

**AN ORDINANCE  
AMENDING THE CHARLESTON COUNTY ZONING AND LAND  
DEVELOPMENT REGULATIONS ORDINANCE, NUMBER 1202, AS  
AMENDED, TO AMEND THE TREE BARRICADE RADIUS DISTANCE  
REQUIREMENT AT THE FOLLOWING DOCUMENT LOCATION: CHAPTER 9,  
DEVELOPMENT STANDARDS**

WHEREAS, the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, Section 6-29-310 et seq., of the South Carolina Code of Laws, 1976, as amended, authorizes the County of Charleston to enact or amend its zoning and land development regulations to guide development in accordance with existing and future needs and in order to protect, promote and improve the public health, safety, and general welfare; and

WHEREAS, the Charleston County Planning Commission (“Planning Commission”) has reviewed the proposed amendment to Chapter 9, Development Standards, of the Charleston County Zoning and Land Development Regulations Ordinance (ZLDR), in accordance with the procedures established in South Carolina law and the ZLDR and has recommended that the Charleston County Council (“County Council”) adopt the proposed amendment of the ZLDR as set forth herein; and

WHEREAS, upon receipt of the recommendation of the Planning Commission, County Council held at least one public hearing, and after close of the public hearing, County Council approved the proposed amendment based on the Approval Criteria of Section 3.3.6 of Article 3.3 of the ZLDR; and

WHEREAS, County Council has determined the proposed ZLDR amendment meets the following criteria:

- A. The proposed amendment corrects an error or inconsistency or meets the challenge of a changing condition; and
- B. The proposed amendment is consistent with the adopted Charleston County Comprehensive Plan and goals as stated in Article 1.5; and
- C. The proposed amendment is to further the public welfare in any other regard specified by County Council.

NOW, THEREFORE, be ordained it by the Charleston County Council of Charleston, in meeting duly assembled, as follows:

**SECTION I. FINDINGS INCORPORATED**

The above recitals and findings are incorporated herein by reference and made a part of

this Ordinance.

SECTION II. AMENDMENT OF THE ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE

The Charleston County Zoning and Land Development Regulations Ordinance is hereby amended to include the amendment attached hereto as Exhibit "A" and made part of this Ordinance by reference.

SECTION III. SEVERABILITY

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

SECTION IV. EFFECTIVE DATE

This Ordinance shall become effective immediately following third reading by County Council.

ADOPTED and APPROVED in meeting duly assembled this 20th day of September 2022.

CHARLESTON COUNTY COUNCIL

By: \_\_\_\_\_  
Teddie E. Pryor, Sr.  
Chairman of Charleston County Council

ATTEST:

By: \_\_\_\_\_  
Kristen L. Salisbury  
Clerk to Charleston County Council

First Reading: July 12, 2022  
Second Reading: September 6, 2022  
Third Reading: September 20, 2022

**ARTICLE 9.2 TREE PROTECTION AND PRESERVATION**

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**Sec. 9.2.4 Required Tree Protection**

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A. General.

1. All Grand Trees and any other Trees required to remain on a site must be protected during construction and Development of a Parcel. Tree protection must be shown on all Development plans prior to site plan approval. A site inspection of the Tree barricades must be scheduled by the Applicant with the Zoning and Planning Department for approval prior to the issuance of permits or the start of Development activities.
2. Prior to issuance of a Zoning Permit, a pre-construction planning conference is required for on-site Tree preservation with the Zoning and Planning Director or staff representative, the Applicant(s), and any appropriate parties for determining if there is need for additional Tree protection techniques and for designating placement of Tree barricades, construction employee parking, temporary construction office, and dumpsters.

- B. Prior to the start of Land Development activities, protective Tree barricades shall be placed around all Required Trees in or near Development areas. The barricades shall be constructed of wood, metal, or plastic fencing or other materials approved by the Zoning and Planning Director, and include a top rail. Tree barricades shall be placed beneath the canopy Drip Line or one foot times the DBH of the Tree as a radius from the trunk, whichever is greater. Other protective devices or construction techniques may be used as approved by the Zoning and Planning Director. Three inches of mulch shall be installed and maintained within all Tree barricade areas. The mulch shall remain in place throughout Development activities. The area within the Tree barricade shall remain free of all Building materials, dirt, fill, and other construction debris, vehicles, and Development activities. All Required Trees are also subject to the requirements of Sec. 9.4.6, *Landscape Materials Standards*, and Article 11.3, *Enforcement Responsibility and Complaints*.