

FREQUENTLY ASKED QUESTIONS

Q: Do I have to provide both the subdivision agreement and surety to bond my project?

A: Yes. Your Bonded Plat, Subdivision Agreement and Surety must all be submitted and approved prior to bonding a development with the County. The Bonded Plat cannot be recorded with the Register of Deeds until a correctly completed Subdivision Agreement and Surety are submitted to the Development Services Office.

Q: Where can I find the proper language for all notations/certifications to be used on my Bonded Plat?

A: Contact the Development Services Office at 785-8121. The proper language to be used for notations/certifications on a Bonded Plat can either be mailed, emailed, faxed to you. It also will be included on the redlined copy (as a correction to be made) of your Bonded Plat, if necessary.

SUBDIVISION REGULATIONS

DEVELOPMENT REVIEW and PERMIT FEES

For a full schedule of Development Review and Permit fees for the Community Development Department, please see our Receptionist or go to <http://www.lex-co.sc.gov/departments/DeptAH/communitydevelopment/Pages/CDfees.aspx>.

STORMWATER MANAGEMENT & SEDIMENT CONTROL

For a full schedule of Stormwater Plan Review and Inspection Fees, please go to <http://www.lex-co.sc.gov/departments/DeptIQ/publicworks/Pages/Stormwater.aspx>. If you have any questions regarding these fees, please call 803-785-8201.

Please note that fees are subject to change. If you have any questions, please contact the appropriate department.

Version 2.13.17

IMPORTANT PHONE NUMBERS TO REMEMBER

Lexington County Administration Building

212 South Lake Drive, Lexington SC 29072

Suite 302

Addressing (Planning/GIS) (803) 785-1454

Suite 401

Building Inspections.....(803) 785-8130

Development Services Office.....(803) 785-8121

Floodplain Management(803) 785-8121

Landscape Ordinance.....(803) 785-8121

Subdivision Regulations (Plat Approval) ... (803) 785-8121

Zoning(803) 785-8121

Lexington County Public Works/Engineering Building

440 Ballpark Road, Lexington, SC 29072

Stormwater Division/

Land Disturbance.....(803) 785-8201

County Right-of-Way Encroachment.....(803) 785-8201

Local Municipalities

Batesburg-Leesville: (803) 532-4601

Cayce: (803) 796-9020

Chapin: (803) 345-2444

Columbia: (803) 545-3333

Gaston:..... (803) 796-7725

Gilbert:..... (803) 892-5207

Irmo: (803) 781-7050

Lexington: (803) 359-4164

Pelion: (803) 894-3535

Pine Ridge: (803) 755-2500

South Congaree: (803) 755-2760

Springdale: (803) 794-0408

Summit: (803) 892-6161

Swansea: (803) 568-2835

West Columbia: (803) 791-1880



BONDED PLATS: UNDERSTANDING THE PROCESS OF BONDING A SUBDIVISION

COUNTY OF LEXINGTON
COMMUNITY DEVELOPMENT DEPARTMENT
212 South Lake Drive, Suite 401
Lexington, SC 29072

Phone: (803) 785-8121

Fax: (803) 785-5186

www.lex-co.sc.gov/Departments/DeptAH/CommunityDevelopment

WHAT IS A BONDED PLAT?

As a temporary alternative to receiving Final Plat approval in order to sell lots, a developer may choose to execute a Subdivision Agreement supported by surety (i.e. Letter of Credit, or cash) with Lexington County Council to guarantee completion of the roads, storm drainage, and water and sewer systems, as applicable, to receive Bonded Plat approval.

The **Bonded Plat**, once approved, can be recorded with the Lexington County Register of Deeds and lots within that subdivision can then be conveyed. This also allows both zoning permits and building permits to be issued to third parties. The developer is still responsible for the completion of roads and other infrastructure and maintenance until the Final Plat (including the passing of all inspections) is approved and recorded.

TAX CONSEQUENCES

ROLLBACK TAXES

Rollback taxes are assessed when the land use classification of a parcel is changed from agriculture to non-agriculture. This land use classification must be reported and changed with the Lexington County Tax Assessor's Office. **When this occurs, Section 12-43-220 of the South Carolina Code of Laws requires the property owner to pay the difference in the property tax paid on the basis of the agricultural classification and the taxes that would have been paid had it not been for the agricultural tax rate for the previous five years.** The roll back taxes are applicable when the land is disturbed (cutting of trees, grubbing, and moving dirt).

Failure to notify the assessor within six months of a change in land use constitutes a penalty of 10% plus interest at the rate of ½% per month, which must be paid on the sum of the rollback tax. For any questions regarding rollback taxes, please contact the Lexington County Tax Assessor's Office at 785-8190.

ASSESSMENT OF SUBDIVISION LOTS

When the Bonded Plat is recorded, the entire parcel that is being developed is officially subdivided and each lot is appraised and assigned a tax map number. This means that each lot will be charged individual property taxes, not the parcel as a whole. **Each lot within the subdivided property will be issued a separate tax bill the following year.**

The aggregate property tax amount will be higher after each lot is assigned their individual tax map number. The developer or seller will be responsible for paying the property taxes at the end of the year for all of the lots that have not been sold.

MULTIPLE LOT DISCOUNT

If a developer has ten (10) or more unsold lots in a subdivision recorded with the Register of Deeds as of December 31st of the previous year, the market value of the lots may be discounted for tax purposes. In order to receive this discount, the property owner or his agent must make written application between January 1st and May 1st of the tax year in which the multiple lot discount is requested. Section 12-43-225 of the South Carolina Code of Laws does not permit the Assessor or the governing body of the County to extend this deadline. For more information regarding multiple lot discount, please contact the Lexington County Tax Assessor's Office at 785-8190.

STEPS TO ACHIEVING A BONDED PLAT

- Submit a Preliminary Plat to the Development Services Office of the Community Development Department for review.
- Obtain a Land Disturbance Permit from Lexington County Department of Public Works-Stormwater Division.
- Submit a Bonded Plat to the Development Services Office of the Community Development Department for review.
- Submit DHEC construction permits for the water and sewer systems for all lots in the subdivision.
- Have your engineer submit a certified cost estimate for the completion of the remaining required infrastructure for approval by the Stormwater Division of the Public Works Department.
- Submit a Subdivision Agreement in an amount equal to 125% of the approved estimated cost for completion of the remaining infrastructure.
- Submit a Surety in the form of a letter of credit, certified check, or other instrument readily convertible in to cash in an amount equal to 125% of the estimated approved cost of the project.

A reduction of the surety may be requested during the Bonded Plat stage by submitting a revised cost estimate from the project engineer to the Stormwater Division of the Public Works Department for review. If approved, the Stormwater Division will notify the bank **in writing** of the reduced surety amount.

After the Bonded Plat submittal, any redline corrections will be mailed to the project surveyor. It is the developer's responsibility to ensure the revised plat and redline is resubmitted to the Development Services Office. It is also the developer's responsibility to submit the Subdivision Agreement and Surety completed correctly in the proper format.

For more information on the exact language that must be used on the Bonded Plat, Subdivision Agreement, and the Surety, please go to the Community Development website at www.lex-co.sc.gov/departments/DeptAH/communitydevelopment/pages/subdivision.aspx or contact the Development Services Office at 785-8121 or cdcustomerservice@lex-co.com.

BONDING A SUBDIVISION WITHIN A MUNICIPALITY

Developers may also bond subdivisions within municipalities where allowed. This process is different than bonding a plat with the County.

The municipality must have an engineering agreement with the County if the municipality wants the County to maintain the roads and storm drainage systems within the project.

For municipalities with such an agreement:

- Lexington County will review the engineering plans only after a request in writing from the municipality is received.
- The County will review all plat submittals.
- Plat certifications with references to roads and storm drainage maintenance should be made to the municipality, not the County.
- A cost estimate must be approved by the Stormwater Division the same as would be required for a County project. The municipality would then be notified of the approved cost estimate.
- The County must review and approve all as-builts and conduct the final inspections before Final Plat approval.

Bonded Plat approval by a municipality indicates that the requirements for bonding have been satisfied. The municipality is responsible for keeping the bond active throughout the life of the project until Final Plat approval.