

Kershaw County Planning and Zoning Department

515 Walnut Street, Room 160, Camden, SC 29020 803-425-7233



KERSHAW COUNTY ZONING AND LAND DEVELOPMENT REGULATIONS TREE PROTECTION AND SITE CLEARING OF INDIVIDUAL RESIDENTIAL LOTS

The Code of Zoning and Land Development Regulations (ZLDR) states that no significant tree may be removed, damaged, or destroyed prior to securing a grading, land development, and/or building permit. Significant trees in each Significant Tree Protection Zone (STPZ) must be protected and preserved when building your home and developing your lot. The removal of significant trees is allowed under the following conditions (Detailed regulations can be found at the end of this document and in the Kershaw County Unified Code of Zoning and Land Development Regulations [ZLDR].):

Significant Tree Protection

Because any healthy pine tree of 20 inches or greater diameter at breast height (4½ feet from the ground at the base of the tree) and all other tree species of 8 inches or greater diameter at breast height (4½ feet from the ground at the base of the tree) is a valuable natural resource by virtue of its age, size, and its contribution to the environment, all such trees meeting these measurements are referred to as "significant trees" and are to be protected to the extent practical and feasible when developing your lot.

There are five Significant Tree Protection Zones; four of which apply to residential lots.

- The Type "A" Significant Tree Protection Zone is a 15 foot deep area beginning at and running along the front property line.
- The Type "B" Significant Tree Protection Zone consists of the street right-of-way area which is between the street and the front property line. To determine the street right-of-way area, consult the plat of your property.
- The Type "C" Significant Tree Protection Zones consist of the side yard setback areas of the lot. Setback areas vary by zoning district. To determine the setback areas for your particular lot, first find the zoning district the lot is located in, then consult Table 3-4 or Table 3-5 of the Zoning and Land Development Regulations or call the Planning and Zoning office at 803-425-1500, Ext. 5340.
- The Type "D" Significant Tree Protection Zone consists of the rear yard setback area of the lot and is determined in the same manner as the Type "C" Zone, above.

While we encourage maintaining as many trees as possible, a certain percentage of existing significant trees in zones "A," "C," and "D" can be removed, if desired. If more than the allowed percentage of trees needs to be removed because of circumstances peculiar to a particular piece of property, provisions have been made for the replacement of cut trees with the planting of smaller trees.

- In the Type "A" STPZ (front), 25% of the significant trees may be removed.
- In the Type "C" and "D" STPZs (side and rear), you may remove 50% of the significant trees.
- The authority to remove any tree within the Type "B" STPZ (street right-of-way) lies with the jurisdiction in charge of the road maintenance. The Planning Official may authorize removal of any tree within the right-of-way of any county maintained road if an emergency or public safety issue exists.

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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:

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- 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.