

#### **MEETING AGENDA**

The Town of Ridgeland

# PLANNING COMMISSION

Monday, July 21, 2025, 5:30 P.M.

Town Hall, Council Chambers, 1 Town Hall, Ridgeland, SC 29936

**STATEMENT OF MEDIA NOTIFICATION:** "In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media were duly notified of the time, date, place, and agenda of this meeting."

- I. Call to Order: Pledge of Allegiance by Chairman Frankie Denmark
- II. Roll Call
- **III. Approval of Minutes:** June 9, 2025
- **IV.** Old Business:
  - 1. Proposed text amendment to the Town of Ridgeland Zoning Ordinance concerning revisions to Ordinance 03-2021, Section 5.11.1.C, "Landscape Standards" addressing tree protection and mitigation.

**Planning Commissions role:** Advisory to Council **Action needed:** Recommendation to Council

- V. New Business:
- VI. Staff Comments:
- VII. Commissioner's Comments
- VIII. Adjournment



#### **MEETING MINUTES**

The Town of Ridgeland

#### PLANNING COMMISSION

Monday, June 9, 2025, 5:30 P.M.

# Town Hall, Council Chambers, 1 Town Hall, Ridgeland, SC 29936

**STATEMENT OF MEDIA NOTIFICATION:** "In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media were duly notified of the time, date, place, and agenda of this meeting."

#### **Planning Commissioners in attendance:**

Chairman Frankie Denmark, Ralph Rodina, Scott May, Joss Mohr and Linda Tenerowicz

#### **Town of Ridgeland Staff:**

Aaron Rucker (Director of Planning and Community Development), Dennis Averkin (Town Administrator), Danielle Smoak (Permit Technician)

# I. Call to Order: Pledge of Allegiance by Chairman Frankie Denmark

Chairman Frankie Denmark called the meeting to order at 5:30pm.

#### II. Roll Call

A roll was taken, and all members of the Planning Commission were present.

# **III.** Approval of Minutes: May 12, 2025

Motion to approve May 12, 2025, meeting was made by Commissioner Rodina and seconded by Commissioner May. Approved unanimously.

#### **IV.** Old Business:

1. Proposed text amendment to the Town of Ridgeland Zoning Ordinance concerning revisions to Ordinance 03-2021, Section 5.11.1.C, "Landscape Standards" addressing tree protection and mitigation.

Planning Director, Aaron Rucker, explained that the latest revisions are in red.

Commissioner Rodina has serious issues with some of the trees on the list. He stated that the list needs to be reviewed again.

**Motion:** Commissioner Rodina made a motion to table until the July planning commission meeting and the motion was seconded by Commissioner May.

#### V. New Business:

- 1. The Applicant, Barry L. Johnson representing property owners Pepper Hall, LLC and Tickton Hall, Holdings, LLC requested the following items;
  - a) Joint Development Agreement by and among the Town of Ridgeland and Tickton Hall Investments, LLC, Euhaw Holdings, LLC, Tickton Holdings, LLC, and Pepper Hall, LLC relating to "Tickton Hall"
  - b) Zoning Designation (Special District Tickton Hall)

For properties located at 083-00-06-070, 083-00-06-080, 083-00-06-079, 083-00-06-071, 096-00-00-016, 096-00-00-026, 096-00-00-027, and 083-00-06-074.

Staff explained that this has been brought back before the Planning Commission because there have been changes from the original, there is new information, and because of the amount of time. This process started in 2022. First, tonight is the public hearing for the development agreement. Comments from the Planning Commission can be passed along to the Council, but there will not be a vote on this. The vote for the joint development agreement will be made by the Council. Second, there is a public hearing on Tickton Hall Special District. There will be a vote on this with a recommendation to the Council.

Dan Keefer and Bill Eubanks presented an overview on the Special District regulating plan for Tickton Hall.

**Public Comments:** The Planning Commission heard public comments on the proposed Special District Zoning Designation for Tickton Hall. Four members of the public spoke, expressing concerns about traffic, water and sewer services, and storm water runoff. Each speaker was allotted three minutes for comments. A sign in sheet was collected and accompanies these minutes. Additional public comment was also received in the form of three separate emails and are attached to the minutes, too.

**Commissioner's Comments:** Many comments concerning both the Development Agreement and Special District were made by the Planning Commission and discussed with the Applicant. A copy of the memo with the Development Agreement comments provided to the Town Council is attached.

Vote: 3 in favor, 2 opposed, recommendation of approval to the Council for the Special District carries.

#### VI. Staff Comments:

Impact Fee Study: Staff explained the Planning Commission's role would be to decide on a consultant for the impact fee study and recommend them to Town Council. Commissioners would like more direction on this as things progress.

#### VII. Adjournment

Motion to adjourn was made Commissioner May and seconded by Commissioner Rodina at 7:00pm.



# Town of Ridgeland One Town Square · Post Office Box 1119 · Ridgeland, SC 29936

Date: 12/9/2024

Print Name	Address	Phone #	Town Resident Y/N	Email Address
1 BILL EUBANKS	39 YEADON/OUG	1843.224.8	3804 N beubank	s @ urbaneidgestudion
2. CINDY SWAILES	166 ELEANOR AVE	843-247-649	1 Y SWAILEBUG	2 @ YAHOO
3. BARRY Johnson	- 13/1/2 84	3-815-7121	N Barry (a)	jd-pa.com
4. DAn Keep	1367/1		NN	
5. PUSSELL FRED	ERICKS IIITICKION	HALL LALLE	: 347-24641 NF	efected your mile
6. Carry DeCourcy	782 Tickton Hall Rd	401-824-66	65 N	
7. Grant McCline	1511 Sycamore St. Bft.	843-527-18	00 W grant	masciclicy
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June 6, 2025

Dear Chairman Denmark and Ridgeland Planning Commission Members,

Thank you for the opportunity to comment on the proposed annexation and development agreement request for Tickton Hall. The applicants are proposing a "Special District" zoning in order to develop a large mixed-use community on a 1,424-acre tract along Highway 462. The Conservation League urges the Planning Commission to recommend denial of this application due to the current lack of infrastructure and adequate services, as well as the potential impacts to natural and cultural resources. Further, we do not believe this application is consistent with the goals and policies outlined in Ridgeland's new 2025 Comprehensive Plan.

# I. Background and Feasibility Study

The applicants have twice attempted to annex and upzone the Tickton Hall property into Ridgeland, once in Fall 2022, and again in Spring 2024. Earlier plans called for over 3,000 homes and up to 75 docks. The original proposal was met with widespread opposition from the community. A September 2022 petition received over 1,100 signatures opposing the plans. In May 2024, Town Council's decision on the Tickton application was postponed in order to update the Town's comprehensive plan and conduct a feasibility study.

The feasibility study, done by the firm Raftelis, revealed that a large development on the Town's periphery could be costly. For example, Raftelis noted that meeting public service requirements with upfront staff, operating expenses, and capital could result in a 40% deficit of current annual spending. While slightly reduced in size, the June 2025 development proposal still represents significant challenges and potential costs to the Town.

#### II. Lack of Infrastructure and Services

The current plans include over 2,000 homes and 50 docks. However, under the current Rural Preservation zoning, a density of 1 unit per 1 acre is allowed, likely yielding fewer than 1,200 units when subtracting out wetlands and infrastructure. Moreover, Jasper County is currently considering "RP-10" zoning for this property that would significantly reduce development entitlements to around 150, 10-acre lots. This most recent annexation circumvents the County's growth management policies and attempts to coerce additional development entitlements from Ridgeland.

Highway 462 is a rural corridor that lacks infrastructure to support over 2,000 homes. The Conservation League is concerned about traffic impacts along Highway. 462. Additionally, the area is not currently served by BJWSA or the Town of Ridgeland. The lack of available water and sewer and the potential for a package sewer treatment plant on this site is concerning. Package plants fail if not maintained properly, introducing sewage into the environment. This happens because maintenance often falls on an HOA that does not have the technical skills necessary to

manage package plants. West Virginia University notes that "Highly variable influent water quality requires a high level of operational skill and attention, and that tends to negate the package plant advantages of low cost and automation. Despite the relatively large number of package plants in use, many states are reluctant to endorse them completely."

The development agreement proposes that the first 120 homes will be served by septic. A large development that relies on septic is equally concerning because of the site's proximity to waterways and potential sewage overflows if tanks are not pumped out and maintained by owners. The development agreement also proposes wells installed by the developer to provide water.

#### III. Impacts to Natural and Cultural Resources

Tickton Hall shares a 9,000-foot border with Euhaw Creek. If developed, runoff from impervious surfaces as well as non-point source pollution from lawns risks degrading the small tidal creek that flows into Port Royal Sound watershed. Bolan Hall is a quiet boat ramp with limited traffic. A new subdivision would generate significant traffic at this ramp. A cemetery on the property may also be impacted by development.

Additionally, adding 50 docks on Euhaw Creek stands to potentially harm natural resources that are held in the public trust. Dock proliferation can restrict navigability on small creeks and cause a shading effect that harms spartina grass productivity. Further, increased wakes from additional boat traffic will exacerbate erosion and likely lead to shoreline hardening with bulkheads and revetments. Shoreline hardening eliminates the ability for marshes to migrate inland, eliminating the biodiversity and resilience benefits that marshes provide. Lastly, pristine marsh vista views for neighboring property owners and creek users stand to be impaired.

#### IV. Incompatible with Surrounding Land Uses

Fire is essential for longleaf pine forests that provide key habitat for imperiled species including red cockaded woodpecker, southern hognose snake, and gopher tortoise. The area along Highway 462 along the Broad River, also called "Euhaw District" has been identified as a key wildlife corridor that has the necessary habitat features to support longleaf ecosystems.

To the north, Tickton Hall is adjacent to Good Hope, which uses prescribed fire for land management. Likewise, further south along Highway 462, the Nature Conservancy will use prescribed fire at Chelsea to restore the landscape, which has not been burned in over 6 years. A large development may restrict the ability for adjacent lands to use fire for management. Simply put, smoke and neighborhoods do not mix well.

Likewise, activities like farming, timbering, and hunting would be hindered by encroaching development. Nearby historical sites such as Old House and Honey Hill represent passive land uses which offer opportunities for historical interpretation and tourism. Retaining the County's rural zoning at Tickton Hall would ensure that surrounding properties could continue with critical habitat management and other rural and passive land uses.

#### V. Inconsistent with the 2025 Comprehensive Plan

Guiding Principle 1 of the 2025 Comprehensive Plan prioritizes Growth Management to "facilitate high-quality growth that is both compatible with the Town's traditional development pattern and respectful of the region's unique cultural and natural resources." We do not believe this application meets this threshold because of the potential impacts to the region's unique cultural and natural resources. The comprehensive plan also prioritizes investing in the downtown areas and infill development, which is not reflective of this proposal.

Additionally, Guiding Principle 3 deals with protections of historical and natural resources. The 2025 Comprehensive Plan calls on the Town to work with the conservation community and landowners to support conservation easements and fee simple purchases. Tickton Hall represents a sensitive area that's worthy of protection. Approved by voters in November 2024, Jasper County's new Greenbelt Program will raise \$94 million dollars of local conservation funds to support land protection projects. With a willing seller, Tickton Hall could be a landmark project for the regional Greenbelt committee.

Lastly, Guiding Principle 5 calls for regional coordination between Ridgeland and its neighbors. Annexing and upzoning Tickton Hall would not foster a spirit of collaboration between the Jasper County and the Town. The County has prioritized conservation by proposing RP-10 zoning and previously implementing a development moratorium. Entertaining this proposal runs counter the County's goals and policies and may damage the relationship between the two jurisdictions.

Thank you very much for your time and consideration of these comments. Please reach out with any questions.

Best,

**Grant McClure** 

South Coast Project Manager

843-754-7935|grantm@scccl.org



Jun 9, 2025

Dear Chairman Denmark and Ridgeland Planning Commission Members,

Thank you for the opportunity to comment on the proposed annexation and development agreement request for Tickton Hall. On behalf of the Port Royal Sound Foundation, we request that the Ridgeland Planning Commission decline the request to annex Tickton Hall into the town's jurisdiction and decline the proposal to upzone the property.

We have concerns with this proposal, primarily as it would impact the health of Euhaw Creek, which is part of the broader Port Royal Sound watershed. Specifically, we are concerned with:

- There is no detailed plan provided for how the developer will manage the significant amount of stormwater runoff that will be produced from this development.
- The reliance on septic tanks or a package plant to manage sewage for up to 2000 new homes presents a risk to Euhaw Creek and the surrounding salt marsh.
- This project is not compatible with the guiding principles of the Town of Ridgeland's new comprehensive plan and the spirit of the Euhaw District Overlay that Jasper County is considering.

Tickton Hall is located within the Euhaw Creek subwatershed, which remains largely undeveloped and rural. Our recent analysis of impervious surface area by subwatershed in the Port Royal Sound watershed revealed that, as of 2023, Euhaw Creek remained below the critical threshold of 10% imperviousness — 7% to be exact. The science behind the effects of increasing imperviousness and decreasing water quality is well-established, and research from SCDNR demonstrates that when a watershed exceeds 10% imperviousness, that decline becomes obvious. To monitor for changes, the Port Royal Sound Foundation measures water quality twice a month from Bolan Hall Landing, allowing us to detect changes before they become a problem.

During a one-inch rainfall, you can expect over 900 gallons of water to run off a typical 1,500 square foot roof. Multiply that by 2,000 homes, and we are looking at nearly two million gallons of water running off rooftops in this proposed development. The stormwater management plan for this proposed project claims it will be designed 'so that runoff leaving the site is designed not to degrade water quality within the surrounding wetlands and receiving waterways.' However, the sheer volume alone produced by introducing that much new impervious surface will present a significant challenge.

Mismanaged sewage also poses a risk to the health of our tidal creeks. You don't have to look much further than the May River to see how failing septic tanks and poorly managed sewage treatment can

impair a beloved river, devastate a thriving oyster industry, and take decades and significant investment to restore.

Currently, Tickton Hall is not served by a central sewage treatment system, and it appears that the Town of Ridgeland lacks the necessary treatment capacity to connect the property. The proposed options for sewage management are septic tanks or a package plant that would need to be managed independently. The Port Royal Sound Foundation warns against adding this risk to the water quality in Euhaw Creek.

Proposals to annex and upzone Tickton Hall have been presented to decision-makers in the Town of Ridgeland before. You wisely denied this project in 2022, and in the spring of 2024, you chose to postpone the decision pending an update to the Town's comprehensive plan. The new comprehensive plan does an excellent job of articulating a vision for Ridgeland's future and the guiding principles for decision-making that will help pursue this vision. We would argue that the proposal to annex and upzone Tickton Hall is inconsistent with these guiding principles. It also runs contrary to the spirit behind the Euhaw District Overlay, being developed within Jasper County Council planning commission, which seeks to add additional protections to this region to conserve its rural character and environmental significance.

On behalf of the Port Royal Sound Foundation, we respectfully request that the Ridgeland Planning Commission decline the request to annex Tickton Hall into the town's jurisdiction and upzone the property, thereby allowing this incompatible development to move forward.

Thank you very much for your time and consideration of these comments. Please reach out with any questions.

Sincerely,

Courtney Kimmel

Director of Conservation

Port Royal Sound Foundation

#### **Aaron Rucker**

From: Penny Daley <pdaley@ridgelandsc.gov>

**Sent:** Tuesday, June 10, 2025 8:38 AM

To: dsmoak@ridgelandsc.gov; 'Aaron Rucker'

**Subject:** FW: Comments on Tickton Hall proposal for June 9th Planning Commission meeting

This email should be put with the minutes from last night's Planning Commission minutes.

**From:** Andy Jones [mailto:ajones@springislandtrust.org]

**Sent:** Monday, June 9, 2025 4:44 PM

To: frankie.denmark@prtc.us; Ralph Rodina; Linda Morrison; Scott May; Joss Mohr; Aaron Rucker; Dennis Averkin;

pdaley@ridgelandsc.gov

Cc: jnmalphrus@ridgelandsc.gov; jboyles@ridgelandsc.gov; bfishburne@ridgelandsc.gov; lmalphrus@ridgelandsc.gov;

trhodes@ridgelandsc.gov

Subject: Comments on Tickton Hall proposal for June 9th Planning Commission meeting

Dear Chairman Denmark and members of the Ridgeland Planning Commission:

Thank you for the opportunity to submit comments on the Special District zoning proposed in association with the Tickton Hall annexation and development agreement.

The LowCountry Institute is a regional non-profit organization that carries out conservation-focused work in the LowCountry, with particular attention to the spectacular waters and surrounding lands of the Port Royal Sound. As such, we find the proposal for rezoning in order to add a high density development to the Euhaw Corridor of the Port Royal Sound to be out of step with the needs of those of us who live in the area. This development runs against the needs of the natural resources that we all wish to safeguard as a benefit to the entire community in Ridgeland and beyond.

All of us who live in the greater Port Royal Sound area depend on this body of water either as a source of income (tourism, commercial fisheries, guiding for recreational fishing) or as a source of aesthetic beauty. We all depend this vital waterway to continue to function as a healthy ecosystem.

We are lucky to live along a waterway that is of high quality and productive for marine wildlife, and this is thanks to a low amount of development along the edges of the Sound. Zoning that allows for high density housing runs contrary to the needs of the Sound and to Ridgeland's Comprehensive Plan. The proposed density of homes would bring in high levels of runoff that carry pollutants from the roadways and the large number of homes, and these in turn harm the wildlife that depend on the Sound. Indeed, the simple action of higher runoff from impervious surfaces like rooftops and roads means that more freshwater is moving - rapidly - into a fragile, salt-dominated ecosystem. High runoff will alter the chemistry of the tidal creeks that characterize the Euhaw Corridor, and this can wreck oyster beds with bacterial growth and provide the wrong temperature and salinity for the larval forms of the crabs and fish that we all benefit from.

The Euhaw Corridor is special. Other communities along the Atlantic Coast envy our abundant natural resources and the rural character of the land that surrounds our waterways. Ridgeland has the opportunity to be a forward-looking steward of this area by maintaining existing guidelines for low density development that are in line with the adjacent lands that make up this area.

Thank you for considering my comments, and for being thoughtful caretakers of this beautiful landscape.

# Andy

--

Andy Jones, Ph.D. Executive Director LowCountry Institute 40 Mobley Oaks Lane Okatie, SC 29909

Office line: (843) 987-4154

# Memorandum

**To:** Mayor and Town Council

Via: Dennis Averkin, Town Administrator

From: Aaron Rucker, Director of Planning and Engineering

Date: Friday, June 13, 2025

**Re:** Planning Commission Comments re Tickton Hall



The following comments concerning the Tickton Hall proposal were raised by the planning commission and discussed with the applicant at the public hearing on Monday, June 9, 2025. Comments involve both the Development Agreement and Special District, as both documents simultaneously affect each other. The planning commission offers the following remarks for council's consideration:

- \* Hire an experienced real estate development attorney to review and negotiate the agreements if an annexation is approved.
- 1. **Replacing the Jasper County Storm Water Ordinance** with the Southern Lowcountry Stormwater Design Manual to enhance environmental protection.
- 2. Adding definitions for "Wetland Delineation" and "Wetland" to align with current regulations and protect sensitive areas.
- 3. Clarifying the development of Parcel B to be separate from the main agreement to prevent future complications.
- 4. **Revising the term of the agreement** to one 5-year renewal period to ensure timely development and updates to zoning codes.
- 5. **Utilizing the current Smart Code** supplemented by version 9.2 to fill gaps in regulations.
- 6. **Limiting mining activities** to stormwater and wastewater construction to prevent unauthorized activities.

- 7. **Reducing housing density** to 1 dwelling unit per acre due to environmental concerns.
- 8. **Limiting the maximum building height** to 45 feet to ensure structures blend with the environment.
- 9. Requiring public hearings for future public road plans to allow community input.
  - 1. Suggest that we be very sharp here as to who is responsible for the maintenance or the roads and to what specs they will be built by. Are we using DOT specs or something else!
- 10. **Limit the number of docks:** reducing the number of docks allowed on the property to four community docks, each with eight docking bays. This reduction still allows for 102 boats to be docked in the waters of Euhaw Creek.
  - 1. Currently approximately 27 docks from Strawberry Hill to Tickton...suggestion that this be the number (or close) that we can agree on IF that number is approved by governing agency. Concern that the creek is very narrow from TH up to Strawberry Hill and the distance the dock may have to be in the creek could be an issue at low tide for boaters coming down from Strawberry Hill. Suggest also asking the Landowner to point out to you (on his plans), where he thinks the majority of the planned docks may be placed! Not opposed to a community dock for the residents to enjoy but need to be mindful, thoughtful, of the actual number of slips that may be connected to main dock!
- 11. Advising against private septic tanks due to flooding risks and suggesting independent reviews if allowed.
  - 1. This appears to be a big item to the current residents with the 120 septic tanks in the beginning. I asked for clarification on this does this mean 120 sold lots or homes built and he clearly said that it was Lot Sold, I would hold them to this which may mean there would never be that many tanks as the right Marketing effort would sale those in the beginning before housing ever started!! If the final method chosen is a Package Plant there needs to be some language that allows the current TH residents to get off their septic system and have the right to connect to a system that should be far from the banks of the Creek!!
- 12. **Requiring a trust fund or insurance policy** to cover remediation costs for contamination events.

- 13. **Implementing restrictive deeds** to prohibit bulkheads, revetments, and dredging of the Euhaw Creek.
- 14. **Including habitat protection language** in Section 18.1.5 to safeguard local wildlife and ecosystems.
- 15. No discount on Development Fees for early payment.
- 16. Do not allow additionally purchased parcels to automatically be added to the Development Agreement.
- 17. Require Phase I Archeological Surveys.
- 18. **Prohibiting golf courses** due to their potential negative impacts on wetlands.
- 19. Requiring an up-to-date wetland delineation report from the Army Corp of Engineers.
- 20. **Replacing the definition of "upland" with "Highland"** to protect non-jurisdictional wetlands.
- 21. Adding a requirement for an annual report to the Planning Commission.
- 22. **Acreage Figures Correction**: The figures for acreage in section 9.11 are incorrect and need to be revised. The text suggests that at least 310 acres should be put into a conservation easement.
- 23. **Low Impact Development (LID)**: The Development Agreement should reflect that the development will be a Low Impact Development (LID), which refers to stormwater management approaches designed to reduce adverse impacts caused by increased runoff from impervious surfaces.
- 24. **Architectural Style**: The style of homes built should reflect a Craftsman Coastal style, in keeping with the Town of Ridgeland's guidance from the Comprehensive Plan.
- 25. **Developer's Contribution to Costs**: The Developer only agrees to pay 25% of the costs and expenses of the Town in negotiating, processing, and evaluating the Development Agreement and the Special District Ordinance. Given the number of errors in the DA, the percentage

should be much higher.

- 26. **Restrictions on Storage of Hazardous Materials**: Restrictions must be put in place for the storage of chemicals and bulk materials, fuel storage, and shops for paint and metalwork, given the ecologically/environmentally sensitive nature of the property.
- 27. **Ban on RV Parks**: RV parks should be banned due to greywater and septic issues, as well as the transient nature of RV guests.
- 28. **Exemptions to SmartCode**: Exemptions to the Town's SmartCode in terms of setbacks should not be permitted. The reduction in lot size and setbacks is to accommodate overcrowding of land with residential houses.
- 29. **Restrictions on Monument Signs**: Monument signs should not be allowed with a 12-foot height, nor should neighborhood entry signs be allowed.
- 30. **Commercial Development**: The legally binding documents need to reflect the amount of commercial space planned for the development, and there should be a limit on how much commercial space can be converted to dwelling units.
- 31. **Minor Modifications Not Minor:** Section 13.3 defines a "minor" modification as changes caused by environmental features, new land uses, relocation, redesignation, or reallocation of land uses, and increases to maximum units and/or square footage allowances. The rationale provided emphasizes that such changes could significantly impact the approved Community Plan. Therefore, all such changes must be reviewed by Town Staff or the Planning Commission, if deemed appropriate by Town Staff.
- 32. **Downtown Development fund:** Very critical as our Town today is being taken over by a silent invasion!! We have to bring higher end type business to include Restaurants, Grocery Stores, etc. and the only way that is going to happen is when the town has the money to make necessary changes and improvements that draw a different type of consumers and investors!
- 33. **Police Fund**: needs to be updated to Public Safety; we need to have both our own fire and police providing services to the community. We need property and a building to be funded in part by the landowner/developer or at least subsidize this in some way. Currently it appears that RPD will be providing services, but County will be providing Fire Services. Once we have some development and growth, we should be able to staff our own RFD on site.
- 34. **Development of the Property:** Section 4.1. Whatever we approve for Tickton Hall in the beginning needs to be what we see 20 years later regardless of who the developer may be then. Encourage all council members to take a ride to Newport, Habersham, or I'ON in Mt.

Pleasant and see a community that I would be proud to call Ridgeland. Also, we must find a way to balance production style builders housing with something more upscale, and TH could be that development if approved!!

- 35. **Development Schedule:** Section 5.0. Suggest that we place some expectations on when the community starts, along with some expected time for completion of the development! Market trends could have a huge impact here, but we need to have a goal as to when construction is expected to start and completion of property may be expected. This may also shed some light on the town budgeting for this area and help keep the builders' feet to the fire.
- 36. **Infrastructure and Services:** Section 9.2. May be worthwhile to quiz the Landowner on number of wells that may be needed to supply water to the residents and the community!! Not real sure we would want a well for each unit!!
- 37. **Infrastructure and Services:** Section 10.1.4 Very important to the town!! If they build a new commercial village on the property, we need to be sure we have something in place in the current town that would interest the new residents to come to the Old Town! If we go south on Hwy 17 we can see what our town may look like!! I am a huge fan of Old Town Bluffton and they got there on the backs of the developments that were built outside of the original Bluffton boundaries!! The only way for Ridgeland getting there is from monies collected from developments outside of our current Town Footprint!!

#### 5.11.1.C TREE PROTECTION

#### 5.11.1.C.1. Intent.

Pursuant to authority conferred by the South Carolina Code of Laws, to promote the public health, safety and general welfare; to reduce noise, heat and glare; to reduce air pollution; to prevent soil erosion; to improve surface drainage and minimize flooding; to prevent excessive and unsightly clearing of wooded tracts of land and to promote tree conservation and preservation; to ensure that noise, glare and other distractions of movement on one (1) area not adversely affect activity within other adjacent areas; to beautify and enhance improved and undeveloped land; to provide a protective physical and psychological barrier between pedestrians and traffic; to create special places that are inviting; to create a civic identity; to counteract the heat stand effect; to encourage energy and water conservation; to protect the wildlife habitat and sensitive ecosystems; to enhance real estate and economic values; to ensure that excessive tree cutting does not reduce property values; to minimize the cost of construction and maintenance of drainage systems necessitated by the increased flow and diversion of surface waters; to encourage the proliferation and replacement of trees on public and private property; and to allow trees to attain their natural shape and size while growing to maturity, the town council does hereby ordain and enact into law this tree protection chapter. The provisions herein shall not be interpreted to prohibit or unduly inhibit development of private property.

#### 5.11.1.C.1(a). Definitions.

**Protected Trees:** Trees planted or retained to meet the requirements of the Ridgeland Zoning and Land Development Ordinances and any species of trees that are eight (8) inches or more in diameter at breast height (DBH) excluding Water Oaks (Quercus nigra) and those listed in the Clemson Extension's "Invasive Plant Pest Species of South Carolina."

Landmark Trees: All trees declared to be "landmark" trees per Section 45.11.1.C.5.

**Silviculture:** Involves the on-going cultivation and harvesting of pine or hardwood trees from a property which is conducted by a bona fide commercial silviculture operation and is consistent with silviculture Best Management Practices.

#### 5.11.1.C.2. Clear Cutting Prohibited.

The clear cutting of trees by any person for the sole purpose of clearing land or offering land for sale shall be prohibited. Bona fide silviculture operations are exempt from this provision. There shall be a 1-year pause on all development permits for violation of the Town's clear-cutting ordinance.

#### 5.11.1.C.3. Business licensing.

It shall be unlawful for any person who is being paid a fee for the business of planting, cutting, trimming, pruning, removing, or otherwise modifying trees within the Town of Ridgeland to conduct such business without first signing an affidavit stating that he/she has received and read the Tree Protection Ordinance and 1995 ANSI A300 Standards. Such affidavit shall be completed and submitted when making application for or renewing a Town of Ridgeland business license.

#### 5.11.1.C.4. Protected Trees.

- (A) The following trees shall be considered "protected" by the Town of Ridgeland for the purposes of this ordinance:
  - (1) Trees planted or retained to meet the requirements of the Ridgeland Zoning and Land Development Ordinances.

- (2) All species of trees that are eight (8) inches or more in diameter at breast height (DBH) excluding those listed in 5.11.1.C.1(a). Definitions.
- (3) All trees declared to be "landmark" trees per Section <u>5.11.1.C.5</u>4 below.
- (B) On the lot of a single-family detached, single-family attached, or individually sited manufactured home, the following trees shall be exempt from the tree protection requirements of this ordinance:
  - (1) All trees in the proposed buildable area or driveway, excluding "landmark" trees.
  - (2) Up to twenty-five (25) percent of "protected" trees, excluding landmark trees, outside of the proposed buildable area or driveway.
  - (3) Pines (pinus), except Longleaf Pines (palustris), sweet gums (liquidamber styraciflua), Water Oaks, (Quercus nigra), wax myrtles (myrica cerifera), crepe myrtles (lagerstromia indica), and those listed in the Clemson Extension's "Invasive Plant Pest Species of South Carolina."
  - (4) Dead trees or trees badly damaged by accident, storm, fire, or infestation.
  - (5) Landmark trees per Section 5.11.1.C.5 within 10 feet of an existing or planned home foundation overhang.
- (C) On the lot of multi-family residential and nonresidential uses, the following trees shall be exempt from tree protection requirements of this ordinance; provided that in no instance shall there be fewer than twenty (20) trees per acre or less than twenty (20) trees per acre with a combined DBH greater than or equal to one hundred sixty (160) inches per acre retained.
  - (1) All trees in the proposed buildable area, driveway, or other required site improvements, excluding "landmark" trees and those protected trees located within required setback or buffer areas whichever is greater, not to exceed sixty-five (65) percent of the entire site.
  - (2) Pines (pinus) except Longleaf Pines (palustris), sweet gums (liquidamber styraciflua), wax myrtles (myrica cerifera), crepe myrtles (lagerstromia indica), and those listed in the Clemson Extension's "Invasive Plant Pest Species of South Carolina."
  - (3) Dead trees or trees badly damaged by accident, storm, fire, or infestation.

#### 5.11.1.C.5 Landmark trees.

(A) The town hereby declares the following trees greater than or equal to the stated diameter at breast height to be "landmark trees" with the preservation standards provided above those for "protected trees."

SPECIES	COMMON NAME	DBH
Eastern Red Cedar	Juniperus virginiana	24"
Southern Magnolia	Magnolia grandiflora	24"
Live Oak	Quercus virginiana	24"
Laurel Oak	Quercus laurifolia	24"
Willow Oak	Quercus phellos	24"
Red Maple	Acer rubrum	24"
Bald Cypress	Taxodium distichum	24"
American Holly	Ilex opaca	10"
Flowering Dogwood	Cornus florida	8"
Hickory (except Pecan)	Carya	24"
Cabbage Palm	Sabal palmetto	12"
Longleaf Pine	Pinus palustris	10"
Savannah Holly	Ilex x attennata	10"

(B) All trees not listed above, but greater than thirty-six (36) inches in diameter at breast height and protected under this section, shall be considered "landmark" trees for the purposes of this ordinance.

#### 5.11.1.C.6. Preservation of protected and landmark trees.

- (A) It shall be unlawful to cut or otherwise destroy a protected tree or landmark tree without first obtaining a tree removal permit or, for <a href="Larger">larger</a> property development, a <a href="Zeoning-site work">zeoning-site work</a> permit. Within <a href="Lindividual">Lindividual</a> properties or the area of the entire development site, no tree designated as a landmark tree shall be removed, cut or otherwise disturbed unless the Town Arborist determines that the tree is hazardous, in decline, diseased, infectious; the removal of the tree is necessary to maintain the appearance, health or vigor of the remaining trees or no other practical alternatives for reasonable use of the property exist. If a determination is made that certain healthy, protected or landmark trees may be removed, they shall be replaced in accordance with the requirements of section 5.11.1.C.8.
- (B) Unless specifically authorized by the <u>Planning staff and Town Arborist</u>, no person shall intentionally damage, cut, carve, transplant, or remove any protected or landmark tree; attach any signs with rope, wire, nails, or other contrivance to any protected or landmark tree; allow any substance which is harmful to such trees to come in contact with them or be placed within their drip line over pervious areas; or intentionally set fire or allow any fire to burn when such fire or the heat thereof will injure any portion of any protected tree or landmark tree.
- (C) The landowner/ developer shall ensure, to the extent practical, that site and land developments are planned, designed, and constructed to maximize retention of existing trees. Protected trees and especially landmark trees shall be located in common areas and in required buffers and yards to the extent practical.

#### 5.11.1.C.7. Tree survey required for development.

#### 7.1. General provisions.

- (A) The landowner/ developer shall document protected and landmark trees on the property proposed for development. Two (2) survey methods are provided herein. The landowner/ developer of property ten (10) acres or more in area shall have the option to utilize "standard" or "sampling" survey method for protected trees. Landmark trees shall always be surveyed using the standard method.
- (B) A required tree survey shall appear on all preliminary land development plans, site development plans, and any engineering and building site plans showing the installation and construction of improvements and structures.
- (C) Tree surveying shall not be required on tracts reserved for later phases or future development, on residual tracts of land, or in wetlands proposed to remain undisturbed.

#### 7.2. Standard tree survey.

- (A) All protected and landmark trees shall be surveyed and graphically indicated on the appropriate development plan. The graphic indications shall be labeled by species and diameter at breast height.
- (B) Critical root zones and drip lines of protected and landmark trees should be surveyed and illustrated as well. In the absence of specific root zones and drip lines, the plan shall illustrate a graphical representation of the drip line, which shall be a circle centered at the trunk of the tree equal in feet to the diameter at breast height in inches. (e.g., a twenty-four-foot-diameter drip line shall encircle a tree labeled "twenty-four-inch live oak".)
- (C) The survey shall indicate those portions of critical root zones and drip lines of trees on abutting properties that overlap the subject property, to the extent that such drip lines and critical root zones can be determined from the vantage point of the property to be developed. This provision shall not authorize the trespass on other private property abutting the subject site.

(D) The development plan shall graphically indicate which trees are proposed to be removed, retained, and retained with pruning.

#### 7.3. Tree sampling survey.

- (A) The intent of the tree sampling survey of protected trees is to relieve the landowner/ developer of the burden of a complete tree survey for all protected trees, which may be numerous, but to encourage the preservation of clusters of protected trees of greater value in a specific portion or section of a tract or in a natural state. Typically, those trees with greater value on a given site are mature, bottomland, and hardwood, while immature upland pines, other than protected Longleaf Pines, are of little value to the Town of Ridgeland. The planning commission will consider an immature upland pine forest absent from Longleaf Pines a suitable site for development.
- (B) The tree sampling survey of protected trees shall supplement the standard survey of landmark trees. The sampling survey shall indicate the type of groundcover present on each acre of property required to be surveyed. Sampling shall therefore occur once per acre, evenly distributed throughout the property. Groundcover types to be documented on the appropriate development plan include, but are not limited to "cleared," "sandy area," "scrub/shrub," "bottomland hardwood forest," "upland hardwood forest," "bottomland mixed forest," "upland mixed forest," "Longleaf Pine forestLongleaf Pine Forest/ savannah," and "marshland."
- (C) Forests shall be surveyed for predominant species types, approximate average age, approximate average tree diameter at breast height, and frequency or density of trees. The sample shall consider all trees, from immature trees to landmark trees. These findings shall be documented by sample and indicated on the development plan.
- (D) Forested areas shall be indicated on the plan via hatching or other graphic methods as whether they are proposed to be cleared or retained. The landowner/ developer shall tabulate the approximate number of trees in proposed cleared forests, which shall be the basis for the tree removal mitigation strategy set forth below.

#### 5.11.1.C.8. Tree removal mitigation.

(A) A landowner/ developer shall propose a tree planting schedule to replace all protected and landmark trees cleared for property development as defined previously. Trees planted shall be proposed in landscaped buffers, common areas, road rights-of-way, and/or other portions of the developed site. To the extent practical, replacement trees shall be the same species and diversity as those removed and shall be suitable for Botanical Zone 8B (as suggested in Appendix I). The number and size of mitigation trees shall be in accordance with the table below.

Each Exiting Tree Removed	Will Be Replaced By	Replacement Tree Size	Replacement Value Calculation
1 tree, 8—16" DBH	3 trees	3" in Caliper	\$250
1 tree, over 16—24" DBH (excluding landmark trees	5 trees	4" in Caliper	\$500
1 tree, over 24—36" DBH (excluding landmark trees	5 trees	5" in Caliper	\$750
*All landmark trees	6 trees	6" in Caliper	\$ <u>3</u> 1000

All protected or landmark trees removed without an approved permit shall be mitigated at twice the requirement listed above.

(B) Existing trees, mitigation trees and/or planted buffer trees shall be applied towards the required minimum of twenty (20) trees per acre or less than twenty (20) trees with a combined DBH greater than or equal to one hundred sixty (160) inches per acre requirement.

#### (C) MITIGATION ALTERNATIVES:

In the case of residential lots that are part of a larger development of three or more units/ lots or on commercial properties where Town Staff has determined that all the required trees cannot be planted on site due to availability or spacing constraints, the remaining balance of trees may either be planted on public properties using the Tree Bank or Tree Replacement Fund alternative. For residential development of less than three lots that are not part of a larger development where Town Staff has determined that site constraints result in the inability to provide for all the required trees, as many trees as practicable must be planted on the site and no further mitigation is required.

#### A. Tree Bank

- 1. The tree bank site location shall be in the same planning area of the Town as the project site. (Town Staff has final authority to determine site location).
- 2. Each tree bank tree must be 3-inch caliper size at a minimum.
- All tree bank trees must be long-lived, hardy, native or naturalized, and compatible with local conditions, with good aesthetic value, healthy, and disease and pest free and approved by Town Staff.
- 4. To prevent a monoculture among plantings, the town shall require a diversity in the trees planted. Depending on the number of trees planted, there shall be a diversity of the plantings as follows:
  - 5 to 10 trees: minimum 2 types of trees to be planted;
  - 10 to 20 trees: minimum 4 types of trees to be planted;
  - 20 to 100 trees: minimum 7 types of trees to be planted;
  - Greater than 100 trees: minimum 10 types of trees to be planted.
- 5. All tree bank trees are to be guaranteed for 1 full year after planting. Any trees that die within this time period must be replaced by the landowner/ developer and/or permitee.

Tree Replacement Fund: If the tree banking alternative is not desirable, then the tree replacement fund is the alternative to meet tree density requirements. If constraints result in the inability to use the Tree Bank alternative, then the installed cost of the remaining balance of required trees must be contributed to the Tree Replacement Fund. The following criteria must be observed:

- 6. In cases where any or all replacement trees cannot be adequately accommodated on a site, the landowner/ developer/owner shall, in lieu of planting the trees, pay a fee to the town.
- 7. The required replacement fee shall be the total cost to plant the balance of trees that were unable to be planted to satisfy the site density requirement or recompense tree requirements. This fee will be based on the Replacement Value Calculation in the above table installed to the American Association of Nurserymen standards.

Revenue collected in this fund shall be placed in a separate account and be used solely to support tree planting for the beautification of public lands in the Town limits.

Tree Mitigation Cost Calculation

Healthy trees; any protected or landmark tree as herein defined - -take the cumulative sum of the diameter inches of all the trees, divide by 10, and multiply by the replacement value calculation in the table above\_in Section 5.11.1.C.8 equals money to be paid into the Tree Replacement Fund.

(D) All newly planted vegetative material shall be guaranteed to meet American Standards for Nursery Stock at time of planting and for one year thereafter. Maintenance and replacement of damaged, destroyed, or dead plant materials shall be the responsibility of the property owner, or in the case of mitigation trees planted off-site, the responsibility of the landowner/ developer.

#### 5.11.1.C.9. Tree protection measures during development.

The landowner/ developer shall take the following measures to protect retained trees during land disturbance, installation of improvements, construction, and other development activities.

- (A) Clear-cutting shall be prohibited. Clearing of a site for sale or development prior to application for preliminary land development plan approval or a zoning permit shall be prohibited (see also Section 5.11.1.C.2).
- (B) Protected trees scheduled to remain shall be protected against:
  - Unnecessary cutting, breaking, or skinning of roots;
  - (2) Skinning and bruising of bark;
  - (3) Smothering of trees by stockpiling construction or excavation materials within drip line and critical root zone;
  - (4) Burning of trash or debris within the drip line or critical root zone;
  - (5) Excessive foot or vehicular traffic;
  - (6) Parked vehicles within the drip line and critical root zone; and
  - (7) Grading, filling, ditching, or trenching, except as specifically provided herein.
- (C) If trees are wounded or stressed during construction, any wounds to the bark should be cleaned to sound wood by removing loose bark and wood, leaving a smooth edge around the wound.
- (D) Topsoil disturbance in the critical root zone and drip line of each tree will be limited to six (6) inches removed or six (6) inches added. Any soil added shall be a loamy soil mix to ensure compaction is minimized.
- (E) The landowner/ developer shall provide water and fertilizer to trees as required to maintain their health during construction work.
- (F) The landowner/ developer shall designate one (1) corridor for construction access on the development plan, preferably where the driveway or parking area will be located, and shall limit construction equipment access, material storage, fuel tanks, chemical or cement rinsing, vehicle parking and construction office locations to non-forested areas to the greatest extent practical.
- (G) No more than thirty (30) percent of the area within the drip line and critical root zone of the tree shall be disturbed for access to the construction site, installation of improvements or other construction, except as specifically approved by the planning commission or the design control committee on a development plan under its purview.
  - (1) The landowner/ developer shall submit documentation from a professional arborist that any disturbance beyond thirty (30) percent can be mitigated and that the tree will survive and remain healthy despite the intrusion.
  - (2) All segments of roots removed during development shall be severed clean and a two-inch layer of mulch shall be applied over the surface of remaining exposed roots during development.

- (H) The landowner/ developer shall erect temporary barricades at the drip lines of all trees or groups of trees, except where approved development plans propose installation of improvements or other construction per subsection (G), above.
  - (1) The barricade is to be at least three (3) feet high and shall be of adequate structure to prevent removal or failure by natural causes.



- (2) The barricade shall be posted as "tree protection zone" or similarly visibly designated. Orange fencing common to construction sites in the Lowcountry is recommended.
- (3) Nothing shall be stored within the barricades, including but not limited to construction material, machinery, chemical, or temporary soil deposits.
- (I) Any actions that cause the death or removal of trees during development for which approval was not received shall result in a violation of this ordinance AND shall necessitate mitigation for the loss of the tree.

# 5.11.1.C.10. Issuance of tree removal permits.

#### 10.1. General provisions.

A person who seeks to remove a tree outside the context of property development shall apply for a tree removal permit, which shall be required to authorize the removal of the tree. The permit shall be authorized only for the following trees or conditions.

- (A) Trees that may threaten health or property.
- (B) Diseased or infectious trees and trees in decline.
- (C) Trees or their root systems causing visible damage to structures or areas used for pedestrian and vehicular traffic.
- (D) Trees or their root systems causing damage to areas used for pedestrians, vehicular movement, or underground utility lines.
- (E) Trees within road and utility rights-of-way and easements that cannot be properly pruned by the local utility company.
- (F) Trees on land actively managed for forestry and/or harvesting.
- (G) Managing trees to protect and encourage landmark trees growth and survivability.

#### 10.2. Forest management.

- (A) Proper and routine forest management, including thinning and prescribed burns, is encouraged in Ridgeland for those properties owned for the prospect of harvesting timber and/or for conservation. The forest manager shall comply with this ordinance and shall seek a tree removal permit.
- (B) The applicant in receipt of a tree removal permit for forest management shall not be eligible to apply for preliminary land development plan approval or a zoning permit within two (2) years of the authorization date of the tree removal permit.

#### 10.3. Permit review.

- (A) The person seeking to remove a protected tree shall submit a completed application form available from the Planning Department, together with the fee for review, to the Planning Department.
  - (1) The completed application shall include the name of the applicant, the name of the property owner of the tree, if different from the applicant, the addresses of each, and the reason(s) for proposed removal of the tree. A professional certification may be used to substantiate the reason for removal and may be submitted as part of the completed application.
  - (2) One (1) permit covers all trees proposed for removal in the application.
- (B) The Planning Department shall review the application and either approve or deny it within ten (10) business days.
  - (1) The Planning Department <u>and Town Arborist</u> shall be authorized by receipt of the application to visit the site as necessary to inspect for compliance with this section of the Zoning Ordinance.
  - (2) The Planning Department shall state in writing the reason(s) for denial. A denied application shall be eligible for appeal to the Ridgeland Board of Zoning Appeals.
- (C) The authorized permit shall be posted on the site at the road right-of-way during tree removal. The permit shall be valid for six (6) months after the date of issuance.

#### 5.11.1.C.11. Tree pruning.

- (A) Maintenance pruning allows for the healthy uniform growth of a tree. Tree pruning promotes the health and natural growth of the tree. A tree's habit of growth must be considered ahead of time, and pruning must not interfere with any design intent or landscaping upon the tree's installation. Pruning shall be done in accordance with the guidelines of the International Society of Arboriculture as published in the Arborist Certification Guide.
- (B) The use of unnatural pruning techniques will be considered an unauthorized removal of a tree unless the tree is designated on approved landscape plan to be shaped or formed in an unnatural pattern or to be maintained at a certain height. Examples of unnatural pruning are topping, stubbing, dehorning, or lopping.
- (C) In the situation where a protected tree or its limbs present a potential hazard to real property, minimal pruning shall be allowed to prevent negative impacts on public and private property and to provide for public safety. In the case of a hazardous tree, removal may be allowed, per code.
- (D) No permit is necessary for pruning; however, improper pruning and pruning out of conformance with these provisions shall be a violation of this ordinance and shall necessitate mitigation of the tree's loss.
- (E) No more than ten-twenty (1020%) percent of the tree's leaf surface shall be removed.
- (F) Climbing spikes shall not be used on trees that are not being removed.
- (G) Property owners/utility companies have the burden of proving that they have met the above requirements.

<u>Version 1.3</u>

# **Appendix I. Suggested Mitigation Trees**

Scientific Name	Common Name
Acer rubrum	Red Maple
Betula nigra	River Birch
Carya illinoensis	Pecan
Carya species	Hickory
Celtis laevigata	Sugarberry
Cercis Canadensis	American Redbud
Comus florida	Flowering Dogwood
Cupressus x chamaecyparis	Leyland Cypress
Eriobotrya japonica	Loquat
Fagus grandifolia	American Beech
Fraxinus species	White, Carolina, Green Ash
Ginkgo biloba	Ginkgo
Gordonia lasianthus	<del>Loblolly Bay</del>
Ilex opaca	American Holly
<del>llex vomitoria</del>	<del>Yaupon Holly</del>
Ilex x attenuata	Fosters, Savannah Holly
Juniperus virginiana	Eastern Red Cedar
Lagerstroemia indica	Crepe Myrtle
Liriodendron tulipifera	Tulip Poplar
Magnolia grandiflora	Southern Magnolia
Nyssa slyvatica	Blackgum, Tupelo
Oxydendron arboretum	Sourwood
Pistacia chinensis	Chinese Pistache
Quercus acutissima	Sawtooth Oak
Quercus alba	White Oak
Quercus falcata	Southern Red Oak
Quercus laurifolia	Laurel Oak
Quercus lyrata	Overcup Oak
Quercus phellos	Willow Oak
Quercus prinus	Chestnut Oak
Quercus shumardii	Shumard Oak
Quercus stellate	Post Oak
Quercus virginiana	Live Oak
Sassafrass albidum	Sassafrass
Tayodium distishum	Pald Cypross
Taxodium distichum  Ulmus parvifolia	Bald Cypress  Chinese Elm
<del>Umus parvitolia</del> <del>Zelkova serrata</del>	
<del>Zeikova serrata</del>	<del>Japanese Zelkova</del>