

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER) ORDINANCE NUMBER 21-21

AN ORDINANCE TO AMEND DORCHESTER COUNTY ZONING AND LAND DEVELOPMENT STANDARDS ORDINANCE #04-13, AS PREVIOUSLY AMENDED, WITH RESPECT TO ARTICLE XII, SECTION 12.4.2(c) "GRAND TREE", SECTION 12.4.4(b)(3)(a) "PROCEDURE", SECTION 12.4.4(d)(4) "MEANS OF ACCESS AND PARKING" AND ADD NEW SECTION 12.4.4(c)(7) "GENERAL CRITERIA" (the purpose of this amendment is to provide flexibility for Grand Tree removal within Industrial Districts)

WHEREAS, Dorchester County Zoning and Land Development Standards, Ordinance 04-13, contains provisions for the protection of trees with specific allowances for limited removal and mitigation during site development; and

WHEREAS, Dorchester County has seen an increase in development interest within the industrial parks but concerns have been raised regarding the ability to develop under the current tree protection standards; and

WHEREAS, Dorchester County recognizes that industrial sites develop differently than commercial sites and the same tree protection standards affect the two uses differently; and

WHEREAS, Dorchester County supports industrial growth and development within the industrial parks while at the same time recognizing the importance of tree protection;

NOW, THEREFORE, BE IT ORDAINED by Dorchester County Council, duly assembled that the Dorchester County Zoning and Land Development Standards Ordinance Number 04-13, as previously amended, is further amended by deleting Sections 12.4.2(c), 12.4.4(b)(3)(a), and 12.4.4(d)(4) and substituting in lieu thereof the below sections bearing the same numbers, and by adding new Section 12.4.4(C)(7) below:

Section 12.4.2(c) Grand Tree. A tree of special value which, due to its age and stature, is deemed of irreplaceable value to Dorchester County. Trees twenty-four inches (24") in DBH or greater, excluding Pine, shall be considered Grand trees and protected by Dorchester County under this ordinance.

Section 12.4.4(b)(3)a For development plans disturbing more than twenty-five (25) acres for one non-residential building site, this tree survey requirement may be satisfied by a "sample area" survey. Each sample shall cover at least one (1) acre. Sample areas shall be evenly distributed throughout the site and proportional to the acreage of types of forest found on the site (upland pine, bottomland hardwood, upland mixed, etc.). Sample areas shall represent at least five (5%) of the site or five (5) acres, whichever is greater. The surveyor shall estimate the relative densities and total number of Protected trees across the site based on the distribution of these trees in the samples. Grand trees shall nevertheless be individually surveyed and documented by location, species, and size in DBH.

Section 12.4.4(c)(7) Trees determined to be illegal, invasive, or generally poor quality that are of the following species: Sweet Gum, Bradford Pear, River Birch, and other invasive species that are certified as such by a Landscape Architect or Certified Arborist and approved by the Zoning Administrator.

Section 12.4.4(d)(4) Means of access and parking: Grand trees shall not be removed to make way for parking lots, parking spaces, drive aisles, or driveways. Other Protected trees may be removed to make way for these same features, but mitigation shall be required. On properties zoned Industrial (I), Grand trees less than 30” may be removed to make way for parking lots, parking spaces, drive aisles, or driveways, but mitigation shall be required by means of Fee-in-Lieu and are not eligible for on-site mitigation.

This Ordinance shall be effective upon third and final reading.


Approved and adopted on this 15th day of November, 2021.



William R. Hearn, Jr., Chairman
Dorchester County Council

First Reading: 10/04/2021
Second Reading: 11/01/2021
Public Hearing: 11/01/2021
Third Reading: 11/15/2021

ATTEST:


Tracey L. Langley, Clerk of Council