



AMENDING ORDINANCE NO. 596, THE FAIRFIELD COUNTY LAND MANAGEMENT ORDINANCE, TO INCLUDE RIPARIAN BUFFER AND PROVIDING FOR THE PROPER ADMINISTRATION, SUPERVISION, SETTING AND USAGE, AS THE CASE MAY BE, OF RIPARIAN RIGHTS OF THE BODIES OF PUBLIC WATERS LOCATED WITHIN THE CONFINES OF FAIRFIELD COUNTY, AND OTHER RELATED MATTERS.

1. Amend Section 2.4, Table 2 to include Riparian Buffer requirements in each of the County's nine zoning districts listed on the table, as follows :

(A) 1. A riparian buffer setback not less than 50' shall be provided on all undeveloped lots fronting on the banks of Lake Wateree and the Reservoir. (Lake Monticello is exempt from this requirement because of setbacks in place by SCE&G). The buffer area shall be measured horizontally from the property line on The Reservoir and all tributary streams. The setback and buffer areas shall be measured horizontally from the full pond elevation (225.5 feet MSL) on Lake Wateree. The buffer area shall remain largely undisturbed, subject to the following exceptions.

(a). Trees less than six (6) inches DBH, and dead, diseased or damaged trees may be removed using manual labor and hand or chain saws.

(b). Underbrush (defined as nuisance bushes, vines, and similar rank plant growth beneath the tree canopy) may be removed provided that such work is performed manually and without the use of vehicular or mechanical equipment or chemical applications. Pruning and trimming is permitted beginning at the ground and extending up the tree trunk no more than one half of the total height of the tree.

(c). Tree removal to allow for view corridors no greater than 15 feet in width may be created. Access corridors no greater than 15 feet in width also may be created, where required for utility approved shoreline projects. Any tree removal shall be manually performed using hand or chain saws, and no other disturbance of the natural terrain is permitted. Any view corridor or open area created through the utilization of this provision shall be stabilized and improved with shrubs, low-growing trees, or other natural groundcover plantings within thirty (30) days of completion.

(d). Structures within the buffer area shall be limited to walkways, boardwalks, piers, docks, benches, steps, retaining walls, decks and outdoor furniture. Sitting areas attached to docks and decks are allowed; provided no more than 200 square feet of such structures are within the buffer area.

2. Additional building or use activity of developed lots shall not expand or infringe into the required 50' buffer area setback, except in accord with subsections (a) and (d) above.

2. Amend Article 11, Definitions, to include the following additional definition:

Lot, Developed Lake Lot– A developed lake lot or parcel is one which has one or more of the following improvements:

1. A structure used for permanent or recreational habitation;
2. A functional well with pump under power or community water service delivering potable water;
3. A DHEC approved septic tank with documentation;
4. A cleared building site with riparian buffer intact and/or other installed and maintained methods of erosion control;
5. Electric service and meter on lot; or
6. Lot access by an improved driveway with at least gravel and dock (bearing a tag of approval by the governing utility).

3. Amend Section 10.18, Penalties for Violations, to include the following additional language:

Any person violating the Riparian Buffer Requirements of Section 2.4, Table 2, shall in addition to other remedies, be required to restore and stabilize the buffer area with native vegetation within 30 days.

4. Amend Section 10.14-2, Grading Permits, to include the following changes:

A grading permit shall be required prior to any land disturbing activity. ~~not exempt by Section 4.5-3~~ No grading permit shall be issued unless accompanied by a Certificate of Zoning compliance and a Site Preparation Plan in accord with Best Management Practices (BMPs) for Site Preparation found in the Best Management Practices Handbook of the SC Forestry Commission.

DONE, RATIFIED, AND ADOPTED THIS 27th DAY OF February, 2012.

First Reading: January 9, 2012
Second Reading: February 13, 2012
Public Hearing: February 13, 2012
Third Reading: February 27, 2012

FAIRFIELD COUNTY, SOUTH CAROLINA


David L. Ferguson, Sr.,
Chairman of County Council

ATTEST:


Shryll M. Brown, Clerk to County Council