approved as to form and content:

William R. Sims, County Attorney

ATTEST:

Irene Plyler, Clerk to Council

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