

****Proposed changes are hi-lighted, underlined or struck-through and italicized.****

153.334 TREE PROTECTION AND PRESERVATION.

(b) Exemptions.

1. Single-family detached residential lots of record shall be exempt from all provisions in this section except for the grand tree documentation, protection, and replacement provisions. This exemption does not include *protected trees in major subdivisions* or applications for major and minor subdivisions for which landscape buffers may be required per §153.335(D).

4. This section shall not restrict public utilities and electric suppliers from maintaining safe clearance around existing utility lines and existing easements in accordance with applicable state laws. Siting and construction of future *and existing* gas, telephone, communications, electrical line, or other easements shall not be exempt from ~~the~~ *any* provisions of this section.

(C) Tree plans and surveys.

(3) Commercial, industrial, multi-family *and major subdivisions*. All tree surveys must show the location, number, size, and species of all trees eight inches or greater DBH (diameter breast height), including those scheduled to be removed. When there are no trees eight inches or greater DBH, documentation of this fact shall be provided from a registered surveyor, engineer, or landscape architect.

(5) Quantity and location of trees to be protected.

(a) Before the issuance of a zoning permit for commercial, industrial, multi-family, civic/institutional uses and *major subdivisions*, the following number of trees with a diameter breast height of eight inches or greater shall be preserved and protected in accordance with the provisions of division (D)(2) above. All trees located within required buffers as outlined in § 153.335.

(E) Tree removal.

(1) Generally. Permits for tree removal may be approved where one or more of the following conditions are deemed to exist by the Zoning Administrator:

(d) Removal of ~~required~~ *grand* trees has been approved by the Board of Zoning Appeals *and/or*

(e) The location and configuration of protected trees required by this section create an unreasonable burden on the use of the parcel and protected trees removed will be replaced and/or mitigated according to a schedule determined by the Zoning Administrator

(2) Variances. Grand trees ~~and protected trees~~ that do not meet the above criteria may be removed only where approved by the Board of Zoning Appeals and shall be replaced according to a schedule

determined by the ~~Board~~ Zoning Administrator. ~~The Zoning Administrator will make recommendations to the Board concerning the number, species, DBH or caliper, and placement of such trees.~~

(1) Generally. Tree replacement shall be required accompanying development on all non- exempt properties in the manner described below.

(b) ~~The Zoning Administrator or Board of Zoning Appeals~~ is empowered to require trees of larger caliper as determined appropriate for site-specific conditions and the circumstances, lawful or illegal, under which removal occurred.

(2) Protected trees removed in violation. When trees of eight inches DBH or greater have been removed in violation of this chapter, ~~replacement trees shall be planted in the same general area according to a replacement schedule approved by the Zoning Administrator~~ the trees shall be replaced and/or mitigated according to a replacement schedule approved by the Zoning Administrator.

(5) Tree Fund. The Tree Fund is a fund established to receive monies exacted from tree removal violations fines to include, but not limited to, removal, damage, destruction, or as defined in division (A)(4) above, and as a form of mitigation when planting of the required trees is determined to be detrimental to the overall health of existing trees or impractical for the intended site design. The Zoning Administrator shall impose a tree mitigation fee based on the current market retail value of two- to three-inch caliper trees installed to the American Association of Nurserymen Standards. If the applicant disagrees with the amount of the tree mitigation fee imposed, he or she may file appeal with the Board of Zoning Appeals in accordance with the provisions contained in this chapter. All tree mitigation fees collected shall be paid to the town and placed in an account established for public beautification ~~through the planting of trees on James Island.~~

EXHIBIT A

TABLE 153.110	ZONING DISTRICTS											Condition	
	NRM 25	AG 5	AGR	RSL	RSM	MHS	OR	OG	CN	CC	I		
Septic Tank Installation, Cleaning, or Related Services											S	S	
Solid Waste Combustors or Incinerators, including Cogeneration Plants												S	
Solid Waste Disposal Facility												S	\$ 153.171
Waste Collection Services												S	
Waste Transfer Facilities												S	
COMMERCIAL USES													
ACCOMMODATIONS													
Bed and Breakfast Inns	C	C	C	C	S	S	C	C	C	C	C	C	\$153.124
Hotels or Motels									S	A	A	A	
Rooming or Boarding Houses								S	A	A	A		
RV (Recreational Vehicle) Parks or Campgrounds	S	S	S										\$153.132
ANIMAL SERVICES													
Kennel	A	A	C									S	\$153.174
Pet Stores or Grooming Salons												S	\$153.152
Small Animal Boarding (enclosed building)	A	A	S									S	\$ 153.152
Veterinary Services	A	A	S	S			S	C	C	C	A	A	\$153.152

EXHIBIT B

EXHIBIT B

~~§ 153.152 PET STORES OR SERVICES.~~

~~—(A) In the nonresidential zoning districts, pet stores, grooming salons, small animal boarding, and veterinary services shall have a maximum floor area of 2,000 square feet or less; otherwise these uses shall fall under the special exception procedures of this chapter.~~

~~—(B) In the agricultural and residential zoning districts, pet stores, grooming salons, small animal boarding, and veterinary services shall have a maximum floor area of 1,500 square feet; otherwise these uses shall fall under the special exception procedures of this chapter.~~
(Ord. 2012-06, § 6.4.32, passed 10-18-2012; Ord. 2013-02, passed 4-18-2013)