

ARTICLE 6 – SITE ANALYSIS AND PROTECTION

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6.1 PURPOSE

The purpose of good subdivision and site design is to create functional and attractive developments, to minimize adverse impacts and to ensure that new development will be an asset to the community. To promote this purpose subdivisions and site plans shall conform to the following standards for site evaluation which are designed to result in a well-planned community without adding unnecessarily to development costs.

6.1.1 Site Analysis and Protection Recommendations

The applicant shall undertake an analysis of the characteristics of the development site, including site location, geology and soils, topography, wetlands and water features, existing vegetation, structures, visual and view features, other environmental characteristics, road networks, and past, present and proposed uses of the site. The summary and details of such analysis shall be in a report format and shall include recommendations for development design in accordance with this Article. The report may include a graphic plan as well as a narrative. The applicant and his site analysis consultants, if any, may request a preapplication conference with appropriate city staff at any time to discuss and define the scope of the site analysis, review preliminary results or determine the level of detail necessary in the site analysis report. The site analysis and development recommendations report shall be included in the application for approval of all general development plans, site plans and major subdivisions. (Rev 12-1-08; Ord. 2008-18)

6.1.2 Exceptions

The requirement for a site analysis may be waived by the Director for redevelopment and infill projects where property has previously been developed; for projects on parcels up to one (1) acre in size; for projects on property of any size that do not contain environmentally sensitive areas or significant site characteristics as previously determined by the City; and for projects on property that has been the subject of a recent and adequate site analysis. (Adopt. 12-1-08; Ord. 2008-18)

6.1.3 Subdivision and Site Design

6.1.3.1 Design of all development plans shall reflect, reference, and conform to all existing and publicly adopted local and regional plans for the area.

6.1.3.2 Development plans for the site shall be based on the results and recommendations of the site analysis. To the maximum extent practicable, development shall be located to preserve the natural features of the site, avoid areas of environmental

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sensitivity, minimize negative impacts upon or unnecessary alteration of natural features, and minimize negative impacts on adjacent properties, neighborhoods and public facilities.

6.1.3.3 All disturbed steep slopes thirty percent (30%) grade or greater and steep slopes to be created through grading activities must be managed in a fashion that limits the potential of erosion along the slopes. All parties whose work is/was responsible for the creation/disturbance of steep slopes must comply with the following:

- a. Minimize the disturbance of all steep slopes, when possible.
- b. Divert concentrated or channelized flows of stormwater away from and around steep slope disturbances.
- c. Use specialized Best Management Practice (BMP) controls to minimize erosion, including, if applicable:
 1. Temporary and permanent seeding with soil binders;
 2. Erosion control blankets;
 3. Surface roughening;
 4. Reduction of continuous slope length with terracing or diversions;
 5. Gradient terraces;
 6. Interceptor dikes and swales;
 7. Grass-lined channels;
 8. Pipe slope drains;
 9. Subsurface drains;
 10. Level spreaders;
 11. Check dams;
 12. Seep berms;
 13. Triangular silt dikes.
 14. Any additional methods of erosion controls that are recognized under Best Management Practices (BMP) guidelines.
- d. Initiate stabilization measures as soon as practicable on any disturbed steep slope areas where construction areas have permanently or temporarily ceased and will not resume for a period exceeding seven (7) calendar days.
- e. Establish a vegetative or non-vegetative cover within three (3) working days from the time that stabilization measures are/were initiated.

(Sources: SCDHEC Standards for Stormwater Management and Sediment Reduction, Regulation 72-300 through 72-316; and SCDHEC Stormwater Pollution Plan for the Construction General Permit, SCR100000) (Adopt. 4-20-15; Ord. 2015-09)

6.2 ENVIRONMENTALLY SENSITIVE AREAS

6.2.1 Generally

The following specific areas shall be preserved as undeveloped open space to the extent practicable and consistent with the site analysis and recommendations. Any such areas not preserved as undeveloped open space shall be developed in accordance with applicable federal, state or local regulations pursuant to all required permits.

6.2.1.1 Wetlands as delineated and approved by the U.S. Army Corps of Engineers or the South Carolina Department of Health and Environmental Control or non jurisdictional wetlands that meet the definition of a wetland as defined in Appendix A.

6.2.1.2 Slopes in excess of twenty percent (20%).

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6.2.1.3 Lands in the floodplain and floodway as delineated by the Federal Emergency Management Agency and U.S. Army Corps of Engineers.

6.2.2 Riparian Buffers

6.2.2.1 Applicability –

- a. This section applies to any application for development approval that proposes any impervious surface or land-disturbing activity, except as provided below.
- b. Nothing in this section shall prohibit or be construed to prohibit the building of a single-family dwelling on an existing lot of record, including the usual appurtenances thereto, within the buffer areas established herein, subject to the following conditions:
 1. Such dwelling must be in compliance with all applicable zoning regulations in Article 3, Zoning Districts; and
 2. No portion of any structure may be located closer than twenty-five (25) feet from the stream bank or any body of water.
- c. Forestry and agricultural activities are exempt from buffer and setback criteria in accordance with the following conditions:
 1. The activity shall be consistent with the best management practices as defined in this Chapter;
 2. The activity shall not impair the quality of the stream water as defined by the federal Clean Water Act of 1977 (P.L. 95-217); and
 3. The harvesting or clearing of forest lands shall not be initiated for the purpose of preparing land for future development and thereby avoiding the requirements of this Article.

6.2.2.2 Protection –

- a. The corridors of all perennial streams and the areas around ponds, Carolina bays and other permanent or seasonal bodies of water are protected by the following criteria:
 1. An undeveloped open space riparian buffer shall be maintained for a distance of twenty-five (25) feet on both sides of the stream as measured from the stream banks and around all bodies of water as measured from the high water mark.
 2. No impervious surface shall be constructed within a twenty-five (25) foot setback area on both sides of the stream as measured from the stream banks and around all bodies of water as measured from the high water mark.
- b. Encroachments into the buffer area are permitted as needed for the construction of public roads, stormwater management facilities and public utility crossings. Such encroachments shall conform to all state and local erosion and sedimentation control requirements. Public utility crossings and stormwater management facilities may be permitted if:
 1. The utility crossings and stormwater facilities are located as far from the stream or pond bank as reasonably possible;
 2. The installation and maintenance of the utilities and facilities shall be such as to protect the integrity of the buffer and setback areas as well as is reasonably possible; and
 3. Neither the utilities nor the stormwater management facilities shall impair the quality of the water.

6.2.2.3 Activities Permitted –

- a. Except as noted above, all construction within the buffer area is prohibited.

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- b. The natural vegetative buffer shall be restored as quickly as possible following any land-disturbing activity within the riparian buffer.
- c. The following acceptable uses are permitted within riparian buffers provided that such uses do not impair the long-term functions of the protected body of water, stream or stream corridor:
 - 1. Timber production and harvesting, subject to the following conditions:
 - a. Forestry activity shall be consistent with best management practices established by the South Carolina Forestry Commission; and
 - b. Forestry activity shall not impair the quality of the water as defined by the federal Clean Water Act, as amended.
 - 2. Wildlife and fisheries management activities.
 - 3. Waste-water treatment, excluding septic tanks or septic drainfields.
 - 4. Low impact passive recreational use consistent either with the maintenance of a natural vegetative buffer or with water-dependent recreation. Low impact passive recreational amenities may be constructed in the riparian buffer. Such amenities may include walking trails, nature trails, boardwalks, Greenways, benches, picnic areas, viewing areas, boat ramps, fishing docks and similar amenities. Playgrounds, ball fields, hard-surface tennis courts and other active recreational amenities may not be constructed.
 - 5. Natural water quality treatment or purification.
 - 6. Agricultural production and management, subject to the following conditions: agricultural activity shall be consistent with best management practices as defined in this Chapter; Agricultural activity shall not impair the quality of the water as defined by the federal Clean Water Act, as amended; and agricultural activity shall be consistent with all state and federal laws, and all regulations promulgated by the South Carolina Department of Agriculture.
 - 7. Other uses permitted by the Department of Natural Resources or under §404 of the Clean Water Act.
- d. The following uses are not permitted within any buffer established in §6.2.2:
 - 1. Receiving areas for toxic or hazardous waste or other contaminants;
 - 2. Hazardous or sanitary waste landfills; or
 - 3. Parking lots.

6.2.2.4 Ownership and Management –

- a. Riparian buffers shall be platted as open space or riparian buffers and deed restricted in accordance with this section.
- b. Riparian buffers shall be owned and maintained by the city, another public agency, a conservation land trust, a homeowners association or other similar entity for the benefit of the public generally. If ownership is retained by a private person or entity, the deed restriction shall specify the public purpose of the riparian buffer.
- c. All management and maintenance of a riparian buffer shall be consistent with this section.
- d. The city will consider accepting a dedication of title to the property within riparian buffers for the purpose of ownership, maintenance and management.