



Jasper County Planning Department

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Jasper County Planning Commission Staff Report

Meeting Date:	August 11, 2009
Project:	Zoning Ordinance Amendment- Article 7:4 Riparian Buffers
Submitted For:	Action- Recommendation to County Council
Recommendation:	Approval

Background: After review of Zoning Ordinance Section 7:4, Riparian Buffers, it is the opinion of Staff and Engineering consultants (ATM, Inc) that the regulations are excessively restrictive. The intent not have been as burdensome as adopted. The section currently places a blanket 50' riparian buffer on all water bodies and wetlands.

Riparian buffer zones provide several environmental and community benefits, including improving water quality, protecting important and unique shoreline habitat, enhancing aesthetics, providing opportunities for recreation and public access, and mitigating shoreline hazards such as erosion, flooding, and storm surge. At present, the South Carolina Department of Health and Environmental Control (SCDHEC), Office of Coastal Resource Management (OCRM) has vegetative setback requirements to protect the State's tidelands (i.e., coastal waters, marshes and wetlands).

While important on tidelands and key water resources, the current buffer is excessive on isolated wetlands. As State and Federal regulations already govern development adjacent to key water resources, certain restrictions can be lessened within the County Zoning Ordinance.

Description: The proposal ensures protection of key water resources while lessening restriction on isolated wetlands. A sliding scale of buffer widths that varies based on water resource type is presented. Riparian Buffers are proposed for key water resources, to include tidelands (coastal waters, maters and wetlands), streams and rivers. Buffer widths range from 25' to 50' depending on land use. Also included are definitions for tidelands and riparian buffers, as well as regulation of activities within the buffer.

Recommendation: Staff recommends approval of the Riparian Buffer Ordinance.

Attachments:

1. Current Ordinance
2. Proposed Ordinance

**Attachment 1
Current Ordinance**

§ 7:4 RIPARIAN BUFFERS.

A Riparian Buffer setback not less than 50 feet or one-third the depth of a lot or parcel (minimum of twenty five (25) feet), whichever is greater, shall be provided along the banks of all wetlands, marsh areas, streams and rivers. The buffer setback area for tidal waters shall be measured from the Critical Line as established by OCRM. The buffer area shall remain undeveloped, except for piers, docks and pervious access paths to the water or wetlands bank. Any disturbance of the buffer area shall adhere to OCRM's Best Management Practices (BMPs). Riparian Buffers shall be in accordance with all State and Federal Regulations.

Maintenance within a Riparian Buffer will adhere to the following guidelines:

1. Limbing of trees to twenty (20) feet high.
2. Clearing of under brush down to two (2) inches above grade.
3. Cutting of unprotected trees three (3) inch caliper and below.