

Kershaw County Planning and Zoning Department

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KERSHAW COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS TREE PROTECTION AND PHASED CLEARING DURING CONSTRUCTION OF PLANNED SUBDIVISIONS

Clearing Plan

Planned subdivisions include Major Subdivisions, Large Acreage Residential Subdivisions, and Planned Development Districts. After receiving sketch plan or site plan approval from the Planning Official or Planning and Zoning Commission, as appropriate, and prior to commencing site work on a land development that has been approved for the site construction phase, the applicant shall submit a clearing plan for approval. The clearing plan must identify the following:

A. Project footprint

1. Roads and drainage
2. Stormwater facilities
3. Utilities and other infrastructure

B. Protected areas

1. Natural common open space
2. Shoreline buffers
3. Stream buffers
4. Wetlands

Identify location of any streets and associated facilities, utility mains and easements, and/or greenways and pedestrian paths approved by Kershaw County to encroach upon a protected area as provided for in ZLDR regulations

C. Tree Protection - Identify the location of tree protection fencing and method of construction.

Phased Site Clearing

Phase One: Predevelopment

If the project footprint (areas to receive infrastructure) is of sufficient size and wooded to feasibly warrant logging for marketable timber, the project footprint may be logged upon approval of the Clearing Plan. No stump removal, grubbing, clearing, or grading shall be allowed at this time.

Phase Two: Infrastructure Construction Phase

Once final approval for construction has been granted, the areas to receive site infrastructure such as roads and drainage, stormwater facilities, utilities, etc. including approved infrastructure within protected areas may be cleared and graded in preparation for construction. The erosion prevention and sediment control plan and tree and root protection as provided for by the ZLDR shall be followed.

Platted Lots

Except for the installation of utilities within easements as shown on the Preliminary Plat and Construction Plans, **no logging, grubbing, clearing, grading or similar activities are allowed on any lot as shown on the Preliminary Plat until the Final Plat has been recorded and a building permit has been issued.**

5:3.4-4 Unlawful to Cut, Generally

Unless authorized by the terms of this section or approved by the Planning Official, no person shall cut down, remove, damage, or destroy any significant tree located within significant tree protection zones.

5:3.4-5 Significant Tree Protection Zones

All existing significant trees located within a significant tree protection area shall be flagged and shown on the required plat, site plan, and/or phased clearing plan for a building permit, grading permit, or land development permit. No more than the allowable percentage of significant trees located in these areas shall be felled and removed under the following regulations:

- A. **Type "A" Significant Tree Protection Zone** - A fifteen (15) foot wide zone measured perpendicular to and continuing parallel to the front property line on any lot or tract where a minimum of seventy-five (75) percent of existing significant trees shall not be felled and removed. Where, owing to existing land use, lot sizes or configurations, topography, or circumstances peculiar to a given piece of property, more than twenty-five (25) percent of the significant trees to be preserved must be felled, two (2) trees measuring not less than two (2) inches caliper shall be planted for every significant tree removed in excess of twenty-five (25) percent of the total number of significant trees located in each protection area. To the extent possible, such trees shall be integrated into the required landscaping.
- B. **Type "B" Significant Tree Protection Zone** - The area within the public right-of-way where no significant tree shall be removed unless prior approval is granted or approval requirements are waived by the Planning Official.
- C. **Type "C" Significant Tree Protection Zone** - The area within the required side yard zoning district setback from the side property line where a minimum of fifty (50) percent of existing significant trees shall not be felled and removed. Where, owing to existing land use, lot sizes or configurations, topography, or circumstances peculiar to a given piece of property, more than fifty (50) percent of the significant trees to be preserved must be felled, two (2) trees measuring not less than two (2) inches caliper shall be planted for every significant tree removed in excess of fifty (50) percent of the total number of significant trees located in each protection area. To the extent possible, such trees shall be integrated into the required landscaping.
- D. **Type "D" Significant Tree Protection Zone** - The area within the required rear yard zoning district setback from the rear property line where a minimum of fifty (50) percent of existing significant trees shall not be felled and removed. Where, owing to existing land use, lot sizes or configurations, topography, or circumstances peculiar to a given piece of property, more than fifty (50) percent of the significant trees to be preserved must be felled, two (2) trees measuring not less than two (2) inches caliper shall be planted for every significant tree removed in excess of fifty (50) percent of the total number of significant trees located in each protection area. To the extent possible, such trees shall be integrated into the required landscaping.
- E. **Type "E" Significant Tree Protection Zone** - Any required buffer, open space, screening, or landscaped area. All significant trees located within these areas shall be utilized to the extent practicable to meet the tree planting requirements per the Buffering, Screening, Open Space, and Landscaping; and the Water Quality Buffer provisions of the Ordinance.