



DEVELOPMENT GUIDE

A. JURISDICTION

Staff contacts:

Director of Planning, Building, and Technology
John Hanson
(803) 951-4655
jhanson@lexsc.com

The Town of Lexington reviews only projects that are located within its jurisdiction and those that are immediately contiguous to its jurisdiction.

- **ANNEXATIONS:** If the parcel is currently located out of the Town of Lexington but is contiguous to the Town's boundary, the Town will initiate annexation proceedings on the parcel. The applicant may obtain a Petition for Annexation from John Hanson, who will walk the applicant through the annexation process. The request will first go to the Planning Commission, which will make a recommendation about what zoning district and street classification are appropriate for the parcel. After the Planning Commission makes this recommendation, the request will go to Town Council for consideration. Town Council will discuss the request during two meetings. If Town Council approves the annexation at both meetings, the applicant's request for annexation is granted and he may move forward with the project approval process. The annexation process usually takes about 60 days.

B. ZONING APPROVAL

Staff contacts:

Director of Planning, Building, and Technology
John Hanson
(803) 951-4655
jhanson@lexsc.com

Step 1: APPROVAL OF ZONING DISTRICT AND ROAD CLASSIFICATION

First, in order for a particular activity to be allowed on a particular parcel, the parcel must (a) be zoned with a zoning district that allows the use and (b) have access to a road that has a classification that allows the use.

- **REZONINGS AND STREET RECLASSIFICATIONS:** If either the zoning district or the street classification does not support the desired activity, the applicant may request either a rezoning of the parcel or a reclassification of the street from which the parcel will have access. If the applicant desires to make either a rezoning or road reclassification request, he should complete the required application (available at www.lexsc.com) and submit it to John Hanson. The request will go to the Planning Commission, which will make a recommendation to Town Council about it. Town Council will then discuss the request during two meetings. If Town Council approves the rezoning or road classification at both meetings, the applicant's request for rezoning or street reclassification is granted and he may move forward with the project approval process. The rezoning and street reclassification process usually takes about 60 days.

Step 2: APPROVAL OF ZONING REQUIREMENTS

Second, in order for a particular activity to be allowed on a particular parcel, it must meet all the Town of Lexington's zoning requirements. These requirements include but are not limited to: setbacks, buffers, and parking; for a complete list of the requirements, you may obtain a copy of the zoning ordinance from www.lexsc.com.

If the project involves one business in one building on one lot or a subdivision or recombination of land, or if the project is at the preliminary plan, bonded plat, or final plat stage, planning staff may review it for compliance with the zoning requirements. All other projects must go to the Planning Commission for consideration. If the project is of the nature that the planning staff can approve, the process usually takes about a week. If the process is of the nature that the Planning Commission must approve, the process usually takes about 30 days. The Planning Commission meets at 8 a.m. on the first Wednesday after the third Monday of the month at Town Hall. John Hanson determines

the deadline for project submission to the Planning Commission; unless special circumstances apply, the deadline is 12 days before the meeting. Items may be submitted to her office in Town Hall or by mail at Town of Lexington, 111 Maiden Lane, Lexington, SC 29071, attn: John Hanson. John Hanson also determines the number of copies needed, which varies depending on the nature of the request.

- **VARIANCES:** If the particular activity cannot meet one or more of the zoning requirements, the applicant may request a variance from that (those) requirement(s). If the applicant desires to request a variance, he should complete the required application (available at www.lexsc.com) and submit it to John Hanson. The request will go to the Board of Zoning Appeals for consideration. The variance process usually takes about 60 days. The Board of Zoning Appeals meets on the first Thursday of the month at 6:30 p.m. at Town Hall. Applications are due on the first of the month for the following month's meeting.

By state law, in order to grant a variance, the Board of Zoning Appeals must find the following:

- (1) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography,
- (2) These conditions do not generally apply to other property in the vicinity,
- (3) Because of the conditions, the application of the Ordinance to a particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property,
- (4) The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the district will not be harmed by granting of the variance.

FEES ASSOCIATED WITH ZONING

Sketch plans	• \$70.92
Preliminary plans	• \$70.92 for two to five lots • \$70.92 plus \$13.73 per lot above five lots
Bonded plats	• \$0
Final plats	• \$0
Variances	• \$212.74 for first request; \$70.92 for each additional request up to \$426 maximum
Rezoning or street reclassifications	• \$212.74 per request

Fees associated with Zoning may be paid before or once permit is issued

C. **ARCHITECTURAL AND APPEARANCE APPROVAL**

Staff contacts:

Director of Planning, Building, and Technology
John Hanson
(803) 951-4655
jhanson@lexsc.com

If your project is a commercial project that has any portion of the parcel fronting on or accessing any of the following roads, it must meet the Town of Lexington's Architectural and Appearance Standards:

- Highway 1/Augusta Road/Main Street
- Highway 6/South Lake Drive/North Lake Drive
- Highway 378/Sunset Boulevard/Columbia Avenue
- Old Cherokee Road
- Old Chapin Road
- Gibson Road
- Park Road
- Ginny Lane
- Mineral Springs Road
- Saluda Springs Road
- Saluda Pointe Drive
- Whiteford Way
- Caughman Farm Lane

Applicants must submit the following to John Hanson:

- One copy of the following:
 - Completed application form and fee

- Stamped survey plat prepared within six months of the application filing date
- Materials specification outline
- Ten copies of the following on 11 x 17 paper:
 - site plan
 - landscaping plan
 - dimensioned building elevations for all sides of the building(s) showing design of all elevations, existing grade, proposed grade, finish floor elevations, roof slopes, mechanical vents and equipment, location and type of outdoor light fixtures, design and location of all wall sign(s), and notations regarding exterior colors and materials
 - typical wall section(s) with information as described in item directly above
 - final construction details for building(s), walls/fences, signs and any other improvements

A staff committee will review the application and determine whether the project meets the Town’s architectural and appearance standards. If the applicant would like to appeal the committee’s decision, it may make such an appeal to the Board of Appearance.

FEES ASSOCIATED WITH ARCHITECTURAL AND APPEARANCE STANDARDS

Review fee	● \$70.92
Appeals of staff decision	● \$212.74 for first appeal; \$70.92 for each additional request up to \$426 maximum

Architectural & Appearance fees will be paid when the building permit is issued

D. LANDSCAPING APPROVAL

Staff contacts:

Director of Parks, Streets, and Sanitation
 Dan Walker
 (803) 359-1027
 dwalker@lexsc.com

The Town of Lexington has a landscaping and tree ordinance that protects trees and requires landscaping on all projects except individual, single-family dwellings. A copy of the landscaping and tree ordinance is available at www.lexsc.com. To determine which trees must be protected, Dan Walker, the Director of Parks, Streets, and Sanitation, will conduct a tree survey and review the proposed plan for compliance with landscaping and tree requirements. Applicants must submit three sets of landscaping plans to Mr. Walker.

- **VARIANCES:** If the particular activity cannot meet the landscaping and tree ordinance requirements, the applicant may request a variance from the Board of Zoning Appeals. The process is the same as explained in Zoning Approval (Step 2) above.

FEES ASSOCIATED WITH LANDSCAPING

Landscaping review fee	● \$70.92
Variations	● \$212.74 for first request; \$70.92 for each additional request up to \$426 maximum

Landscape fees will be paid when a building permit is issued

E. ENGINEERING APPROVAL

Staff contacts:

Plan Review Engineer
 Rosemarie Nuzzo
 (803) 951-4646
 rnuzzo@lexsc.com



Plan Review Engineer Rosemarie Nuzzo must approve or facilitate approval of all projects for engineering-related issues. Applicants must submit two copies of stormwater and soil erosion plans and two copies of utility plans to her. Scan the above QR code to be routed to her electronic submittal forms.

FEES ASSOCIATED WITH ENGINEERING

Utility plan review	● Minimum - \$155.00 Maximum - \$6,800.00
Sidewalk fee	● \$63.69 per linear foot. The fee is based on a 5-foot sidewalk to meet the requirements of the Americans with Disabilities Act, but residential

	developments are excluded as they are required to install their sidewalks.
Water meter fee	• Varies based on size and number of meters
Irrigation meter fee	• Varies based on size of meters
Fire line tap fee	• \$750 per inch diameter
Delegated Review Package fee	• \$200 (for sewer only)
Water and sewer capital contribution fees	• Varies based on projected amount of water usage using S.C. Department of Health and Environmental Control guidelines. In-town contribution fees are based on usage of 300 gallons per day are currently \$1,250 for water and \$2,700 for sewer.
Hydraulic Model Analysis Fee	• \$1,000 for any project with a new lift station or any modifications to an existing one.

Engineering fees can be paid before, or when the building permit is issued

F. APPROVAL OF BUILDING PLANS

Staff contacts:

Building Official
 Brent Hawkins
 (803) 951-4650
 bhawkins@lexsc.com

Customer Service/Permit Technician
 (803)356-5938
 permits@lexsc.com

Before the Town can issue any building permits, all of the above steps (zoning approval, landscaping approval, and engineering approval) must be completed and all fees (fees associated with zoning, fees associated with landscaping, plan review fees and building permit fees) must be paid.

Building permits are required to construct, enlarge, alter, repair, move or demolish a building or structure; to install electrical, gas, heating, air conditioning, plumbing, or similar equipment; to install infrastructure; and to grade or pave. Applicants should submit three sets of building plans to Building Official Charly Thomas. In order to be approved, the building plans must comply with all applicable federal, state, and local laws.

The building official uses the following building codes:

- 2018 International Building Code with South Carolina modifications
- 2018 International Fire Code with South Carolina modifications
- 2018 International Plumbing Code with South Carolina modifications
- 2018 International Mechanical Code with South Carolina modifications
- 2018 International Gas Code with South Carolina modifications
- 2009 Energy Conservation Code with South Carolina modifications
- 2018 International Residential Code with South Carolina modifications
- 2017 NEC with South Carolina modifications

BUILDING PLAN REVIEW FEES

Commercial	40% of the permit cost for the project
Residential	\$35.45 per unit

Plan Review fees will be paid when the building permit is issued

BUILDING PERMIT FEES

CONSTRUCTION COST	FEE
\$1,000 and less	No fee unless inspection required, then \$26.85
\$1,000 to \$50,000	\$28.60 for first \$1,000 plus \$8.01 per thousand or fraction
\$50,000 to \$100,000	\$421.03 for first \$50,000 plus \$6.23 per thousand or fraction
\$100,000 to \$500,000	\$732.54 for first \$100,000 plus \$4.69 per thousand or fraction
\$500,000 and above	\$2,606.94 for first \$500,000 plus \$3.09 per thousand or fraction

Building Permit fees will be paid when the building permit is issued

G. APPROVAL OF BUSINESS LICENSE

Staff contacts:

Accountant I
 Sonya Lee
 (803) 951-4631
slee@lexsc.com

All businesses or anyone doing business in the Town of Lexington (such as a general contractor who does not have an office in the Town of Lexington) must obtain a business license. The fees are as follows.

BUSINESS LICENSE FEES

One million and less	\$60 for first \$2,000 plus \$2.20 per thousand
>1 million but < OR = 2 million	\$2,255.60 for first \$1 million plus \$1.98 per thousand
>2 million but < OR = 3 million	\$4,235.60 for first \$2 million plus \$1.76 per thousand
>3 million but < OR = 4 million	\$5,995.60 for first \$3 million plus \$1.54 per thousand
> 4 million	\$7,535.60 for first \$4 million plus \$1.32 per thousand

Business license fees will be paid when the building permit is issued

The rate for contractors based outside of the Town of Lexington is on a per-job basis.

H. FIRE PERMIT FEE FOR COMMERCIAL CONSTRUCTION

Contact:

Assistant Fire Chief
 Robert Risinger
 (803) 785-8145
rrisinger@lex-co.com

Fire permit fees shall be based on square footage of construction for all new construction, and upfits, alterations, and additions of existing buildings. Please contact fire marshal directly for quote on fire fees

Fire permit fees will be paid when the building permit is issued

I. OTHER PERMITTING ISSUES

SIGN PERMITS: The sign permit approval process is different from the above process, although it may occur simultaneously. The sign ordinance is available at www.lexsc.com. For information about the sign permit approval process, contact Assistant Zoning Manager, Jessica Lybrand at jlybrand@lexsc.com or (803) 358-1532.

ADDRESSES: Contact Jessica Lybrand at jlybrand@lexsc.com or (803)358-1532

OTHER GOVERNMENT BODIES: The above process does not cover possible permitting that projects may need from other government bodies, such as the South Carolina Department of Health and Environmental Control or the U.S. Army Corps of Engineers. Please contact those agencies directly for information about their permit process. \