

Proposed Amendments

COUNTY OF HORRY

)

ORDINANCE NO. 23-2026

)

STATE OF SOUTH CAROLINA

)

AN ORDINANCE AMENDING ARTICLE V, OF THE ZONING ORDINANCE OF HORRY COUNTY, SOUTH CAROLINA PERTAINING TO LANDSCAPE, BUFFER AND TREE PRESERVATION STANDARDS.

WHEREAS, the Horry County Zoning Ordinance includes standards for landscaping, buffer, and tree preservation intended to protect the natural character and visual appeal of Horry County; and

WHEREAS, preserving natural vegetation and ensuring adequate buffers between land uses supports sustainable development and enhances community aesthetics; and

WHEREAS, recent increases in premature land clearing and inadequate buffer retention have contributed to the loss of natural vegetation, decreased natural screening and increased community concern; and

WHEREAS, Horry County has identified a need to strengthen existing regulations to discourage clear-cutting of designated buffer areas prior to site development; and

WHEREAS, enhancing buffer requirements will improve transitions between land uses and help maintain the intended character and quality of development throughout Horry County; and

NOW, THEREFORE, by the power and authority granted to the Horry County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, the following hereby is ordained and enacted:

- 1. CODE AMENDMENT:** Article V of the Zoning Ordinance of Horry County Code of Ordinances is hereby amended by as follows: (All text in ~~strike through~~ shall be deleted and all text shown **underlined and bolded** shall be added)

2. SEVERABILITY. If any Section, Subsection, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Subsection or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.

3. CONFLICT WITH PRECEDING ORDINANCES. If a Section, Subsection or provision of this Ordinance shall conflict with the provisions of a Section, Subsection or part of a preceding Ordinance of Horry County, unless expressly so providing, then the preceding Section, Subsection or part shall be deemed repealed and no longer in effect.

4. EFFECTIVE DATE. This Ordinance shall become effective on Third Reading.

AND IT IS SO ORDAINED, ENACTED AND ORDERED.

Dated this 16th day of June, 2026.

HORRY COUNTY COUNCIL

Johnny Gardner, Chairman

Jenna L. Dukes, District 1
Bill Howard, District 2
Dennis DiSabato, District 3
Gary Loftus, District 4
Tyler Servant, District 5
Cam Crawford, District 6

Tom Anderson, District 7
Michael Masciarelli, District 8
R. Mark Causey, District 9
Danny Hardee, District 10
Al Allen, District 11

Attest:

Ashley C. Carroll, Clerk to Council

First Reading: 3/17/26-Deferred
4/21/26
Second Reading: 5/5/26-Deferred
5/19/26
Third Reading: 6/2/26-Deferred
6/18/26
Public Input: 5/5/26

ARTICLE V - LANDSCAPE, BUFFER AND TREE PRESERVATION STANDARDS

SECTION 500- INTENT

The landscaping and preservation standards of this section are intended to accomplish the following:

1. To protect and preserve the character and aesthetics of the natural environment within Horry County;
2. To enhance property values by ensuring proper transition between land uses;
3. To reduce noise, air and visual pollution, heat island effects, and stormwater runoff; and
4. Improve appearance of parking areas and reduce glare from vehicle lighting.

SECTION 501- APPLICABILITY

- A. Landscape Design Standards set by §504, below, apply to any non-residential, **major residential development, multi-family**, quadrauplex, townhome, and in-common residential projects within unincorporated Horry County that are being developed or redeveloped. ~~Major residential subdivisions, including single family and duplexes, must comply with perimeter buffer requirements if located along a road found within Table 1: Applicable Roads. Major residential developments that are not on Table 1 roads must only comply with the Type C streetscape buffer requirements as described in §504 B, Table 4.~~
1. Properties where renovations modify or expand a structure or business wherein the percent of value, calculated as the cost of modification divided by the existing structure improvement value multiplied by 100, is greater than 50% shall trigger full compliance to the landscaping requirements set forth. General maintenance and repairs including interior work, are exempt from the standards.
 2. If an existing business is damaged or destroyed due to an act of nature (flood, hurricane, tornado, etc.), or catastrophic event and is reconstructed within twelve (12) months of such damage or destruction, the standards contained herein shall not apply. This exemption, however, shall not relieve the property owner of having to meet applicable building or zoning regulations that are in place during time of reconstruction.
 3. Additional design requirements may be set by an overlay district found in Article VIII.
 4. The Zoning Administrator or authorized designee has the authority to allow variation of design standards (§ 504) and tree preservation (§ 505) requirements for unique and challenging projects.
- B. Non-residential, multifamily, quadrauplex, townhome, and in-common residential projects that are located along *Table 1: Applicable Roads* must meet the Tree Preservation Standards set in § 505 in addition to the required landscape plantings set by §504.
- C. Live Oak Standards set by §505.C apply to any property within Horry County including single family residential.
- D. Properties zoned MHP, DP, MRD, PDD, or PUD (Council-approved Master Plan) prior to the adoption of Ordinance No. 23-2026 shall have twenty-four (24) months from the date of adoption of this ordinance to obtain at least one (1) vested phase. For the purposes of this article, a “vested phase” shall mean a phase that possesses a pre-con letter.**

Projects actively pursuing a rezoning to MHP, DP, MRD or PDD as of July 1, 2026 shall have one hundred eighty (180) days following the adoption of this ordinance to obtain rezoning approval. Following rezoning approval, such projects shall have twenty-four (24) months to obtain at least one (1) vested phase.

Projects currently under preliminary or final review as of July 1, 2026 shall be provided a one hundred eighty (180) day window following the adoption of this ordinance to complete the review process and obtain approval with conditions for at least one (1) phase. For the purposes of this article,

“approval with conditions” shall mean a phase that has received all required Horry County approvals and permits but is awaiting applicable State and/or Federal approvals or permits.

Projects maintaining an active vested status, including projects deemed approved with conditions during the one hundred eighty (180) day review window established herein, shall not be required to comply with the provisions of Ordinance No. 23-2026. However, should a project lose its vested status at any time, all remaining undeveloped phases shall be required to comply with the regulations in effect at the time such vested status is lost.

TABLE 1: APPLICABLE ROADS		
US 17 (bypass & business)	Burcale Road	Juniper Bay Road
US 378	Carolina Forest Boulevard	Kings Road
US 501 (bypass & business)	Cates Bay Hwy	Lake Arrowhead Road
US 701 (North & South)	Chestnut Road	Little River Neck Road (SC 236)
Carolina Bays Parkway (SC Hwy 31)	Cox Ferry Road (West/East)	Long Bay Road
Veterans Highway (SC 22)	Cultra Road	McCormick Road
SC 9 (bypass & business)	Dick Pond Road	McDowell Shortcut
SC 19	Dirty Branch Road	Middle Ridge Avenue
SC 31 /Red Bluff Road (SC 31)	Dog Bluff Road	Myrtle Ridge Drive
SC 50	Dunn Shortcut Road	Nichols Hwy
SC 57	El Bethel Road and Extension	Northgate Boulevard (Myrtle Beach)
SC 65	Enoch Road	Oak Street and Oak Street Extension (Conway)
SC 66	Enterprise Road	Old Reaves Ferry Road
SC 90	Fair Bluff Hwy	Peachtree Road
SC 111	Forestbrook Road	Pee Dee Hwy/Road
SC 179	Four Mile Road	Pitch Landing Road
SC 236	Freewoods Road	Postal Way
SC 319	Garden City Connector	River Oaks Boulevard Drive
SC 410	Gardner Lacy Road	Robert Edge Parkway
SC 544 (includes connector)	Gateway Drive (Myrtle Beach)	Ronald McNair Boulevard
707 Connector	George Bishop Parkway	Salem Road (off Hwy. 707)
SC 701	Glenn's Glenns Bay Road	Scipio Lane
SC 707	Hardwick Rd (off Hwy 501)	Sea Mountain Highway
SC 905	Hemingway Road	Singleton Ridge Road
SC 917	Hemingway Chapel Road	Tournament Road
Adrian Hwy	Holmestown Road	TPC Boulevard
Atlantic Avenue	Horry Road	Village Center Boulevard
Bakers Chapel Road	Inlet Square Drive	Waccamaw Boulevard
Bay Road	International Drive	Water Tower Road
Beaver Run Boulevard	Jordanville Road	West Bear Grass Road
Big Block Road		

SECTION 502- BUSINESS LICENSING

If a Horry County business license is required for any ditching, clearing, excavating or grading of land or planting, cutting, trimming, pruning, removing, or otherwise modifying trees, applicants must sign an affidavit stating receipt and comprehension of these standards.

SECTION 503- REQUIREMENTS

A. LANDSCAPING PLAN:

To comply with the regulations set by the Landscape Buffer and Tree Preservation Standards, preliminary and construction plans shall include a landscape plan demonstrating how existing and proposed landscaping and tree preservations comply with the requirements of the following sections prior to the issuance of a building permit or construction plan approval, whichever is applicable. Plans shall comply with Horry County plan submittal requirements and contain enough detail to illustrate that the landscape requirements of this ordinance have been met. At a minimum a landscaping plan will include:

1. Location of any structures (existing and proposed);
2. Any preserved tree or shrub indicating species along with diameter at breast height (DBH) of any trees and heights of shrubs. Dripline should be indicated if DBH is greater than twenty four (24) inches. A tree protection method detail will need to be supplied for those trees to be retained on-site;
3. Any planted landscaping and non-vegetated requirements;
4. Vehicle use and parking areas;
5. Easements, overhead and underground utilities, and ditches; and
6. Irrigation.
 - a) Plantings must be mechanically irrigated.
 - b) Required planting areas associated with vehicle use areas containing less than thirty (30) spaces are not required to be mechanically irrigated, however all supplemental plantings shall be located within one hundred (100) feet of a water hose bib on-site. Any alternative water sources will require approval from the Zoning Administrator or designee.
 - c) Major Residential Developments, Multi-Family, Quadruplex, Townhome, and In-Common Residential Projects may provide a warranty bond in lieu of irrigation, provided their buffers consist of native drought-tolerant plant materials (ref. Clemson Extension). To promote successful establishment, required buffer plantings should be installed during the dormant season and shall be installed prior to final inspection.

The applicant shall submit a cost estimate for all required landscape buffer planting materials and labor expenses, prepared by a licensed landscape architect or engineer licensed in the State of South Carolina. The Planning & Zoning Department shall use the approved cost estimate as the basis for determining the required warranty bond amount.

The applicant shall submit to Horry County a warranty for the required landscape buffer planting materials and labor expenses for a period of not less than three (3) years from the date of acceptance. The warranty bond shall be equal to one hundred twenty-five percent (125%) of the approved cost estimate and shall be payable to Horry County prior to final inspection.

7. Perimeter buffers within a major residential development, multi-family, quadruplex, townhome, & in-common residential projects shall be platted within open space/ common area.

B. MAINTENANCE:

Maintenance of landscaping shall be the responsibility of the property owner. All areas shall be properly maintained to ensure proper functioning, capacity and growth. Landscaping shall be continuously monitored and maintained for the lifetime of the use to assess the need to remove dead, dying or diseased vegetation, along with debris or litter within required areas and ensuring fencing, berms, or walls are in good condition.

1. Any required landscaping that is removed must be replaced in a like fashion and must meet the minimum standards herein.
2. Protected and Specimen Trees may be periodically pruned to enhance growth and prevent public endangerment. Pruning techniques must meet the most recent American National Pruning Standard ANSI A-300 publication.
3. Undisturbed, naturally forested areas within a required perimeter buffer shall be maintained and retained in accordance to § 504.~~C.3.a~~ C.3.b.

C. EXEMPTIONS:

The following land use activities are hereby exempt from the requirements of the following sections.

1. Agriculture activities involving the continuous cultivation of field crop, livestock, and evergreen and nursery stock for profit.
2. Aquaculture activities involving the continuous production of fish, amphibian, or crustaceans for profit.
- ~~3. Forest management activity including but not limited to timber harvesting, forest regeneration, thinning, site preparation, forest road construction, prescribed burns, reforestation, pesticide application, vector control, wildfire control, animal damage control, and other generally accepted forestry methods and practices as defined by the Dictionary of Forestry published by the Society of American Foresters.~~
3. Individual single family residential and duplex structures are exempt from all requirements except the Live Oak Protections set forth in the Tree Preservation sections. This exemption does not apply to major subdivisions for which perimeter buffers or streetscape is required.
4. Tee, green, and fairways associated with regulation golf courses and Par 3 golf courses, except for presence of Protected and Specimen trees. Clubhouses and maintenance facilities are not exempt.
5. Roadway, drainage maintenance, and stormwater control activities of Horry County, South Carolina Department of Transportation or any other public agency.
6. Utility (electric, cable, telephone, etc.) and easements involved in facility construction, maintenance, repair or replacement are exempt from the tree preservation sections.
7. Airports provided the removal is for the purpose of maintaining safe clearance for aircrafts as per federal law.
8. Sites classified as home occupations by the Zoning Administrator.
9. Jurisdiction and non-jurisdictional wetlands as certified by the US Army Corps of Engineers are exempt from § 504.

D. PENALTIES:

It shall be illegal to remove or cause the removal of any Protected or Specimen tree or any required landscaping.

1. Removal of said trees without proper permits or permissions are in violation of this ordinance and shall require replacement of such removed trees at four (4) times the rate required for mitigation for Preserved or Specimen Trees.
2. Failure to comply may result in a misdemeanor punishable by the maximum fine of \$500.00 per removal. Each tree removed constitutes a separate offense. This fine would be in addition to the penalty stated in section D(1) above.
3. Deviation from the approved landscape plan or failure to comply with industry standard landscape maintenance may also be subject to fines and penalties.

SECTION 504– LANDSCAPE DESIGN STANDARDS

A. GENERAL:

Any new required plantings shall meet the standards described in this section and referenced within the supplemental Landscape Handbook.

1. LANDSCAPING PRESERVATION:

- a) Preservation of existing vegetation is ~~the preferred method~~ **required** to meet the buffer requirements. **The only exception to this requirement is when no undisturbed naturally forested buffer area exists. Repercussion of clear cutting are:**
 - i. Major Residential Development / Multi-Family / Quadruplex / Townhome / In-common Residential Projects:**
 - a. A tree survey illustrating the required buffers have been retained must be provided with the plan submittal. This does not exempt the requirements of section 505.**
 - b. Timber harvesting on a parcel(s) that fails to meet the minimum buffer standards outlined in Table 4 of this Article will result in a 36 month suspension on the acceptance of development plans by Horry County. No development plan will be accepted for 36 months from the date the clearing is completed. The date of clearing completion will be determined during the initial plan review by the zoning designee, or by the applicant/owner if they provide documentation of the finish date of the timber harvest. The acceptance of this finish date documentation will be subject to review by zoning staff.**
 - ii. Non-Residential Development:**
 - a. A tree survey illustrating the required buffers have been retained must be provided with the plan submittal. This does not exempt the requirements of section 505.**
 - b. Timber harvesting on a parcel(s) that fails to meet the minimum buffer standards along the sides and rear of a parcel outlined in Table 4 of this Article will result in a 36 month suspension on the acceptance of development plans by Horry County. No development plan will be accepted for 36 months from the date the clearing is completed. The date of clearing completion will be determined during the initial plan review by the zoning designee, or by the applicant/owner if they provide documentation of the finish date of the timber harvest. The acceptance of this finish date documentation will be subject to review by zoning staff.**
- b) Preserved vegetation should be located within the site in a way that is conducive to plant survival and safety, i.e. clustered tree patches are allowable for stable root systems as long as supplemental landscaping meets the requirements herein.
- c) Credit shall be awarded for preserving existing trees on a one to one (1:1) basis for required trees (canopy and understory) as part of supplemental plantings when the existing trees meet the minimum size requirements in landscaped areas and are located within the required buffer.

- i. Preserved Protected Trees receive credit at a two to one (2:1) exchange.
- ii. Preserved Specimen Trees receive credit at a four to one (4:1) exchange.
- iii. Reductions to required planted landscaping shall apply should the DBH of preserved trees be greater than twenty-four (24) inches and the driplines create unsuitable habitat for supplemental plantings.
- iv. Credit is applied per tree, not DBH.
- d) Preservation of Protected and Specimen Trees is required. Mitigation is required for any removals of protected or specimen trees. Fines may apply for unlawful removals. See § 505 – Tree Preservation Standards for requirements.
- e) In order to reduce the amount of impervious surfaces, the Zoning Administrator can grant a five (5) percent reduction in the number of off-street parking spaces required on the site if the reduction of pavement will preserve the root zones of existing healthy trees with a DBH of eight (8) inches or greater.

2. PLANT MATERIALS:

A supplemental Landscape Handbook of plant species best suited for Horry County along with a list of discouraged species is included as a supplement to this ordinance.

- a) The Handbook should be used for landscape requirements where applicable.
- b) Prohibited and invasive plants will not count towards any landscape or preservation requirements.
- c) Any dead, dying or diseased planting materials must be removed by the property owner prior to development providing minimal disturbance to healthy vegetation.
- d) Removed existing vegetation must be replaced to meet the minimum requirements herein.

3. MINIMUM PLANT SIZES:

All new vegetation must meet the minimum size requirements at time of planting.

- a) *Canopy tree*: minimum ~~ten (10)~~ **eight (8)** feet in height with two (2) inches in caliper and must reach a mature height of at least thirty (30) feet. Palms meeting this requirement may be utilized provided two (2) palms are planted per one (1) required canopy tree.
 - i. **For Type A and B buffers on Major Residential development, multi-family, quadruplex, townhome, in-common residential projects, the required canopy trees may be a minimum six (6) feet in height with one (1) inch in caliper and must reach a mature height of at least thirty (30) feet.**
- b) *Understory tree*: minimum five (5) feet in height and must reach a mature height between ten (10) and thirty (30) feet.
- c) *Shrub*: minimum fifteen (15) inches in height and must reach a mature height of at least three (3) feet. Palms meeting this requirement may be used.
 - i. **For Type C buffers, the required shrubs must be at least twenty-eight (28) inches in height at time of initial site inspection.**
- d) *Ornamental grass*: minimum twelve (12) inches in height and must reach a mature height of at least three (3) feet.
- e) *Perennials*: minimum twelve (12) inches in height and must reach a mature height of at least three (3) feet.

4. SITE CONSTRAINTS:

- a) Stormwater management devices (such as swales and ponds measured from the top of bank and drainage easements) may not encroach into the required landscape buffers by more than ten (10) percent unless an approved low impact development (LID) design. Stormwater management devices may not encroach into the required Type C Residential (Streetscape) buffer by more than twenty-five (25) percent and shall have no encroachment within the Type B Residential (Spatial) buffer or any undisturbed buffer shown on site plan.
- b) Where cross access easements run parallel to property lines, landscaping may be provided within the easement pending approvals from appropriate County departments.
- c) Without consent of utility provider, easement holder, or Horry County, only shrubs, ornamental grasses or perennials may be planted in easements for utility services.
 - i. Overhead Utilities (power lines): only trees or shrubs that reach a maximum height of twelve (12) feet can be planted within the easement. This requirement does not eliminate the obligation to provide the required plantings outside of easement areas, nor does it waive the requirement for plantings to remain within their designated buffer. All canopy tree requirements must still be met as outlined herein.
 - ii. Underground Utilities (piped utilities): tree species whose roots are known to cause damage to utilities such as underground piped stormwater, sewer, or gas lines, shall not be planted within the easement for such utility or no closer than twelve (12) feet when no easement exists. Approved trees for planting on top of underground utilities can be found within the Landscape Handbook.
- d) *Visibility Clearance/Sight Triangle:* Required landscaping or optional berms shall not be planted or constructed within the sight triangle, unless it conforms to SCDOT standards. Plantings cannot be greater than thirty (30) inches in height and trees must be limbed above six (6) feet in height with no multi-stemmed trunks. For all intersections and corners there shall be 100 feet of visibility for every ten (10) miles per hour of speed limit.

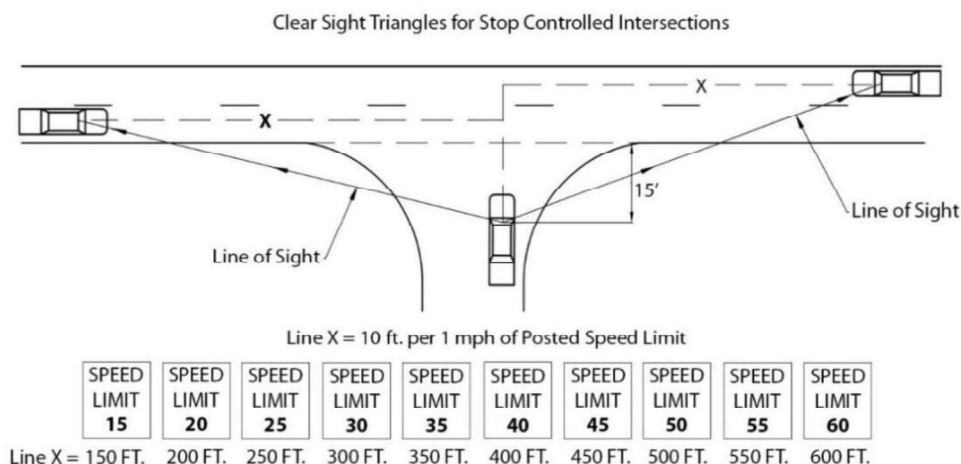


Figure 1: Sight Triangle

5. PLANT DIVERSITY:

In order to maximize success of vegetation and prevent monocultures, new plantings shall comply with the following standards in Table 2: Species Diversity Standards. The standards apply to the total amount of vegetation on site, not just the vegetation within a required buffer.

TABLE 2: SPECIES DIVERSITY STANDARDS			
Number of Required Trees	Number of Different Tree Species Required	Number of Required Shrubs/Ornamental Grasses/Perennials	Number of Different Shrub/Ornamental Grass/Perennial Species Required
1 to 5	1	1 to 10	1
6 to 15	2	11 to 20	2
16 to 25	3	21 to 50	4
26 to 50	5	51 to 80	6
51 to 100	7	81 or more	8
101 or more	10		

6. GROUND STABILIZATIONS:

Disturbed areas and required landscape planting areas shall be stabilized and maintained with groundcover, mulches, or other approved materials.

7. BERMS:

Berms are discouraged as standalone landscaping. However, there are cases where berms are appropriate for screening or buffering. The use of a berm does not negate the buffer requirements described herein. Berms should comply with the following:

- a) Side slope of earthen berms not to exceed a ~~two~~ **three** to one (~~2~~**3**:1) ratio.
- ~~b) Berms should be continuous except for drainage breaks every six (6) feet to eight (8) feet.~~
- b) Berms shall be stabilized with understory, shrubs, ornamental grasses, or perennials. Groundcover or lawn and turf grasses shall be used as supplemental stabilizations. ~~Planting shelves are required for any vegetation. Planting shelves must be a minimum of four (4) feet wide and be suited for maximum survival and success of selected plantings.~~**
- c) Berms used along a right~~s~~-of-ways must be designed and constructed to provide adequate sight distances at intersections and shall not impede safe operation of vehicles. Berms shall not encroach into residential lots.**
- d) Berms shall meet a minimum thirty feet (30') setback from property lines along rights-of-way and easements. (Not applicable to internal collector roads.)**

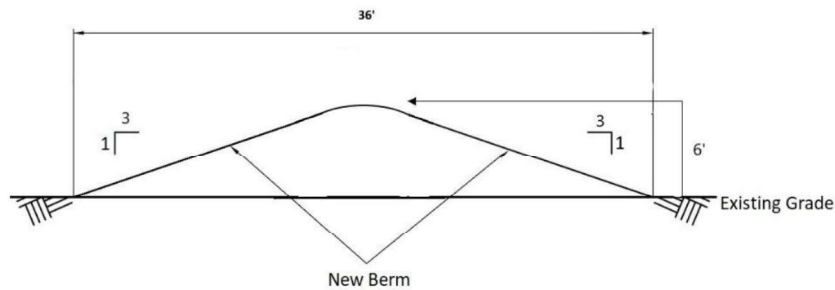


Figure 2: Berm Diagram

8. LOW IMPACT DEVELOPMENT (LID):

Low Impact Development utilizes integrated management practices in order to treat stormwater at the source. The goals of LID are to maximize existing vegetation and create small, landscaped features that encourage infiltration, lengthen the time of concentration, and retain flow to create a hydrologic landscape functionally equivalent to the pre-development conditions.

- a) These features must be constructed to meet the Department of Stormwater Management requirements and regulations set forth in the Stormwater Management Design Manual.
- b) All LID stormwater features must be planted with water tolerant vegetation in order to qualify for landscape credits and be located within the required landscaped areas. For suggested LID plants, refer to the Low Impact Development in Coastal South Carolina: A Planning and Design Guide.
- c) *LID is prohibited within:*
 - i. Type A: Opaque Buffers.
 - ii. Type C: Non- Residential Streetscape Buffers along *Table 1: Applicable Roads*.
- d) *Examples of qualifying LID include:*
 - i. Bioretention
 - ii. Vegetated swales
 - iii. Constructed wetlands
- e) *Credits for Required Landscaping by using LIDS*
 - i. For every one (1) linear foot of qualifying low impact development, a credit for one and a half (1.5) feet of required landscaping buffer can be claimed. LID can replace up to fifty (50) percent of the required landscaped area.
 - ii. To qualify for this credit, the LID method must follow all requirements set by the Horry County Stormwater Department.
 - iii. If using LID within parking islands, the requirement of every parking space being within fifty (50) feet of a tree can be ~~waved~~ **waived**.

B. BUFFERS DEFINED:

A buffer is a specified land area used to transition between land uses or zoning.

1. PERMITTED USE WITHIN BUFFERS:

- a) Bicycle and pedestrian facilities (including sidewalks);
- b) Appurtenances that require high visibility such as fire hydrants, mail boxes, and utility boxes;
- c) Ingress and egress to the proposed use and utilities may cross the buffer provided it is as perpendicular as practical;
- d) Permitted and temporary signs; and
- e) Site lighting.

2. PROHIBITED USE:

- a) Structures or accessory structures, including dumpsters;
- b) Any storage or outdoor display of products, unless permitted elsewhere in this ordinance; and
- c) Vehicle use areas, including parking or loading areas.

C. PERIMETER BUFFER REQUIREMENTS.

1. INTENT:

- a) Opaque: to provide screening between dissimilar uses. ~~Opacity shall be 85% or more during peak summer season from ground to six (6) feet.~~
- b) Spatial: to soften the area between adjacent similar uses.
- c) Streetscape: to enhance the visual character and transition between property and street, access or public right-of-way.

2. APPLICABILITY:

- a)** Perimeter buffers are required surrounding the improved area of the subject property.
 - i.** Opaque (Type A) buffers are required between non-residential and residential property. **Type A buffers are also required when a proposed Major Residential Development, Multifamily, Quadruplex, Townhome, or In-common Residential project is adjacent to a residential land use or zoning district.**
 - ii.** Spatial (Type B) buffers are required between like use parcels.
 - iii.** Streetscape buffers (Type C) are required between any parcel and the street frontage, access or right-of-way.

See Table 3: Perimeter Buffer Type Applicable.

Table 3: Perimeter Buffer Type Applicable				
Proposed Land Use	Adjacent Land Use / Zoning District			
	Residential	<u>Major Residential Development/ Multifamily/ Quadruplex/ Townhome/In-common Residential</u>	Non- residential/ Multifamily/ Quadruplex/ Townhome/In-common Residential	Street/ Access/ ROW
Major Residential Development/ <u>Multifamily/ Quadruplex/ Townhome/In-common Residential</u>	n/a <u>A</u>	<u>B</u>	A	C
Non-residential/ Multifamily/ Quadruplex/ Townhome/In-common Residential	A	<u>A</u>	B	C

b) Buffer option selection is based on existing vegetation.

- i. Option 1: Applies only if there is no existing vegetation that qualifies as an undisturbed naturally forested buffer.
- ii. Option 2: Is required whenever there is any existing vegetation contributing to an undisturbed naturally forested buffer.
- iii. Option 3: Applies only as an alternative to option 1 and may not be used as an alternative to option 2.

c) All new major residential developments, multi-family, quadruplex, townhome, or in-common residential projects shall, in addition to the required Type A Buffer, provide an additional fifty (50) foot landscape buffer and a six (6) foot tall privacy fence (minimum eighty-five percent (85%) opacity; see Table 4 - Footnote 5 for fence material requirements) located internal to the landscaping along any property line that is shared with or adjacent to a public utility facility. The required landscaping for this additional buffer shall meet the same material and planting requirements as a Type A Buffer for major residential development, multi-family, quadruplex, townhome, or in-common residential projects. This requirement shall also apply in reverse, such that where a public facility is proposed adjacent to an existing residential, major residential development, multi-family, quadruplex, townhome, or in-common residential project, the same buffer requirements shall be provided along the shared property line.

For purposes of this section, “public facility” means any land with the intended use or structure used for including but not limited to wastewater treatment plants, water treatment facilities, solid waste transfer stations, recycling processing centers, and composting facilities. This term shall also include privately owned or operated recycling collection or processing facilities, solid waste handling facilities, composting facilities, and transfer stations that are open to the public or accept materials from multiple off-site sources, regardless of ownership by a governmental entity, private company, or nonprofit organization. This term shall not include administrative offices, utility billing offices, or other structures used primarily for clerical or managerial purposes.

This section applies to all new plats submitted after [effective date] and does not require relocation of existing structures.

3. STANDARDS:

Requirements of each buffer type are found in *Table 4: Perimeter Buffer Type Requirements*

a) Wetlands shall meet the following criteria:

- i. A natural undisturbed fifteen (15) foot buffer shall be provided around the perimeter of all remaining wetlands; and**
- ii. In residential projects, the buffer must be platted within open space/ common area; and**
- iii. Where no natural vegetation exists, the area should be left undisturbed to allow for the natural regeneration of vegetation.**

b) Undisturbed naturally forested areas shall meet the following criteria:

- i. These areas typically include native and existing vegetation of varied ages, heights, and types (i.e. a mixture of canopy, understory, and ground cover).
- ii. ~~A 25' wide buffer shall consist of a minimum of ten (10) existing canopy and understory trees with a minimum 6" DBH or twenty (20) existing canopy trees with a minimum 4" DBH per 100 linear feet. The number of trees shall increase or decrease proportionately based upon the minimum buffer width requirement.~~ **Existing vegetation shall contain plant materials in quantities equal to or greater than the planting requirements for the corresponding buffer type and width required by Table 4: Perimeter Buffer Type Requirements of this ordinance.** Forested jurisdictional and non-jurisdictional wetlands as certified by the US Army Corps of Engineers qualify as an undisturbed naturally forested buffer area and a tree survey for these areas shall not be necessary.
- iii. Supplemental plantings shall be required to fill in gaps in vegetation where the entire buffer is not classified as an undisturbed naturally forested area.
- iv. Supplemental plantings within this area shall be native species and are not required to be irrigated or provide ground cover (i.e. mulch) **unless supplemental plantings exceed 50% of the total buffer. In such cases, irrigation is required for supplemental planted areas to ensure plant survival.**
- v. Maintenance of the understory is permitted within the buffer. Maintenance includes, but is not limited to, clearance of dead vegetation, **and** invasive species, ~~and Firewise management practices (where applicable).~~
- vi. A tree survey shall be submitted with the landscape plan to document the buffer area meets the minimum requirements to qualify as an undisturbed, naturally forested buffer.

c) The Type C Residential Streetscape buffer may be reduced down to a Type C 10' buffer under the following conditions:

- ~~i. Where the development has frontage along an existing Private R/W;~~
- ~~ii. Where there is less than 300 lf. of frontage along an existing R/W (regardless of width or ownership of that existing R/W) and there are no more than fifty (50) lots /units proposed;~~
- i.** When the proposed development / phase is a continuation of an existing

development, as shown on a Master Plan approved on or prior to January 4, 2022, unless said Master Plan identifies specific streetscape buffer requirements that exceed these standards. Developments receiving this exemption must maintain an active vested status in accordance with Section 501.D. If vested status is lost, all remaining undeveloped phases shall comply with the streetscape buffer requirements in effect at that time.

- ii. These exemptions do not supersede any overlay landscape requirements.

Table 4: Perimeter Buffer Type Requirements

Buffer Type & Required Widths	Minimum Performance Standard per 100 feet		
	Canopy Trees	Understory Trees	Shrubs/Perennials/Ornamental Grasses
<u>Major Residential Development / Multi-Family / Quadruplex / Townhome / In-common Residential Project</u> <u>Buffer Type A Options - Seventy-five percent (75%) of each planting type must be evergreen(See footnotes 1,4,6,7, 8, & 9 for exceptions)</u>			
Type A : Opaque Requirement for Major Residential Development, Multi-Family, Quadruplex, Townhome, & In-common Residential Project: <u>Must be located within open space/common area.</u>	OPTION 1		
	A six (6) foot privacy fence adjacent to the non-residential property within a min. five (5) foot wide open space / common area lot. <u>Minimum thirty (30) feet in width buffer meeting planting quantities below.</u>		
	<u>4</u>	<u>9</u>	<u>20</u>
	OPTION 2		
	A minimum twenty-five (25') <u>thirty (30) feet</u> -wide undisturbed, naturally forested area (<u>Refer to section C.3.b above</u>). Supplemental plantings shall be used to fill in existing gaps in the vegetation and consist of the following breakdown, at a minimum:		
	<u>6-4</u>	<u>6-9</u>	Must meet the spacing requirements in the Landscaping Manual for opacity and be at least twenty-eight (28) inches in height at time of initial site inspection. <u>20</u>
<u>Major Residential Development / Multi-Family / Quadruplex / Townhome / In-common Residential Project</u> <u>Buffer Type B Options - Fifty percent (50%) of each planting type must be Evergreen (See footnotes 1 for requirements)</u>			
Type B: Spatial Requirement for Major Residential Development, Multi-Family, Quadruplex, Townhome, & In-common Residential Project: <u>Must be located within open space/common area.</u>	OPTION 1		
	<u>A minimum fifteen (15) foot in width buffer and consist of the following breakdown, at a minimum:</u>		
	<u>3</u>	<u>3</u>	<u>15</u>
	OPTION 2		
	<u>A minimum fifteen (15)foot wide undisturbed, naturally forested area (Refer to section C.3.b above). Supplemental plantings shall be used to fill in existing gaps in the vegetation and consist of the following breakdown, at a minimum:</u>		
	<u>3</u>	<u>3</u>	<u>15</u>

Table 4: Perimeter Buffer Type Requirements (Continued)

<u>Buffer Type & Required Widths</u>	<u>Minimum Performance Standard per 100 feet</u>		
	<u>Canopy Trees</u>	<u>Understory Trees</u>	<u>Shrubs/Perennials/Ornamental Grasses</u>
<u>Major Residential Buffer Development / Multi-Family / Quadruplex / Townhome / In-common Residential Project Type C Options - Seventy-five percent (75%) of each planting type must be evergreen (See footnotes 1,4 & 7 for exceptions)</u>			
<u>Type C : External Road</u> <u>Streetscape Requirement for Major Residential Development, Multi-Family, Quadruplex, Townhome, & In-common Residential Project:</u> Streetscape (Residential) Major Residential Development, Multi-Family, Quadruplex, Townhome, & In-common Development: 25-foot If located on a Table 1 Road: 35-foot <u>Must be located within open space/common area.</u>	<u>OPTION 1 (See Footnote 2 about berm plantings)</u>		
	<u>A minimum one-hundred (100) feet in width buffer with at least a 6 ft. in height berm with 3:1 slope, and consist of the following breakdown:</u>		
	<u>6 8</u>	<u>6 20</u>	<u>30 50</u>
	<u>OPTION 2</u>		
	<u>A minimum one-hundred (100) feet wide undisturbed, naturally forested area (Refer to section C.3.b above). Supplemental plantings shall be used to fill in existing gaps in the vegetation and consist of the following breakdown, at a minimum:</u>		
	<u>8</u>	<u>20</u>	<u>50</u>
<u>Major Residential Development / Multi-Family / Quadruplex / Townhome / In-common Residential Project Buffer Type C Options Internal Collector Road - Seventy-five percent (75%) of each planting type must be evergreen (See footnote 3 for definition of Internal Collector Road)</u>			
<u>Type C: Internal Collector Road</u> <u>Streetscape Requirement for Major Residential Development, Multi-Family, Quadruplex, Townhome, & In-common Residential Project:</u> <u>Must be located within open space/common area.</u>	<u>OPTION 1</u>		
	<u>A minimum ten (10) foot in width buffer and consist of the following breakdown, at a minimum:</u>		
	<u>2</u>	<u>2</u>	<u>0</u>
	<u>OPTION 2</u>		
	<u>A minimum ten(10) foot wide undisturbed, naturally forested area (Refer C.3.b above). Supplemental plantings shall be used to fill in existing gaps in the vegetation and consist of the following breakdown, at a minimum:</u>		
	<u>2</u>	<u>2</u>	<u>0</u>

Table 4: Perimeter Buffer Type Requirements (Continued)

Buffer Type & Required Widths	Minimum Performance Standard per 100 feet		
	Canopy Trees	Understory Trees	Shrubs/Perennials/Ornamental Grasses
<u>Non-Residential Buffer Type A Options – Seventy-five percent (75%) of each planting type must be evergreen. (See footnote 5 for fence material requirements)</u>			
Type A : Opaque Requirement Non- Residential, Multi-Family, Quadraplex, Townhome, & In-common Residential: Equal to setback requirement of zoning district or 25 feet, whichever is less ADDITIONAL REQUIREMENTS (OPTION 1, 2, OR 3): A six (6) foot privacy fence (See footnote 5 for fence material requirements) wherein privacy is understood as providing 85% or more opacity, is required when the setback or buffer is less than fifteen (15) feet. Fence must be located interior to the landscaping so that plantings face the residential property.	OPTION 1		
	<u>A minimum twenty-five (25) feet in width buffer and consist of the following breakdown, at a minimum:</u>		
	3 <u>5</u>	3 <u>5</u>	Must meet the spacing requirements in the Landscaping Manual for opacity and be <u>20</u> e at least twenty-eight (28) inches in height at planting.
	Fifty (50) percent of each planting type must be evergreen		
	OPTION 2		
	<u>A minimum twenty-five (25) feet</u> undisturbed, naturally forested area <u>(Refer to section C.3.b above)</u> . Supplemental plantings shall be used to fill in existing gaps in the vegetation, meeting the requirements of Option 1. <u>and consist of the following breakdown, at a minimum:</u>		
	<u>5</u>	<u>5</u>	<u>20</u>
	OPTION 3		
	Double row of offset evergreen trees spaced at a maximum of every ten (10) feet with a minimum of eight (8) feet in height. No more than twenty-five (25) percent of the plantings can be pine trees and <u>Tree species</u> must provide a variety of screening from top to bottom.		
	<u>Non-Residential Buffer Type B Options – Fifty percent (50%) of each planting type must be evergreen</u>		
Type B: Spatial Requirement <u>Non-Residential:</u> 5 feet	<u>OPTION 1</u>		
	<u>A minimum five (5) feet in width buffer and consist of the following breakdown, at a minimum:</u>		
	2	2	20
	Fifty (50) percent of each planting type must be evergreen		
	<u>OPTION 2</u>		
	<u>A minimum five (5) foot wide undisturbed, naturally forested area (Refer C.3.b above). Supplemental plantings shall be used to fill in existing gaps in the vegetation and consist of the following breakdown, at a minimum:</u>		
	<u>2</u>	<u>2</u>	<u>20</u>

Table 4: Perimeter Buffer Type Requirements (Continued)

<u>Buffer Type & Required Widths</u>	<u>Minimum Performance Standard per 100 feet</u>		
	<u>Canopy Trees</u>	<u>Understory Trees</u>	<u>Shrubs/Perennials/Ornamental Grasses</u>
<u>Non-Residential Buffer Type C Options – Twenty-five percent (25%) of each planting type must be evergreen</u>			
Type C: Streetscape (Non-Residential) Requirement: 10 feet	<u>OPTION 1</u>		
	<u>A minimum ten (10) feet in width buffer and consist of the following breakdown, at a minimum:</u>		
	3	3	Only required when providing screening from vehicle use areas <u>20</u>
	Twenty-five (25) percent of each tree type must be evergreen		
	<u>OPTION 2</u>		
	<u>A minimum ten (10) foot wide undisturbed, naturally forested area (Refer C.3.b above). Supplemental plantings shall be used to fill in existing gaps in the vegetation and consist of the following breakdown, at a minimum:</u>		
Type C: Streetscape (Residential) Major Residential Development, Multi-Family, Quadraplex, Townhome, & In common Development: 25 feet If located on a Table 1 Road: 35 feet	<u>3</u>	<u>3</u>	<u>20</u>
	<u>OPTION 1</u>		
	6	6	30
	<u>OPTION 2</u>		
	An undisturbed, naturally forested area. Supplemental plantings shall be used to fill in existing gaps in the vegetation, meeting the requirements of Option 1.		

Footnotes: (A maximum of one (1) reduction in required buffer widths and planting quantities shall be applied per buffer area from the footnotes below.)

1. Major Residential Development / Multi-Family / Quadruplex / Townhome / In-Common Residential Project
Buffer widths shall be increased by 50% if a minor development, consisting of 5 lots or more, has been created along existing right of ways within a 10-year period. The streetscape buffer requirement would be implemented along the common property line associated with the minor development.
2. When the option 1 buffer type is utilized, all required landscaping, except canopy trees, shall be installed on the street side of and throughout the berm area. A minimum of 50% of the required plant material shall be located on the berm. Canopy trees may be planted behind the berm. (Not applicable to internal collector roads.)
3. Internal Collector Road: a central road minimum sixty-six (66) feet in width within a major residential development, multi-family, quadruplex, townhome or in-common residential project that acts as the main access point for other internal roads with no direct lot access.
4. For Major Residential developments and In-common Single Family Residential Projects: Properties located north and west of the Waccamaw River that do not require rezoning and contain lot sizes of not less than 20,000 square feet shall be eligible for a fifty percent (50%) reduction in both the required Type A and C buffer widths and required planting quantities. Properties located south and east of the Waccamaw River that are developing (currently zoned/rezoned) for lots less than or equal to 10,000 square feet shall also be eligible for a fifty percent (50%) reduction in required Type A buffer widths and planting quantities, and a twenty-five(25%) reduction in required Type C buffer widths and planting quantities. These reductions shall not apply to properties within PDD, PUD, or MHP zoning districts. This reduction shall not apply to any required buffer located adjacent to a public facility.
5. A six foot (6') tall "Privacy Fence" used within a Type A buffer shall be constructed of wood, vinyl, and or masonry. Fencing shall follow associated Overlay District requirement(s) where applicable.
6. When there is an existing ditch located on or along a property line that requires or has a stormwater easement, a thirty-foot (30') buffer measured from the top of the ditch shall be provided for parcels intended for by-right major residential developments, multi-family, quadruplex, townhome, or in-common residential projects. Horry County Stormwater and Planning and Zoning staff shall determine the available landscape buffer area (Buffer plantings shall reduce proportionally). When the remaining landscape buffer is less than ten feet (10') wide, a six foot (6') tall privacy fence internal to the buffer shall be required. This provision shall not apply to properties requiring rezoning.
7. For Major Residential developments, multi-family, quadruplex, townhome, or in-common residential projects located east of Highway 17 Business that are zoned by right for the intended use and do not require rezoning, required buffer widths and required planting quantities shall be reduced by sixty percent (60%) to accommodate infill or redevelopment. These reductions shall not apply to properties within PDD, PUD, or MHP zoning districts. This reduction shall not apply to any required buffer located adjacent to a public facility
8. Multi-family, quadruplex & townhome developments (In-common or Fee-simple) adjacent to other multi-family, quadruplex & townhome developments shall be eligible for a fifty percent (50%) reduction in required Type B buffer widths and planting quantities. This reduction shall not apply to any required buffer located adjacent to a public facility.
9. Existing properties five (5) acres or less in size intended for major residential development, multi-family, quadruplex, townhome or in-common residential projects that do not require rezoning shall be eligible for a fifty percent (50%) reduction in Type A buffer widths and planting quantities. This reduction shall not apply to any required buffer located adjacent to a public facility.

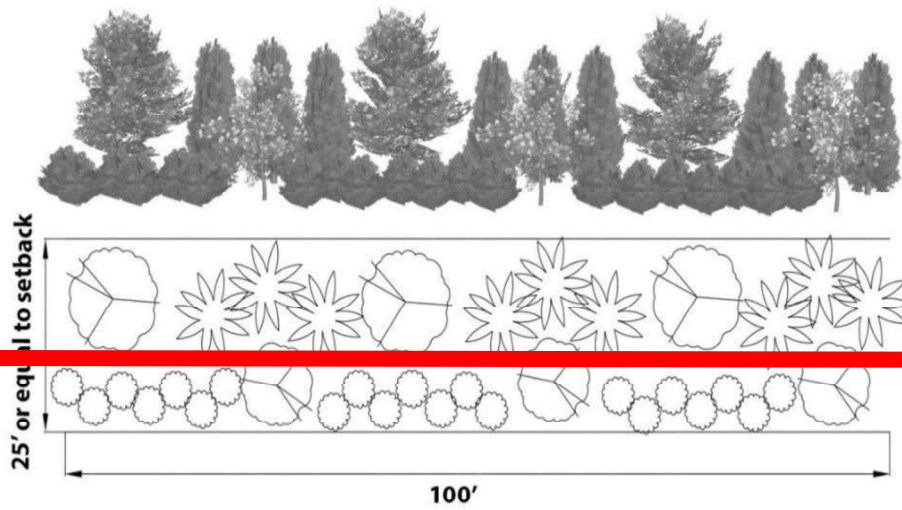


Figure 3: Type A Buffer Option 1

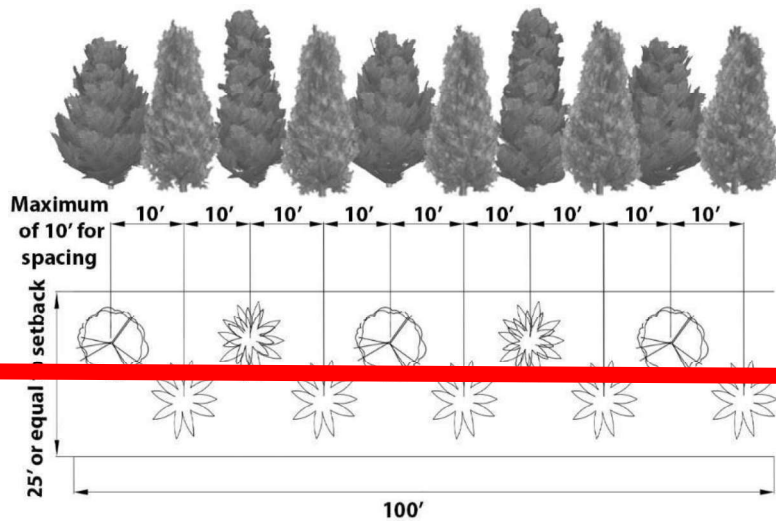


Figure 4: Type A Buffer Option 3

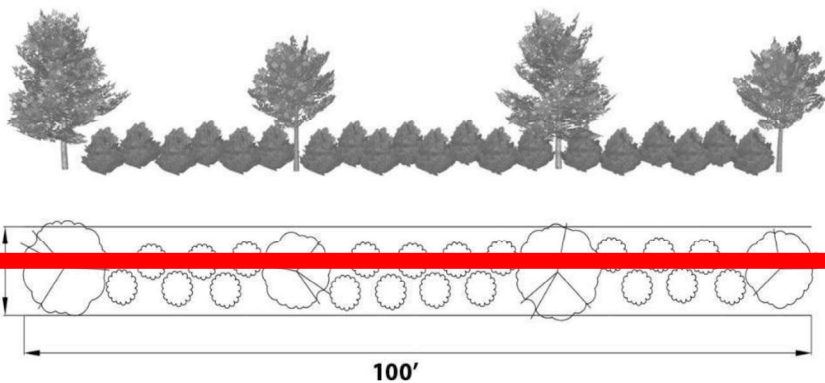


Figure 5: Type B Buffer

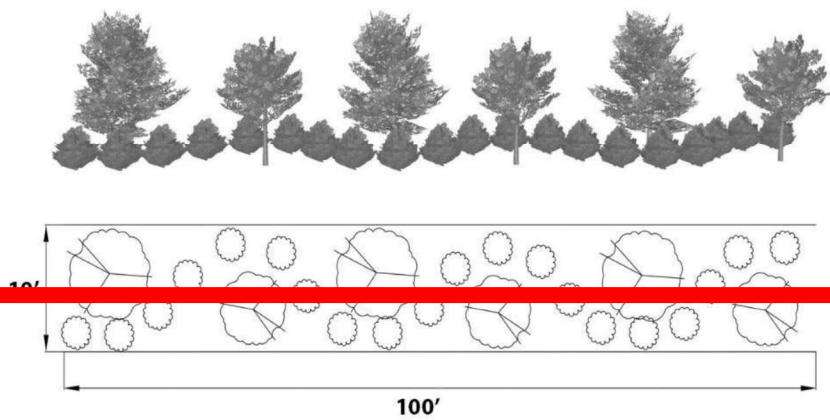


Figure 6: Type C Non-Residential Buffer

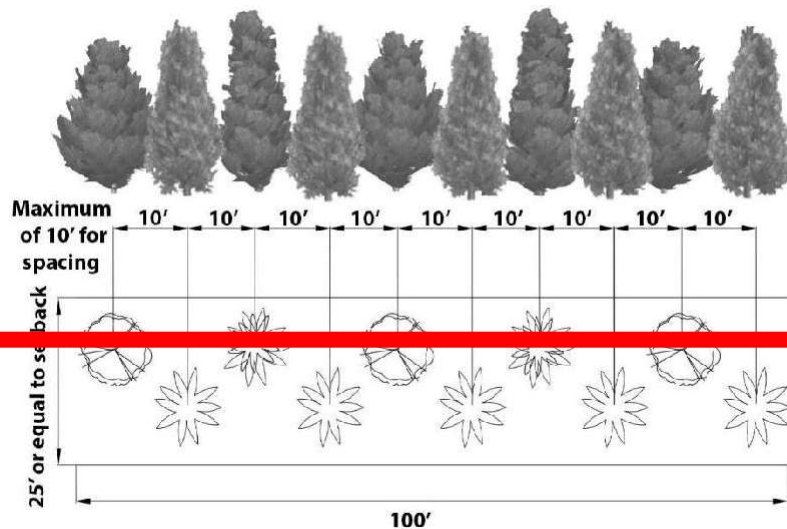


Figure 6: Type C Major Residential Buffer Option 1

D. VEHICLE USE AREA REQUIREMENTS.

1. INTENT:

- a) Street Frontage: to reduce the glare and impacts of headlights on road traffic.
- b) Parking Islands: to provide shade, reduce heat islands and provide visual character to the parking area.

2. EXEMPTIONS:

Street Frontage plantings are only required when the vehicle use area is located adjacent to the street.

3. STANDARDS:

- a) All landscaping areas that abut parking shall be protected by eighteen (18) inches of clearance utilizing staked wheel stops, concrete curbing or other approved stable means.

- Appropriate breaks for low impact development are permissible when using curbing.
- b) Street Frontage: shrubs, perennials or ornamental grasses must meet proper spacing guidelines found in the Landscape Handbook in a continuous row. Plantings can be located within the setback or Perimeter Buffer.
 - c) *Parking islands shall comply with the following:*
 - i. Every parking space must be within fifty (50) feet from a planted tree.
 - ii. For every fifteen (15) parking spaces in a row, a parking island is required and must include one (1) tree and five (5) shrubs, perennials or ornamental grasses. Twenty-five (25) percent of the total plantings must be evergreens. Fifty (50%) of all trees planted must be canopy. Parking islands containing canopy trees must be at least 200 square feet.
 - iii. For parking areas of ninety (90) spaces or more, there must be an additional ten (10) foot wide parking island between modules.

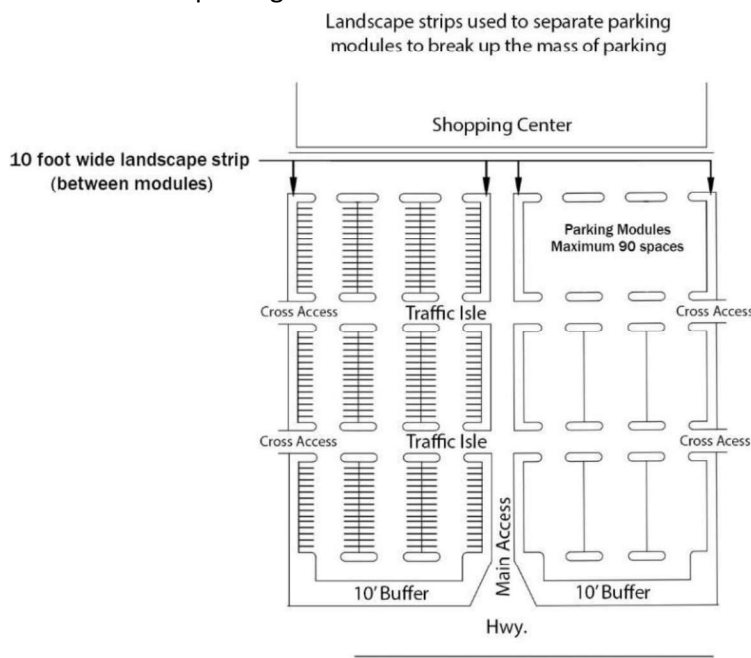


Figure 73: Parking Lot Layout

E. FOUNDATION BUFFER.

1. INTENT:

To enhance architectural features, provide a visual transition from building to site, and define and enhance building entrances.

2. EXEMPTIONS:

- a) Building entrances and exits.
- b) Areas used for pedestrian activities (sidewalks, plazas, etc.). In these instances, the landscaping must be installed between the building foundation and the back of the curb separating the pedestrian area from the vehicle use area. In no case shall the length of the planted area be less than fifty (50) percent of the length of the building façade, minus the width of the entrances or exits.

- c) Portions of buildings which have drive-up services along the side of the building (fast-food restaurants, pharmacies, banks, etc.).
- d) Areas not typically accessible by the general public (loading docks, enclosed storage areas, utility enclosures, etc.).
- e) Properties where the structure is located less than or equal to twenty-five (25) feet from the property line and no vehicle use or paving is located within this space.

iv. STANDARDS:

- f) A landscape area of at least five (5) feet in width shall be provided adjacent to buildings along the foundation or between the foundation and the back of the curb separating the pedestrian area from the vehicle use area where applicable.
 - i. Foundation buffers are required around any structure on site.
 - ii. A mandatory variety of species must be used according to Table 2: Species Diversity Standards.
 - iii. The required plantings must include shrubs, perennials or ornamental grasses and meet the spacing requirements set in the Landscape Handbook. Trees may be used if applicable at the discretion of the property owner and approved by the Zoning Administrator.
- g) Renovated or redeveloping properties wherein the foundation buffer area is paved may utilize planter boxes to meet the requirements of the foundation buffer.
 - i. Planter boxes must be automatically irrigated and be at least two and a half (2.5) feet wide.
 - ii. Use of planter boxes does not alleviate proper maintenance requirements and box size must allow for proper root spacing.
 - iii. The Zoning Administrator or designee can discuss alternatives and ways to meet the foundation buffer requirements for unique situations.

SECTION 505 – TREE PRESERVATION.

A. TREE SURVEY

1. Non-residential, multi-family, quadruplex, townhome, & in-common residential projects located along *Table 1: Applicable Roads* must provide a tree survey documenting all trees listed in *Table 5: Protected and Specimen Trees* meeting or exceeding the minimum diameter at breast height (DBH). Any property, including single family residential, within Horry County containing Specimen Live Oaks must submit a tree survey. Any new major residential developments will need to identify Specimen live oak trees within the project boundaries on the preliminary plans and plats. If an undisturbed, naturally forested buffer is utilized for a non-residential or major residential development, multi-family, quadruplex, townhome or in-common residential project, a tree survey shall be submitted to document the buffer vegetation meets the minimum requirements.
2. Tree surveys submitted must indicate the species and DBH of any Protected or Specimen Trees, denoting Specimen Live Oaks separately from other oak species.
3. Trees shall not be removed until submittal of tree survey. Approval to remove said trees, with exception of Specimen Live Oaks, shall be obtained from the Zoning Administrator, or designee. If approval to remove said tree is granted, removed trees shall be mitigated.

TABLE 5: PROTECTED AND SPECIMEN TREES

<i>TREE</i>	<i>PROTECTED DBH (INCHES)</i>	<i>SPECIMEN DBH (INCHES)</i>
Bald cypress	8	24
Beech (American)	8	24
Birch (River)	6	18
Cedar (Eastern Red)	8	24
Dogwood (Flowering)	4	12
Elm (American)	8	24
Elm (Winged)	8	24
Hickory (Mockernut)	8	24
Hickory (Pignut)	8	24
Hickory (Shagbark)	8	24
Holly (American)	6	12
Magnolia (Southern)	8	16
Maple (Red)	8	24
Oak (Laurel)	8	24
Oak (Live)	8	24
Oak (Post)	8	24
Oak (Southern Red)	8	24
Oak (Water)	8	24
Oak (Willow)	8	24
Oak (White)	8	24
Oak (Yellow)	8	24
Pecan	8	24
Sycamore	8	24
Tupelo (Black)	8	24
Tupelo (Water)	8	24

B. METHODS TO CALCULATE TREE SIZE

1. *Caliper*: the diameter of a tree trunk measured six (6) inches above the root ball.
2. *Diameter at Breast Height*: the diameter of a tree trunk measured four and a half (4.5) feet above the ground.
 - a) Forks located less than one (1) foot from the ground are to be treated as separate trees and measured at standard DBH. The square root of each DBH (sum of the square of each) is used to derive total DBH.
 - i. Total DBH = $\sqrt{(a^2 + b^2 + \dots)}$, where:
 - ii. "a" and "b" are the DBH of split trunks.
 - b) Forks located between one (1) foot and four and half (4.5) feet from the ground are to be treated as separate trees and calculated with the formula above but measured from three and a half (3.5) feet from the pith, or at the start of the fork.
 - c) Forks located at or greater than four and half (4.5) feet from the ground are measured just below the fork beneath the swelling.

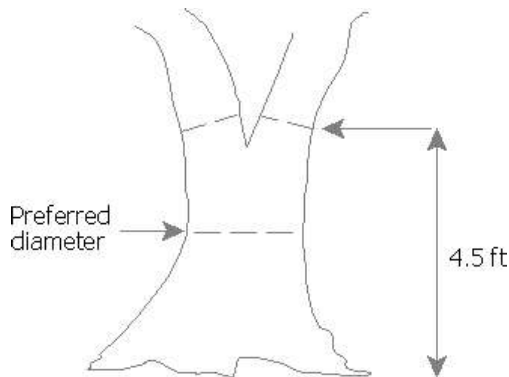


Figure 74: DBH for Forks located at or above 4.5 feet

C. LIVE OAK STANDARDS

It is unlawful to injure, participate in, authorize, or cause the removal of any Specimen Live Oak (DBH of twenty-four (24) inches or greater). Authorization to do so shall come from:

1. A variance granted by the Zoning Board of Appeals finding that the tree:
 - a) Presented a safety hazard to pedestrian or vehicular traffic, buildings, structures or utility structures;
 - b) Removal presented the only reasonable means to comply with appropriate agency requirements including parking, ingress or egress, or other required infrastructure such as stormwater;
 - c) Justification according to good urban forestry practices (i.e., to reduce competition among trees or to remove an invasive species) or presence of dead, dying, or diseased trees;
 - d) A planned grade cut placing the tree protection zone four (4) feet above final grade or introduction of fill twelve (12) inches or greater elevating the parcel above the required flood protection elevation; or
 - e) Reasonable use of the property will be significantly impaired.
2. For all areas within the Garden City Overlay, the Zoning Administrator shall allow the tree to be removed upon a finding that the tree will be located within the footprint of a proposed structure and the structure cannot be reasonably adjusted to preserve the tree. This provision does not exempt the tree from the mitigation standards in §505 E.

3. The Zoning Administrator may authorize the removal a Specimen Live Oak tree without a variance under the following conditions:
 - a) The tree is diseased or dying as certified by a certified arborist and cannot be properly treated or pruned to alleviate such condition;
 - b) Such assessment must be provided to the county in writing, and the diseased or dying state of the tree may be assessed by the County;
 - c) Should the County confirm the tree is diseased or dying and cannot be treated for such condition, a zoning compliance may be issued for removal of the tree;
 - d) Mitigation Standards in §505 E will still apply.
 4. If a Specimen Live Oak tree is unlawfully removed, building permits and further subdivision of the parcel will be prohibited for a period of two (2) years.
(Ord. No. 44-2023, § 5, 5-16-2023)
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D. TREE PROTECTION

Preserved trees must be protected from damages during development. Most trees can tolerate only a small percentage of root zone disturbance or loss.

- b) *Root Protection Zone*: the total area beneath the tree canopy, or dripline.
 - c) If encroachment into the root protection zone is anticipated, preventative methods shall be employed to include:
 - i. Flagging of Protected or Specimen Trees prior to land disturbance activity;
 - ii. Mulching the Root Protection Zone during soil compaction;
 - iii. Vertical root pruning techniques to cut rather than tear or damage root systems during site clearing; and
 - iv. Installation of Protective Devices.
 - d) Protective Devices shall be installed surrounding the dripline of the preserved tree and must be kept free of construction materials, vehicles or debris. Areas surrounding the preserved tree must be identified with “tree protection area” signage. Protective Devices shall be one of the following:
 - i. Fencing a minimum of four (4) feet in height constructed in a post and rail configuration. Two (2) inch by four (4) inch and double one (1) inch by two (2) inch railing is recommended.
 - ii. Four (4) foot high polyethylene laminar safety fencing provided it is maintained to persist until occupancy.
 - iii. Continuous rope, flagging (heavy mill, minimum four (4) inches in width) or silt fencing is allowable only in areas that will not be directly impacted by land disturbance activities.
-

E. MITIGATION STANDARDS

1. *Mitigation*: Mitigation for removal of Protected or Specimen Trees is required. Requirements may be met by either:
 - a) *Replacement Trees*
 - i. Total caliper of replacement trees must equal the total DBH of Protected or Specimen Trees removed.
 - ii. All replacement trees must be a species listed in *Table 5: Protected and Specimen Trees*.

- iii. Newly planted replacement trees will follow the following formula:
 $D/2.5^A = RT^B$, where:
 D = total DBH of the largest fifteen (15) removed trees per acre (inches)
 2.5 = minimum caliper of each replacement tree (inches)
 RT = minimum number of replacement trees
 A. If the caliper of replacement trees is greater than two and a half (2.5) inches, the total number of replacement trees can be reduced.
 B. A multiplier of one and a half (1.5) is applied when trees removed are Specimen Trees
- iv. Trees preserved on site that do not meet the size requirements of *Table 5: Protected and Specimen Trees* may count as replacement trees provided each tree has a DBH of four (4) inches or greater.

b) *Fee in lieu*

- i. A fee in lieu of replacement trees collected will be equal to:
 $RT \times 150 = F$, where:
 RT = minimum number of replacement trees
 150 = fee per replacement tree (dollars)
 F = total fee paid to Horry County
- ii. Fees collected are deposited into a special fund designated for costs associated with the installation of landscaping, associated materials and irrigation systems or the purchase of additional park or open space lands.
- iii. "F" shall be increased at 2 times the standard rate (dollars) for Protected and Specimen live oaks.

(Ord. No. 44-2023, § 5, 5-16-2023)