

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 GROUP DEVELOPMENTS

Clearing Plan

Placement and location on the Zoning and Land Development Site Plan of parking lots, parameter buffer areas, common open space areas, walkways and drives, screening, and other areas shall be designed to utilize and preserve as many significant trees as possible. Significant trees in Significant Tree Protection Zones (STPZs) shall be preserved per the Tree Protection provisions of the ZLDR. After receiving site plan approval from the Planning Official or Planning and Zoning Commission, as appropriate, and prior to commencing site work on a group 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. The project footprint

1. Infrastructure:
 - a. Roads and drainage
 - b. Stormwater facilities
 - c. Utilities
 - d. Other infrastructure
2. Site improvements:
 - a. Parking lots
 - b. Driveways and walkways
 - c. Building and other structures

B. Protected areas

1. Natural open space
2. Buffers, yards, and other areas required to be landscaped
3. Shoreline buffers
4. Stream buffers
5. Wetlands
6. Significant tree protection zones
 - Identify and mark all significant trees within the Type "A," Type "C," Type "D", and Type "E" STPZs.
 - Determine the number (by percentage) of trees that must be preserved.
 - Identify the trees in the STPZs that are desired to be removed to accommodate proposed site development.
 - If the remaining number of significant trees is less than the required percentage, identify the location and species of replacement trees and mark on the clearing plan.
 - Identify the location of tree protection fencing and method of construction.
 - Identify the location and species of all replacement trees, as applicable. Lists of recommended plant material are available in the Planning and Zoning office or on the P&Z webpage at www.kershaw.sc.gov.

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 per the provisions of the ZLDR.

C. All significant trees (20" or greater DBH pine trees, 8" or greater DBH all other species) located within:

1. Site improvement areas
2. Protected areas

Phased Site Clearing

Phase One: Predevelopment

If the project site is of sufficient size and wooded to feasibly warrant logging for marketable timber, the site may be logged upon approval of the Clearing Plan. All trees within the footprint of the site infrastructure can be removed. Significant trees

within the site improvement areas should be marked for preservation as practicable to be incorporated into site landscaping, screening, open space, or buffer requirements as shown on the Zoning and Land Development Site Plan. No stump removal, grubbing, clearing, or grading shall be allowed at this time. All protected areas are to remain undisturbed at this time.

Phase Two: Infrastructure Construction Phase

Once final approval for infrastructure construction has been granted, the project footprint areas as well as approved infrastructure within protected areas may be cleared and graded in preparation for construction. Erosion prevention and sediment control BMPs and tree and root protection during construction as provided for by the ZLDR shall be followed.

Tree Replacement

All trees that must be replaced per the Significant Tree Protection Zone regulations shall be planted prior to the issuance of the Certificate of Occupancy.

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.