

STATE OF SOUTH CAROLINA)

COUNTY OF GREENVILLE)

ORDINANCE NO. TR O-02-22

CITY OF TRAVELERS REST)

AN ORDINANCE TO MODIFY SECTION 6:19.9 OF THE ZONING ORDINANCE WITH RESPECT TO TREE PRESERVATION AND STREET TREES PLANTING STANDARDS (TR 21-17) AND TO AMEND THE CITY FEE SCHEDULE TO ADOPT THE CITY OF TRAVELERS REST TREE REMOVAL FEE

WHEREAS, the City of Travelers Rest adopted a Comprehensive Plan in 2018, pursuant to the 1994 South Carolina Planning Enabling Act; and

WHEREAS, the Comprehensive Plan, identified “Reducing deforestation through policy” as a stated goal of the City; and

WHEREAS, the proposed text amendment attached as “Exhibit A” is designed to clarify existing provisions, provide procedures for tree inventory during permitting, establish tree removal and replacement procedures, and establish a tree fund to meet the intent of the stated goal; and

WHEREAS, the proposed text amendment attached as “Exhibit B” is designed to specify fee-in-lieu-of costs for removal of trees to be paid directly into the City of Travelers Rest Tree Fund; and

WHEREAS, the Travelers Rest Planning Commission, pursuant to public notice, held a public hearing on December 28, 2021, to consider a proposed Zoning Ordinance text amendment

addressing the above concerns, and the Commission recommended approval of the proposed amendments; and

WHEREAS, City Council in its own judgement considered the recommendation of the Travelers Rest Planning Commission and finds the text amendments to be compatible with the City's Comprehensive Plan;

THEREFORE, the City Council of the City of Travelers Rest hereby ordains:

DONE, RATIFIED AND PASSED this 17 day of March, 2022.



Brandy Amidon, Mayor

ATTEST:



Lori Sondov, CMC
City Clerk, Treasurer

REVIEWED:



Eric Vinson
City Administrator

Public Hearing: December 28, 2021

First Reading: February 17, 2022

Second Reading: March 17, 2022

EXHIBIT A

6:19.9 Tree Preservation and Street Trees Planting

6:19.9.1 Purpose and Intent

The purpose and intent of subsection 6:19.9, Tree Preservation and Street Trees Planting, is to protect existing tree cover during development, facilitate the incremental growth of the city's tree canopy; enhance and preserve the environmental and aesthetic qualities of the city, encourage site design techniques that preserve the natural environment and enhance the developed environment; control erosion, slippage, and sediment runoff into streams and waterways; improve air quality; and reduce homeowner energy costs.

6:19.9.21 Tree Preservation

A. Required Preservation Areas:

The following trees in good health and free of damage or disease, as verified by a certified arborist, shall be preserved:

1. Trees in designated **undisturbed** open space (such as preservation areas, riparian buffers, etc.) in an approved plan, except for permitted pathways.
 2. Mature trees within the designated open space/green space areas and park space and within the ROW or shading the street. (If preservation of mature trees is in conflict with setback requirements, the Planning Director may grant exceptions on a case-by-case basis). Mature tree means all healthy self-supporting trees having a DBH of at least eight (8) inches.
 3. Specimen trees defined as follows:
 - Any evergreen tree 18 inches, diameter breast height (DBH) or greater
 - Any deciduous tree 12 inches DBH or greater
 - Any understory tree (deciduous or evergreen) 8 inches DBH or greater
 4. In any development, a minimum of 20% of the mature tree canopy shall be preserved. Mature tree canopy means the horizontal projection onto the ground of the crowns of all healthy self-supporting trees having a DBH of at least eight (8) inches.
- B. **Credit Toward Required Plantings:** Trees designated for preservation may be applied toward the requirements of this chapter.
- C. **Preservation During Construction**
1. Trenching, placing backfill in the critical root zone (CRZ), driving or parking equipment in the CRZ, and dumping of trash, oil, paint, or other materials detrimental to plant health in close proximity of the trees to be preserved is prohibited.
 2. Protective barricades shall be placed round all trees designated to be saved, prior to the start of development activities or grading. Such barricades shall be erected at a radial recommended minimum distance of 1.5 feet for every inch of trunk DBH or the dripline, whichever is greater.
 3. Protective barricades shall consist of 2 x 4 posts with orange safety fence. Protective barricades shall remain in place until development activities are complete. The area within the protective barricade shall remain free of all building materials, stockpiled soil, or other construction debris.
- D. **Priority Areas for Tree Preservation:** Priority areas for tree preservation must include the following, listed in priority order:
1. Riparian buffers, wetlands, or natural drainage courses;
 2. Wildlife habitat and other sensitive natural areas;
 3. Areas abutting greenways, trails, parks, or recreation areas; and

4. Screening, buffer yard, and open space requirements.
- E. **Tree Inventory:** A tree inventory and protection plan is required for all development. The tree inventory must show all trees listed in subsection 6:19.9.2(A), excluding undergrowth and trees less than one (1) inch diameter at breast height. A tree inventory must clearly identify trees to be removed and preserved.
- F. **Tree Removal and Replacement:** Existing trees required for preservation in accordance with subsection 6:19.9.2(A), Required Preservation Areas, may be removed from a development only if the applicant demonstrates development on the site cannot be located and designed to allow for a beneficial use after exploration of applicable alternatives. Trees required to meet landscape requirements and street tree requirements may be used to meet tree replacement requirements. Replacement trees must comply with the following:
1. The trees removed are replaced on a one-to-one basis, based on the DBH of the removed trees;
 2. The replacement trees have a minimum size of three (3) caliper inches;
 3. The replacement trees are clustered in the highest priority areas identified in subsection 6:19.9.2(D), Priority Areas for Tree Preservation, to the maximum extent practicable, as a means of reestablishing existing tree canopy;
 4. The replacement trees are planted with sufficient room to accommodate future growth; and
 5. The applicant must pay a fee per caliper inch for each tree removed to the City of Travelers Rest Tree Fund. Fees are set forth in the City of Travelers Rest Fee Schedule.
- G. **Tree Fund and Mitigation:** If certain constraints like streams, natural rock formations, topography, lot configuration, utility easements, or other unusual site conditions make it impracticable for the development to comply with the landscaping, tree planting, and preservation requirements of the Zoning Ordinance, the Planning Director may approve a fee-in-lieu-of mitigation with a payment to the City of Travelers Rest Tree Fund. Fee-in-lieu-of mitigation fees are assessed at 150% of the tree replacement fee as set forth in the City of Travelers Rest Fee Schedule and are capped at \$25,000 per acre. Fees are adjusted upward or downward on a pro rata basis based on the parcel size. The City of Travelers Rest Tree Fund is limited to the purposes of:
1. Tree purchase and installation of new trees;
 2. Maintenance of existing tree canopy on public property and public right-of-way;
 3. Purchase of real property for the purposes of tree plantings; or
 4. Administration of the above.

6:19.9.3 **Street Tree Plantings**

- A **Location:** Except along a rural road or alley, trees shall be planted wherever a new street right of way is constructed, or where new construction occurs along an existing street right of way. For certain street types, as specified in the Street classifications, street trees must be planted in tree wells in the sidewalk.
- B **Minimum Number:**
1. Where at least an eight-foot planting strip has been permitted and no overhead power lines are located within 15 feet of the on-center planting location, a minimum of one large street tree shall be planted every 40 feet on average linear feet. Existing trees may be applied toward this requirement.
 2. For smaller planter strips or those on center planting locations within 15 feet of an overhead power line, trees shall consist of one small maturing tree per 25 feet on average.

3. Large street trees may be planted on the back side of sidewalk when planting strip is less than eight feet.
- C. **Planting Specifications:** Street trees shall be of good quality, installed in a sound, workmanlike manner and meet the standards set forth in the American Standard for Nursery Stock by the American Association of Nurserymen.
- D. **Species:** Street tree species shall be selected from the Suggested Plant Species List on file with the Planning Director in accordance with their intended function as follows:
1. Streets in commercial areas shall have trees which complement the face of the buildings and which shade the sidewalk.
 2. Streets in residential areas shall provide for an appropriate canopy, which shades both the street and sidewalk.
 3. A diversity of tree species should be utilized in order to prevent the spread of pests and disease.

EXHIBIT B

Tree Removal Fee

A fee-in-lieu-of of \$50 per caliper-inch is established for each tree removed. This fee will be adjusted at the city level as the National Tree Benefit Calculator fee changes. This rate is based on the National Tree Benefit Calculator, which averages the annual cost savings based on energy savings, storm water infrastructure savings, particulate matter removal, carbon sequestering, and average increase in property value.