

**Article VII: Screening and Buffering**

**Section 7.0**                      **Purpose and Intent**

**Section 7.1**                      **Applicability**

**Section 7.2**                      **Buffer/Screening Requirements**

**Section 7.3**                      **Modifications**

**Section 7.4**                      **Coordination with Other Requirements or Provisions**

**Section 7.5**                      **Plan Approvals**

**Section 7.6**                      **Performance Standards**

**Section 7.7**                      **Maintenance**

**Town of McClellanville Zoning and Land Development Ordinance**  
**Adopted September 13, 2004**

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**Section 7.0 Purpose and Intent**

[Top](#)   [Table of Contents](#)

The purpose of the following requirements is to enhance the health, safety, and welfare of McClellanville citizens by: protecting the integrity of existing properties from changes wrought by more intense development; ameliorating negative impacts of land uses on adjacent properties such as excessive noise, glare, and visual intrusion; [reducing the impacts of stormwater runoff and non-point source pollution on the Town's natural waterways](#); and enhancing the natural drainage of storm water through provision of additional pervious natural buffer areas.

It is the intent of the Town, through these requirements, to promote quality development by enabling flexibility in site design, as well as to encourage the provision of imaginative and attractive vegetative screening that softens the transition between incompatible land uses. The provisions of this section are further intended to complement the requirements of [Article VI \(Tree Preservation\)](#) of this Ordinance

**Section 7.1 Applicability**

[Top](#)   [Table of Contents](#)

**§7.1.1 Screening and Buffers**

Screening and buffers shall be provided wherever the following are established within the Town of McClellanville:

- (a) VC, HC or MC uses abutting, adjacent to, or separated by a right-of-way of sixty (60) or fewer feet in width from an existing property zoned for residential purposes ;
- (b) Utility substations, not including electrical transmission and distribution lines and their right-of-ways

(c) Dumpsters; ~~and~~

[\(d\) Loading and outdoor storage areas; and](#)

~~(d)~~[\(e\) Subdivision of land and/or new construction abutting the SCDES-Bureau of Coastal Management \(BCM\) delineated critical area.](#)

**§7.1.2 Accessory Uses**

The Zoning Administrator or designee may require the provision of buffer areas and screening, including the installation of fences, for proposed accessory uses where deemed necessary to protect an abutting or adjacent principal or accessory use, upon a finding that the proposed accessory use is incompatible due to the potential for noise, glare, odor or visual impact to the existing and abutting principal or accessory use.

**Section 7.2 Buffer/Screening Requirements**

[Top](#)   [Table of Contents](#)

Where buffers or screening are required, either pursuant to the terms of this ordinance, or by virtue of such a finding by the Zoning Administrator, the developer shall provide such in accord with the following requirements:

**Town of McClellanville Zoning and Land Development Ordinance**  
**Adopted September 13, 2004**

---

**§7.2.1 Requirements by [Use Types](#)**

| <b>Proposed Land Use Abutting property zoned for Residential uses</b> |   |                                       |  |                            |   |                       |
|---|---|---------------------------------------|--|----------------------------|---|-----------------------|
|   | <b>VC Use</b>   | <b>HC Use (except within the HCD)</b> | <b>MC Use</b>  | <b>Utility Substations</b> | <b>Dumpsters, outdoor storage and loading areas</b> | <b>Accessory Uses</b> |
| <b>Minimum Buffer Width</b>   | 10 feet   | 20 feet                               | 30 feet  | 25 feet                    | 15 feet   | 5 feet                |
| <b>Minimum Screening</b>  | Densely planted or natural vegetative materials that, with or without walls or fences, mitigate visual and external impacts of the nonresidential use |                                       | Densely planted or natural materials, fences or walls, or a combination thereof, to create an opaque screen.   |                            |   |                       |
| <b>Other Screening</b>  |   |                                       | Fences constructed of brick, iron, wood, or combinations thereof, no greater than eight (8) feet in height shall be provided parallel to such facilities |                            |   |                       |

---

[Top](#)   [Table of Contents](#)

**Town of McClellanville Zoning and Land Development Ordinance**  
**Adopted September 13, 2004**

---

**§7.2.2 Buffer Standards**

- (a) Buffers shall be measured from the property line, inward.
- (b) Small and large trees shall be planted no more than ten (10) feet and twenty (20) feet, respectively, from the buffer yard perimeter.
- (c) Driveways may traverse required buffers, but no parking or other structures shall be sited in the buffer area.
- (d) A buffer width may be reduced five (5) feet with the installation of a substantially opaque wall or fence, at least six (6) feet in height.

**§7.2.3 Critical Area Buffer Standards**

- (a) No impervious surfaces shall be permitted within 50 feet of a critical area delineated by SCDES-OCRMBCM when the subdivision of land or new construction are proposed.
  - (1) The critical line shall be delineated and certified as correct by SCDES-BCM and shown along with the required 50-foot impervious setback on all final plats prior to approval for recordation.
  - (2) The first 35 feet of the impervious surface setback as measured from the waterside boundary of the critical area shall be delineated on all final plats to be retained or planted as a vegetative buffer.
- (b) A vegetated buffer shall be maintained and/or established within 35-feet of a critical area delineated by SCDES-BCM when any land disturbance and/or new construction are proposed on any existing lot.
  - (1) For the purposes of this requirement, a vegetated buffer includes all existing vegetation, and plantings of indigenous trees and shrubs.
  - (2) Existing vegetation shall not be removed, with the exception of invasive species, subject to approval of a land disturbance permit.
  - (3) New vegetation of trees and shrubs shall planted as needed such that the buffer area includes a minimum of one (1) canopy tree per 500 square feet of buffer area.
  - (4) Plantings of any trees and shrubs shall conform to §7.6 and shall not include turf grasses, including synthetic turf.
- (c) The Critical Area impervious setback and buffer shall be established as follows:
  - (1) The vegetative buffer shall be established concurrent with the impervious surface setback.
  - (2) The setback and buffer boundaries shall be measured at right-angles to all points along the delineated critical line and, in the cases of overlapping lines at angles, the greatest distance shall be applied.
  - (3) The following uses are permitted within the required critical area setback:
    - a. Erosion control structures provided that the required setback and buffer width are maintained or reestablished landward of the installed erosion control structures during and post construction.
    - b. Fencing and walls that allow for the passage of water without damming or obstructing the flow. Retaining walls, bulkheads, stockade fencing or solid walls

**Town of McClellanville Zoning and Land Development Ordinance**  
**Adopted September 13, 2004**

---

- are prohibited. Fences and walls are limited to a maximum of four (4) feet in height.
- c. A pervious pedestrian access foot trail, not exceeding 5-feet in width, parallel to the critical line connecting multiple lots within a subdivision development. Such trails must be either at-grade or an elevated boardwalk to avoid channelization.
  - d. A pervious pedestrian accessway crossing and leading to water-dependent uses such as docks, piers, bridges, and boat landings not exceeding 6-feet in width. Such accessways must be either at-grade or an elevated boardwalk to avoid channelization.
- (4) Vision corridors may be established as a cut through and perpendicular to the required critical line buffer in accordance with the following provisions:
- a. A land disturbance permit delineating the location, width and alignment of a vision corridor is required.
  - b. The vision corridor shall not exceed more than 25 percent (25%) of the square footage of the total critical line buffer area on an individual lot, but no greater than 2,000 square feet total.
  - c. Corridors shall be established to coincide with the location of existing or planned pervious pedestrian accessways, boat docks, boat landings, and utility line penetrations within the buffer.
  - d. Within the vision corridor, protected trees per Article VI of this ordinance shall not be removed. Smaller trees may be pruned or cut with hand tools, but the stump must remain in place. Grasses, shrubs, and other vegetation may be appropriately pruned and trimmed to a minimum height of 4-feet. The intent of this provision is to ensure that the root mass remains intact to allow filtration of runoff waters.
  - e. Heavy equipment or herbicides shall not be utilized to establish or maintain the vision corridor.
  - f. Subsequent alterations to a vision corridor may be permitted provided the overall buffer requirements of §7.2.3(b)(2) are met subject to approval of an updated land disturbance permit.
- (d) Due to the nature of the businesses upon those properties zoned Marine Commercial District relying on close proximity to open water, the critical line buffer requirement shall not apply and the critical line impervious setback shall be limited to a 10-foot minimum.
- (e) Where construction is proposed on parcel deemed to be non-conforming, the impervious setback shall be reduced by the same percentage of the non-conformity for lot size and/or depth, whichever is greater. The buffer shall only be reduced when the setback is reduced to less than 35 feet, in which case the buffer shall be the same width as the setback.

**Town of McClellanville Zoning and Land Development Ordinance**  
**Adopted September 13, 2004**

## Section 7.3 Modifications

[Top](#)      [Table of Contents](#)

It is not the intent of this section to create buffer areas where these requirements are shown to be inappropriate or excessive with reference to the overall depth of an existing parcel or where there exists an opaque and continuous buffer of natural vegetation proposed for retention, where fencing is provided no less than four (4) feet in height, or where the property is adjacent to undevelopable land area a minimum of 300' in depth, the Zoning Administrator may allow reduction of the average buffer depth by as much as thirty percent (30%), provided such reduction does not result in the proposed development providing a buffer which is substantially less in depth than that of adjacent or facing developments.

## **Section 7.4 Coordination with Other Requirements or Provisions**

[Top](#)      [Table of Contents](#)

### §7.4.1 Tree Preservation

- (a) Nothing herein shall be deemed to preclude or be substituted for compliance with **Article VI** of this Ordinance.
- (b) Trees retained in accordance with **Article VI** may be utilized in full or partial fulfillment of the requirements of this Article, upon approval by the Zoning Administrator. Such use, however, shall not alone constitute compliance with provisions of this section unless approved by the Zoning Administrator.
- (c) Whether the requirements of this Article conflict with those or **Article VI**, the more restrictive of the two shall apply.

#### **§7.4.2 Utility Easements**

- (a) In cases where drainage or other utility easements are provided along property lines and prevent location of screening elements and buffer areas, the minimum width of the buffer area shall be measured from the innermost edge of that easement inward.
- (b) Upon approval of the entity owning the easement and the Zoning Administrator, all or a portion of the drainage easement maybe utilized as a buffer area and/or contain screening elements.
- (c) Where all or part of such drainage easements are authorized as buffer area, the owner of such easement shall not be held in any responsible for removal of or damage to screening elements occurring with periodic maintenance operations.
- (d) Use of private or public utility easements or public drainage easements for buffer areas and screening elements will require written authorization of the easement holder, with copies thereof being submitted to the Zoning Administrator prior to review of any screening plan.

## Section 7.5 Plan Approvals

[Top](#)      [Table of Contents](#)

When screening or buffering is required, a plan shall accompany any application for a zoning or building permit. Such plan, drawn to scale in conjunction with the required site development plan, shall include the following:

**Town of McClellanville Zoning and Land Development Ordinance**  
**Adopted September 13, 2004**

---

- (a) Names and types of proposed land uses, with addresses and tax reference numbers;
- (b) Existing land uses abutting the subject property;
- (c) Location of existing buildings, parking areas, and other improvements on site;
- (d) Location of buffer areas, indicating widths;
- (e) Location, species and circumferences of existing trees to be retained in the screening or buffer areas;
- (f) Schedule of screening proposed to be planted, including location, species caliper, and height quantities of trees, shrubs and other landscape materials;
- (g) Location, height, design and construction details for fences or walls;
- (h) Tree protection plan, where applicable;
- (i) Tree and landscape planting details;
- (j) Location and width of existing or required drainage easements, along with points of access for maintenance, as approved by the applicable agency responsible for such easements;
- (k) Approval letters or encroachment permits from the easement holder, where buffer areas or landscape elements are to be located in drainage or utility or other easements.

**Section 7.6 Performance Standards**

[Top](#)   [Table of Contents](#)

The following standards apply to the selection, installation and maintenance of all screening and buffer materials required by the provisions of this Article:

**§7.6.1 Plant Selection**

- (a) Vegetative materials used in conformance with the provisions of this ordinance shall be guaranteed to be of healthy, specimen quality and conform to the *American Standard for Nursery Stock*, (American Standards Institute, Inc. 230 Southern Building, Washington DC 20005) at the time of planting and for one (1) year thereafter.
- (b) All trees, shrubs and groundcovers to be planted shall be hardy to botanical zone eight 'b' (8b). Species chosen shall be suitable to the soil, sun exposure, and hydrological conditions of their proposed locations.
- (c) Trees, shrubs and other plant materials used shall be indigenous to the Coastal Plain of South Carolina as listed on [Attachment A](#) of this ordinance to enhance resistance to drought, disease, and pests; to support wildlife; and help achieve aesthetic continuity between the natural environment and planted areas. No less than 75% of all trees and shrubs, and all ornamental grasses, used for landscaping of a site shall be species listed in *Appendix A: Native Plants of the South Carolina Coastal Plain*.
- (d) Nonnative invasive plant materials shall not be used.
- (e) Trees shall have a caliper of at least one (1) inch and shall be a minimum of six (6) feet in height at the time of planting.

**Town of McClellanville Zoning and Land Development Ordinance**  
**Adopted September 13, 2004**

---

- (f) Shrubs shall be at least three (3) gallon size and at least twenty-four (24) inches tall at the time of planting.

**§7.6.2 Installation**

The installation of all landscaping shall be done following the procedures established by the American Association of Nurserymen.

(a) Trees.

- (1) All newly planted trees shall be installed in a permeable area no less than three (3) foot in radius measured from the base of the tree.
- (2) When installing and conserving trees, proper root management considerations shall be acknowledged, e.g. compacted, oxygen-poor soil shall be aerated and topped with six inch (6") sandy loam, where necessary to ensure the health and longevity of the tree(s).
- (3) Unless otherwise specified in this ordinance;
  - a. Small trees shall be planted ten to thirty feet on center (10' - 30' o.c.).
  - b. Large trees shall be planted twenty to forty feet on center (20' - 40' o.c.).
  - c. A small tree shall be planted twenty to thirty feet on center (20' - 30') from a large tree.
  - d. Small and large trees shall be planted no more than ten (10) feet and twenty (20) feet, respectively, from the buffer yard perimeter, and no less than six (6) feet from a paved surface or wall.

(b) The installer shall give consideration to site conditions in locating trees. Shrubs.

- (1) Shrubs constituting hedges shall be planted at an on-center spacing not more than their maximum expected spread at maturity or eight feet (8') whichever is less.
- (2) Shrubs constituting buffer yards shall be planted at an on-center spacing no more than eight feet (8') parallel to the lot line to be buffered and no less than sixteen feet (16'). Such shall be planted at least eight feet on-center (8' o.c.), from young trees in buffer yards.
- (3) Vegetative ground covers shall be spaced to ensure ninety percent (90%) coverage of bare soil within three (3) months of installation.

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**Section 7.7 Maintenance Requirements**

[Top](#)   [Table of Contents](#)

---

**§7.7.1 Responsibility**

Maintenance and replacement of damaged, destroyed, or dead plant materials serving to fulfill the requirements of this Article shall be the responsibility of the property owner.

**§7.7.2 Replacement**

Required screening and buffer areas shall be routinely maintained free of debris and litter and in good condition, with regular mowing of grass, weeding, and pruning of trees and shrubs to present a neat, healthy and orderly appearance,



**Town of McClellanville Zoning and Land Development Ordinance**  
**Adopted September 13, 2004**

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**§7.7.3                      Regular Maintenance**

Dead, diseased, or stolen plants or those irreversibly damaged shall be replaced within thirty (30) days with the species indicated on the approved screening and buffering plan. If expiration of such plants is created by unsuitable conditions for such species, those administering maintenance shall replace such plants with vegetation more suited to the location, provided such maintains the integrity of the original landscape plan and the intent of this Article.

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[Top](#)      [Table of Contents](#)