

ORDINANCE _____

AN ORDINANCE TO AMEND THE MAULDIN ZONING ORDINANCE, ARTICLE 6, SECTION 2, TO PROVIDE FOR NEW LANDSCAPE AND DESIGN STANDARDS FOR DEVELOPMENT AND REDEVELOPMENT ACTIVITY IN THE CITY OF MAULDIN.

Section 1. Amendment. Delete the existing landscape ordinance in its entirety and replace with the following:

Sec. 6:2. Landscape and Design Standards.

~~6.2.1 Purpose.~~

~~The purpose of this section is to provide landscaping and design requirements for all properties, other than single family detached dwellings, to encourage preservation of existing trees, to protect the air, soil, and water from contamination, and to make the city more attractive to residents, businesses, and visitors. No part of this section may be construed as prohibiting the owner from developing his property in a manner allowed by this ordinance and the adopted codes, nor shall it prohibit a public utility, public entity, or authorized agent thereof from maintaining or improving their easements or right-of-ways. The requirements of this section shall apply whenever there is a change in use of the property as defined by the adopted codes, or whenever improvements are made in excess of fifty (50) percent of the assessed market value of the property.~~

A) *Purpose and Intent.* Recognizing that trees and landscaping contribute to the public health, safety and welfare, the City of Mauldin has set standards for landscaping in the city. Among the benefits of trees, shrubs, and other plant materials are: improved air quality, beneficial climate modification, reduction of glare, noise, odors and dust; reduction of stormwater runoff and flooding, screening of undesirable views, provision of buffers between incompatible land uses; and providing an aesthetically pleasing environment for property owners, and the residents of the City of Mauldin and other members of the public.

It is the intent of this section to provide appropriate landscape treatments to all development and redevelopment in the City. Recognizing the diverse nature of properties in the City, standards have been created to not only encourage good practice in design, but to also include provisions that allow creativity and flexibility through alternative methods of compliance to promote orderly development and redevelopment of properties.

B) *Applicability.* The standards contained in this section shall apply to all new development and redevelopment of parcels within the City of Mauldin's zoning jurisdiction, with exception to those uses listed as exempt in Section 6:2(B)3. below. The following types of development shall bring the entire site into full compliance with the requirements set forth in this section.

1. New Development.

- a) Public or Private Non-residential Development (Commercial, retail, office, restaurant, service uses, institutional uses, etc)
- b) Group Residential Developments (Multi-family, Townhomes, Condominium)
- c) New Residential Subdivisions (also subject to the requirements outlined in the Land Development Ordinance)
- d) Planned Developments and Planned Office Developments (also subject to the requirements outlined in the Land Development Ordinance)
- e) Parking lots and other vehicular use areas including:

1. New stand-alone parking lots and/or other vehicular use areas
 2. Existing unpaved parking lots or vehicular use areas that are undergoing paving
2. *Renovations and/or Improvements that exceeds twenty-five (25) percent of the Taxable Market Value as determined by the Greenville County Tax Collector's office.* The value of any expansion, addition, enlargement, or reconstruction of such structures or sites over a three (3) year period occurring under the same ownership and/or developed by the same developer shall be used when calculating the twenty-five (25) percent threshold.
- a) Building expansions or additions exceeding fifty (50) percent of the pre-expansion floor area.
 - b) Existing unpaved vehicular use areas of which fifty (50) percent or more is paved or existing paved vehicular use areas of which fifty (50) percent or more is demolished and repaved.
3. *Exemptions.* These requirements shall not apply to:
- a) The construction or renovation of a single-family detached dwelling unit or duplex on an existing lot of record, unless otherwise noted.
 - b) Public and private utilities, except when a zoning permit or subdivision approval is required. Such utilities may include but are not limited to: storm drainage installation, street construction, water and sewer construction; and electric, gas, communications and other similar service installations.

~~6:2.1.2 Landscape Plan Requirements.~~

~~A landscaping plan shall be submitted for review and approval by the Building and Zoning Director prior to issuance of any building permit for any change in use or improvements in excess of fifty (50) percent of the assessed value. Such landscaping plan shall be drawn on a scale no smaller than one (1) inch being equal to fifty (50) feet (1" = 50'). The landscaping plan shall show the location of all qualifying trees that have been preserved, all trees to be planted, all shrubs to be planted, all road and utility right-of-way lines, all driveways, all parking lots, all structures, all exterior lighting, and any other improvements, either existing or proposed, on the subject property. No certificate of occupancy shall be issued until all landscaping material has been planted in accordance with the approved plan.~~

C) *General Requirements for submittal of a Landscaping Plan*

- 1) *Review for Compliance.* Review for compliance with the standards of this section shall occur at the time of submittal of a building, zoning or other applicable permit and/or land development application.
- 2) *Landscape Plan Submittal.* Applicants are advised to meet with the Business and Development Services Department staff prior to submitting a site and landscape plan to discuss applicable landscape requirements, other ordinance requirements, and coordination of plantings with utility plans. A landscape plan drawn using an Engineering Scale at a measurement of no less than one (1) inch being equal to fifty (50) feet (1" = 50') must be submitted with the site plan and prepared in accordance with the checklist requirements established by the department.
- 3) *Planting Standards Table.* Plantings shall comply with the minimum planting size, and height requirements in Table A below:

Section 6:2.1(C) – TABLE A: MINIMUM PLANTING STANDARDS

TYPE OF PLANTING MATERIALS	MINIMUM HEIGHT AT MATURITY	MINIMUM SIZE, AND HEIGHT AT TIME OF PLANTING
<i>Large Maturing Deciduous Canopy Trees</i>	Greater than 35 feet	<i>2" caliper, 12-14 feet in height at time of planting or as determined in the American Standard for Nursery Stock, ANSI Z60.1-2004 as amended.</i>
Large Deciduous Multi-Stemmed Trees	<i>Greater than 35 feet</i>	<i>3 canes minimum, 10 feet in height above ground at the time of planting.</i>
Small Deciduous Maturing or Understory trees	Smaller than 35 feet at maturity	1-1/2" caliper, 8-10 feet in height at time of planting or as determined in the American Standard for Nursery Stock, ANSI Z60.1-2004 as amended.
Evergreen Trees		6 feet in height at the time of planting
Deciduous Shrub		Minimum five gallon container or ten-inch root ball with a height of 24 inches at time of planting.
Evergreen Shrub		Minimum three gallon container or eight-inch root ball with a height of 18 inches at time of planting.
Additional Screening Requirements		48" in height at time of planting, Evergreen, 5 feet on center

- 4) *Calculations.* In cases where application of the requirements in this subsection result in a fraction in the number of trees and/or shrubs to be provided, the minimum number to be provided shall be rounded upwards to the next highest whole number. Each standard requirement outlines in Section 6:2.2, *Landscape Requirements* shall be considered cumulative unless otherwise noted.
- 5) *Species Variety.* To prevent the spread of disease or insect infestation in a plant species, new plantings shall be in the form of genus diversity, as required below:

CUMULATIVE NUMBER OF REQUIRED TREES	MINIMUM NUMBER OF SPECIES
1–5	1
6–10	2
11–20	3
21+	4

- 6) All new vegetation located within the Riparian Buffer zone of designated Special Flood Hazard Area shall be of an appropriate native species as approved by a Certified Landscape Architect.

6:2.1 ~~Tree Preservation Landscape Requirements.~~

- ~~A) Prior to initiating any land clearing activity, other than operation of a bona fide tree farm, or on a single family residential lot, the property owner or developer shall submit a "tree survey" to the Building and Zoning Director Business and Development Services Director for review and approval. The tree survey shall include the location, species, and size of any trees, which are in excess of thirty (30) inches in diameter, and also shall identify those trees that will be preserved for tree credits.~~
- ~~1. New Development on Undeveloped Sites/Parcels shall preserve or provide a minimum of twenty-four (24) tree credits per acre or portion thereof at commercial and office use sites, twelve (12) tree credits per acre or portion thereof at service and industrial use sites, and two (2) tree credits per dwelling unit at newly developed residential sites. At commercial, office service and industrial use sites, at least fifty (50) percent of the required tree preservation landscaping shall be planted or preserved in and around the parking lot, trees must be located within fifteen (15) feet of the parking area to comply with standard.~~
 - ~~2. Adaptive Re-use, and Existing Developed Sites/Parcels shall preserve or provide a minimum of twelve (12) tree credits per acre or portion thereof at commercial and office use sites, six (6) tree credits per acre or portion thereof at service and industrial use sites, and one (1) tree credit per dwelling unit at residential sites, at least twenty-five (25) percent of the required tree preservation landscaping shall be planted or preserved in and around the parking lot. Trees must be located within fifteen (15) feet of the parking area to comply with standard.~~

~~Trees which are at least two and one-half (2½) inches in diameter shall count as one (1) tree credit, trees which are ten (10) inches in diameter shall count as three (3) credits, trees which are twenty (20) inches in diameter shall count as five credits, and trees which are thirty (30) or more inches in diameter shall count as seven (7) credits.~~

~~Only trees from the tree list herein shall be counted toward meeting this requirement unless the species is approved by the Building and Zoning Director. In no case may any tree in excess of thirty (30) inches in diameter be removed without the written approval of the Building and Zoning Director upon a specific finding that: 1.) the tree is dead, diseased or dying and presents an imminent hazard to persons and property now or in the near future; 2.) the required site grading will have an adverse impact on the tree most likely resulting in decline and death of the tree in the near future; or 3.) upon review of all possible alternatives, the property cannot practicably be developed without removal of the tree. Any applicant aggrieved by the decision of the Building and Zoning Director may appeal that decision as provided by Section 9:4 of the Zoning Ordinance. Any individual or business entity that removes a tree in excess of thirty (30) inches in diameter without first having received prior approval shall be required to plant triple the number of credits that tree represents in addition to any other trees that may be needed to meet the requirements contained herein. Provision of the additional tree credits shall not constitute a waiver by the City of the right to access any fines or penalties as provided by Article 12 of the Zoning Ordinance.~~

~~All tree diameter measurements shall be made with calipers at the narrowest width at a height of four and one-half (4½) feet above grade. No land clearing activity shall be permitted in a designated flood hazard area unless a "no rise" certification from a qualified surveyor or engineer is submitted with the "tree survey". Construction fencing shall be provided at the drip line of all trees being preserved for credits. The parking of vehicle or equipment, and the storage of materials within the drip line of the tree is specifically prohibited.~~

6.2.2 Landscape Requirements.

- A) *Tree Inventory.* Prior to beginning any tree clearing, development work, or land disturbance, the owner of land subject to this section shall prepare and submit an inventory of trees on the parcel, subject to the following requirements:
1. The inventory shall be prepared at the same scale as the Site and/or Landscape Plan and shall identify any canopy tree two inches (2") or larger in diameter at breast height (DBH).

2. The survey should depict any individual trees and areas of existing tree canopy that are to be saved in accordance with this section. Known dead or diseased trees shall be identified, where practical. Groups of trees in close proximity (i.e., those within five (5) feet of each other) may be designated as a clump of trees, with the predominant species, estimated number, and average diameter or circumference indicated.

B) *Minimum Tree Density Canopy Coverage.* All sites within the City shall provide or maintain a tree density canopy as indicated in Section 6:2.3(B)1, Table A, below. The density may be achieved by counting existing trees to be preserved, planting new trees in accordance with the minimum standards or some combination of the two. The developer shall be subject to compliance with the minimum tree density requirement and shall base its density calculations on the net site area excluding the infrastructure improvements; such as, roads, utility lines, detention ponds, etc. *In no event shall a parking lot be considered an infrastructure improvement.*

Section 6:2.2(B)1		
TABLE A: TREE CANOPY DENSITY COVERAGE		
MINIMUM REQUIRED TREE CANOPY BY RETENTION OR CREATION BY PROPOSED USE CLASSIFICATION		
RESIDENTIAL USES (other than existing single-family residential lots)	PUBLIC AND INSTITUTIONAL, COMMERCIAL, LOW – MODERATE IMPACT SERVICE USES AND MIXED USE USES	LIGHT INDUSTRIAL, INDUSTRIAL AND HIGH IMPACT SERVICE USES
15 tree credit units per acre	10 tree credit units per acre	5 tree credits per acre

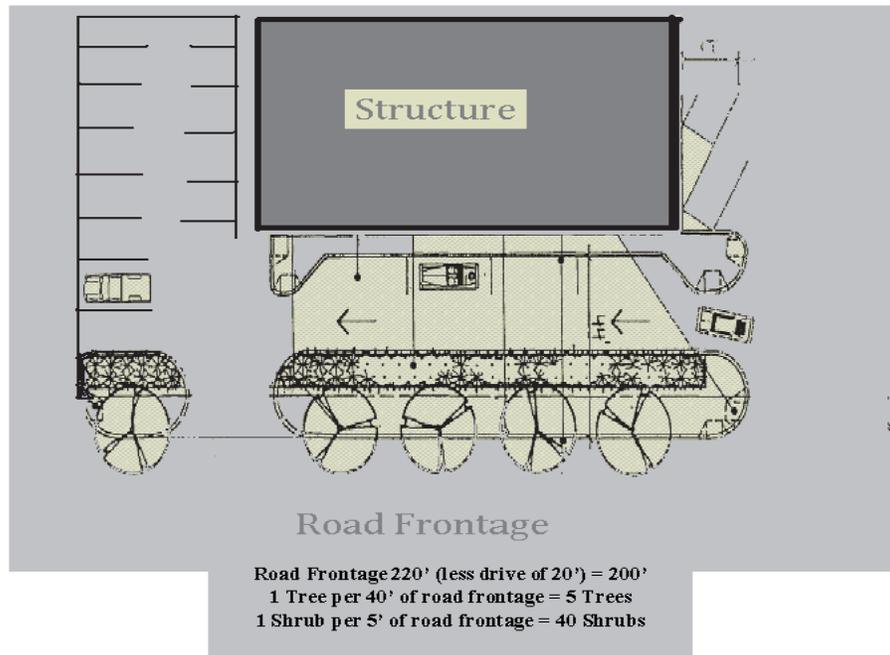
1. Priority Retention Areas. Priority areas for retention of existing trees and vegetation shall include the following (listed in priority order):
 - a) Areas containing Heritage Trees, and their associated critical root zones
 - b) Riparian buffers, wetlands, or wellhead protection areas
 - c) Wildlife habitat and other sensitive natural areas
 - d) Areas needed to meet required landscaping (i.e. Transition Buffers, Parking Lot and Vehicular use areas, and Streetscape Landscaping);

C) *Streetscape Landscaping: Street Trees.* The street tree requirement is designated to create an attractive streetscape and provide for a pedestrian friendly environment. It also assists in reducing impervious surface areas to improve storm water run-off and provides shade that reduces heat generated from paved surfaces.

1. Requirement. Street trees are required along all public and private street frontages and shall include only those trees listed in the approved list of tree species unless use of an alternative species is approved by the Business and Development Services Director.
2. Location. Street trees shall be located in an area no further than ten (10) feet from the existing or proposed street right-of-way line.
3. Calculation. One (1) large maturing deciduous tree (greater than thirty-five (35) feet in height at maturity) shall be planted for every forty (40) linear feet of property abutting a street.

Exception: If overhead utilities are present than One (1) small maturing deciduous tree (less than thirty-five (35) feet in height at maturity) shall be planted for every thirty (30) linear feet of property abutting a street.

4. ~~Trees may be evenly spaced or staggered to accommodate other site features.~~ **Large maturing deciduous street trees shall be planted at a spacing of forty (40) feet on center or twenty (25) feet on center for small-maturing deciduous trees along the entire length of the street frontage of the proposed development plans. At the discretion of the Business and Development Services Director, street trees may be clustered, rather than set at regular intervals, to accommodate access drives, and improve building visibility. In no circumstance, however, shall large maturing deciduous trees be located closer than thirty-five (35) feet of another large maturing deciduous tree.**
 5. **Planting Strip.** Trees shall be planted in a planting strip the width of which may vary but shall maintain a minimum of not less than seven (7) feet and an average width of ten (10) feet.
The planting area must be stabilized with ground cover materials, mulch or other approved material to prevent weeds, soil erosion and to allow rainwater infiltration (no soil shall be exposed). Stone mulch shall not be permitted in a street tree-planting strip.
 6. **Existing preserved trees located along a street frontage and having a three (3) inch DBH or greater may be used to satisfy the street tree requirements as long as the vegetation is located within ten (10) feet of the right-of-way. A single existing tree, regardless of it's circumference shall not count for more than two (2) tree credits. Preserved trees shall meet all the requirements outlined in Section 6:2.5 *Tree Protection* and be of an acceptable species, alive and healthy at the time of final inspection.**
 7. Trees used to comply with the street tree requirement shall not count toward the minimum number of trees required to meet the required parking lot landscaping.
- D) *Streetscape Landscaping: Street Buffer.* Street buffers are designed to enhance the City's streetscape, provide a separation between vehicular use areas and the street; and to create a more comfortable pedestrian environment. Street buffer shrubs are required in addition to the street tree requirements of Section 6:2.3(A), and are to be located within the street tree-planting strip. *A vehicular use area means all driving surfaces including: parking, drive aisles, loading areas and maneuvering areas that are paved and unpaved.*
1. ~~Requirement.~~ All parking ~~vehicular use~~ areas and/or vehicular use areas that exceed 4,000 square feet that are located within fifty (50) feet of the edge of the street shall be buffered from the street.
 2. ~~Calculation.~~ One (1) evergreen shrub shall be planted for every five (5) linear feet of buffer required. Shrub species selected to meet this requirement shall achieve a minimum of three (3) feet in height at maturity.
 3. ~~Exemption.~~ This requirement may be waived if a natural grade change or manmade berm exists and creates a minimum three (3) foot vertical separation and is completely covered with an approved groundcover.



~~One (1) tree from the approved tree list shall be planted for every ten (10) spaces located in the parking lot. Such tree shall be at least two and one-half (2.5) inches in diameter at the time of planting. All such trees shall be protected against vehicular damage by means of curbs, curb stops, bollards, retaining walls, or other approved means. No other landscaping material is required in the parking lot.~~

- E) *Parking Lot and Vehicular Use Areas.* Trees and shrubs are required in and around parking lots in order to provide attractive views from roads and adjacent properties; and to provide shade to reduce the heat generated by impervious surfaces, reduce glare from parking lots, and to help filter exhaust from vehicles. Parking lot planting areas shall be designed within parking fields in the following manner: as islands located at the end of parking bays, islands located between parallel rows of cars; and located to visually separate parking areas into rows, and driveway medians.
1. Applicability. Parking lots with six (6) or more spaces shall require parking lot landscaping.
 2. Calculating the requirement. One (1) deciduous tree and three (3) shrubs are required for every 2,500 square feet of vehicular use area (VUA). At least fifty (50) percent of the required deciduous parking lot trees must be large-maturing canopy trees; and fifty (50) percent of the shrubs shall be evergreen.
 3. Location. Trees and shrubs must be planted within fifteen (15) feet of the vehicular use area to count as parking lot landscaping.
 4. Perimeter parking spaces. All continuous runs of fifteen (15) or more parking spaces shall be interrupted by a tree island.
 5. Interior rows of parking. When more than four (4) parking lot trees are required in a parking field with interior rows, a minimum of fifty (50) percent of the trees and shrubs must be planted in islands or medians located within the parking field.

6. Canopy coverage. Each parking space shall be located within sixty (60) feet of a tree as measured from the trunk of the tree to the closest point of the parking space.
7. Minimum island size. The minimum island size shall be one-hundred eighty (180) square feet of pervious planting surface per tree. Islands must maintain an average width of ten (10) feet and have a minimum width of five (5) feet.
8. Protection of trees. Curbing, bollards, or parking barriers shall protect trees and shrubs within five (5) feet of the edge of the pavement. Trees and shrubs in islands should be set back at least three (3) feet from the curb so as not to interfere with car doors opening.
9. Multiple parking bays. When more than four (4) bays of parking are proposed, an interior island with an average width of twenty (20) feet and a length equivalent to the length of the average parking bay is required. This island must be planted and include a pedestrian walkway no less than five (5) feet wide and placed in a location that enhances pedestrian circulation, preferably leading directly to a building entrance or sidewalk.
10. Heritage Trees. In cases where the area required for the construction of the minimum parking spaces as required by Section 6:1, *Off-Street Parking*, would cause the removal of a Heritage tree, the Business and Development Services Director may modify the landscaping requirements and/or the parking requirements through the Alternative Landscape Compliance process (Section 6:2.4) in order to preserve the affected Heritage tree.

F) *Transition Buffers between incompatible uses.* Some land uses may create an adverse impact when developed adjacent to other less intensive land uses commonly found in certain zoning districts. Bufferyards shall be required for proposed developments adjacent to parcels of dissimilar zoning designations to provide a transition between districts of varying intensities. The bufferyard width and number of plantings required will vary depending on the degree of difference between the zoning designations and shall be the responsibility of the property owner developing or changing the land use.

Material should generally be planted in a free form manner to simulate a more natural appearance, while maintaining consistent coverage for visual screening at all plant heights. Plant variety is encouraged, particularly in larger buffers, to reduce the impact of species specific disease or pest problems.

Sample Transition Buffer:



1. Bufferyard types . The amount of plant material required in a bufferyard area is measured per one-hundred (100) linear feet and is based on the following table.

TABLE: 6.2.2(F)1.

DETERMINATION OF TRANSITION BUFFER YARD TYPE

NOTE: * 50 percent of all shrubs must be evergreen.

Bufferyard Type	Evergreen Trees	Deciduous Trees (Large)	Deciduous Trees (Small)	Shrubs (Large)	Shrubs (Small)
A — 20' wide	4	3	3	10*	10*
B — 30' wide	6	5	5	15*	15*

2. Buffer determination. The type of buffer required is based on the following table. *The table is to be read in one direction only starting from the proposed development site zoning column.*

Note:
 RL = Residential Low: R-20, R-15, R-12
 RH = Residential High: R-10, R-8, R-6

TABLE: 6:2.2(F)2.

TABLE TRANSITION BUFFER DETERMINATION
Adjacent Zoning & Required Transition Buffer

Proposed Development Site Zoning	RL	RH	RM-1, RM
RL *	N/A	N/A	N/A
RH*	A	N/A	N/A
RM-1, RM	A	N/A	N/A
CRD, C-2, OD	B	A	A
S-1, I-1	B	B	B

(*) Unless otherwise required by the Land Development Ordinance or other standards set forth in this ordinance.

3. Transition Buffer location. Buffers shall extend along the entire property line which is adjacent to the property of dissimilar zoning designation. Buffers are to be located on the property that is being developed or changing in land use, and between the property line and any vehicular use areas, buildings, storage, service areas, or other area of activity.
4. Placement of Transition Buffer plantings. The exact placement of the required plants shall be the decision of the developer or designer but shall be approved by the Business and Development Services Director. Plants should be placed in a manner to serve as an effective and attractive screen year-round when viewed from any area accessible to the public or from adjacent properties. Trees or shrubs should be planted at least five (5) feet away from the property line to ensure maintenance access and to avoid encroaching upon neighboring property.
 - a) Setbacks. Where a setback and bufferyard are required along the same property line the requirement with the greatest dimensional width shall be applicable. If the setback is greater than the bufferyard, the total number of required plant material shall be distributed throughout the wider setback.
 - b) Corner lots and through lots. No buffer will be required along the front property line of any lot. However, a lot with more than one street frontage will require a transition buffer along the secondary street face when it is adjacent to a dissimilar zoning district where a buffer is required. Buffer requirements can be waived in lieu of street trees and street buffers, provided that the development and building façade along the secondary street frontage is pedestrian oriented with functioning pedestrian entrances that open onto public sidewalks.
 - c) Encroachments. The following site features may be permitted to penetrate or encroach into a required buffer area provided that the total number of required plantings is still met: approved driveway openings, pedestrian or bicycle paths, designated greenways or walking trails, utilities (providing that conflicts with vegetation is considered) and walls/fences.
 - d) Prohibitions in Transition Buffer. The following are specifically prohibited from encroaching into required buffer areas: loading areas, storage areas, parking areas and drive aisles (unless cross access and/or shared parking with adjacent properties are provided); dumpsters and stormwater retention/detention structures.
 - e) Credit for overlapping requirements. Fifty (50) percent of transition buffer plants that are within fifteen (15) feet of a vehicular use area may be counted towards the parking lot landscaping.
 - f) Alternative Compliance for existing constrained sites is offered through Section 6:2.4.

~~6:2.6 Additional Screening Requirements: Outdoor Storage Areas, Utility Structures, Dumpster.~~

~~All dumpsters, compactors, and outside storage yards shall be enclosed inside a six-foot-tall wall, opaque fence, or fence and evergreen hedge, which hides the dumpster, compactor, or outside storage yard from view. All loading docks shall be screened from view from all road rights of way by a six-foot-tall evergreen hedge. All cooling towers, air conditioning condensers, and other equipment mounted on the roof of a structure or on ground shall be enclosed inside a wall, opaque fence, or fence and evergreen hedge which hides the equipment from view.~~

6:2.3. Alternative Landscape Compliance.

- A) *Applicability.* The landscape requirements are intended to set minimum standards for quality development and environmental protection. Conditions, however, associated with individual sites may under certain circumstances warrant approval of alternative methods of compliance where normal compliance is impractical or impossible, or where maximum achievement of the purpose and intent of this article can only be obtained through alternative compliance. It is not the intent of this

section to allow alternative compliance on the basis of economic hardship. In the event that such conditions are present, the Business and Development Services Director shall have authority to adjust the requirements of this chapter as provided in subsection (C) below.

Alternative plants, materials, or installation methods may be justified due to natural conditions, such as streams, wetlands, natural rock formations, topography, easements, lot configuration, and other physical conditions related to the site. A landscape architect or landscape designer may also propose an Alternative Landscape Plan as a method to provide a less traditional plan while still providing an appropriate level of landscape quality that meets the intent of the various requirements of this Ordinance.

- B) **Submittal Requirements.** The applicant shall submit to the Business and Development Services Director a written explanation as to the need for an Alternative Compliance approval and explain why the proposed landscape plan meets or exceeds the landscape requirements outlined in this section. The proposed landscape plan shall clearly indicate any and all areas for which Alternative Compliance is requested. The plan shall also show all existing site features and any newly proposed features, if applicable.
- C) **Allowable Deviations.** The Business and Development Services Director is authorized to approve an Alternative Landscape Plan if it meets the purpose and intent of the landscaping standards as outlined in this section. *Unless otherwise specifically permitted by this ordinance, the landscape requirements shall not be reduced by more than twenty-five (25) percent of a specific standard or requirement. Requests to reduce standards beyond what is authorized under this section shall require a variance from the Board of Appeals.*
- D) **Considerations and Hardships.** The Business and Development Services Director may consider Alternative Compliance for the following reasons:
1. Topography, soil, vegetation, or other site conditions are such that full compliance is impossible or impractical.
 2. Space limitations, unusually shaped lots, and prevailing practices in the surrounding neighborhood, in-fill sites, and improvements and redevelopment in older communities.
 3. Due to a change of use on an existing site, the required landscape buffer is larger than can be provided.
 4. Additional environmental quality improvements would result from the alternative compliance.
 5. Safety considerations make alternative compliance desirable.
 6. An alternative compliance proposal meets the intent and purpose of the Landscape Ordinance in a manner that is equal to or better than compliance with the regulation contained in code.
- E) **Special Consideration for Alternative Compliance related to Infill, Change of Use or Adaptive re-use of an existing site where no exterior improvements are required for occupancy of an existing building and the site in its present state is ninety (90) percent or more impervious.**
1. **Transition Buffers.** Buffer widths may be reduced by fifty (50) percent with the installation of a six (6) foot tall, opaque privacy fence or wall with the finished face of the fence or wall facing towards the adjacent property. The finished fence or wall shall be planted with evergreen trees and /or large evergreen shrub species spaced every eight (8) feet on center. These plantings shall be located within a seven (7) foot wide planting area along the exterior of the fence facing the adjacent property. This alternative may not be used when existing parking infrastructure exceeds the minimum parking requirements.
 2. **Parking lot and Vehicular Use Landscaping.** The requirement for plantings in interior islands may be reduced by thirty (30) percent.
 3. **Alternative Street Tree requirements, Planting Strip Width.** The required ten-foot wide planting strip for street trees may be reduced if one (1) or more of the following objective standards apply:

- An existing sidewalk, building(s) and/or other permanent infrastructure prevents its installation. In no case shall the planting strip be less than five feet wide or planting area less than two-hundred (200) square feet per large maturing tree, or one-hundred fifty (150) square feet per small maturing tree.
 - The predominant existing street tree pattern within five-hundred (500) feet (both directions on both sides of the street) displays a different pattern. In no case shall the planting strip be less than five (5) feet wide.
 - A subsurface structure is used to allow for an aerated area of two-hundred (200) square feet per tree. Construction detail must be provided.
 - An adopted streetscape plan, corridor plan, and/or neighborhood plan calls for a different standard and the development complies with this standard.
- F) Decision. The Business and Development Services Director shall review the performance of the Alternate Compliance plan. The purpose of this review shall be to determine if the alternate plan meets the intent and purpose of this section. This determination shall take into account the land use of adjacent property, the amount and species of plant material, its arrangement and coverage of the lot; the level of screening and the mature height, spread and canopy of the plantings. Upon justification of these findings, a decision of approval or denial shall be rendered.
- G) Appeals. Appeals to a denial of an Alternative Compliance Landscape Plan by the Business and Development Services Director shall be submitted and reviewed by the Building and Zoning Board of Appeals through the Variance procedures outlined in Section 4:1.3.4, *Board Actions to a Variance Required*.

~~6:2.5 Owner Responsibility and Maintenance Requirements.~~

~~The owner of the property shall be responsible for maintaining all required vegetation including replacing any dead or diseased vegetation, mulching, weeding, watering, and pruning as needed.~~

Section 6:2.4. Tree Protection and Credits

- A) *Purpose*. Protection of existing tree cover is intended to preserve the visual and aesthetic qualities of Mauldin to encourage site design techniques that preserve the natural environment and enhance the developed environment: to control erosion, slippage, and sediment runoff into streams and waterways; to increase slope stability; and, to protect wildlife habitat and migration corridors. Preservation or provision of trees near structures also serves to conserve energy by reducing heating and cooling costs.
- B) *Applicability*. The requirements of this section shall apply to all existing and new development, except that the following developments and activities shall be exempt from this section:
1. The removal of trees located on individual lots containing single-family detached dwellings.
 2. The removal of dead or naturally fallen trees, or trees that are found by the Business and Development Services Director to be a threat to the public health, safety, or welfare.
 3. The selective and limited removal of trees or vegetation necessary to obtain clear visibility at driveways or intersections, or for the purpose of performing authorized field survey work.
 4. The selective and limited clearing of utility easements to maintain their intended function.
 5. The removal of trees or vegetation on land zoned or lawfully used for: Agricultural and forestry activities, including tree farms and approved forestry management practices, except that if a site is substantially cleared of trees pursuant to legitimate forestry activities (no development applications shall be accepted for thirty-six (36) months from the date the clearing is completed); or commercial garden centers, greenhouses, or nurseries.

- C) *Credits and other incentives to preserve vegetation.* Developments intending to preserve existing vegetation in order to receive credit for required landscaping must graphically show the location of each tree. In order to receive credit, preserved vegetation must be in good health and condition and must meet the spacing requirements of the standards it is intended to satisfy.

Protective barriers must also be shown on the landscape and grading plans in accordance with the requirements of this section. If a preserved tree dies within twenty-four (24) months of completion of the project, it must be replaced with the total number of trees that were credited to the existing tree. No credit will be given to invasive-exotic species.

Any development that proposes to preserve existing vegetation will receive credit for that vegetation at the rate assigned as follows in Table 6:2.4(C) Table A:

TABLE 6:2.4(C) - A	
TREE PRESERVATION CREDIT RATES	# of Tree Credits
Diameter at Breast Height	
(Partial dimensions shall be rounded to the nearest whole number)	
2" – 6"	1
7" – 12"	2
13" – 18"	3
19" – 24"	4
25" – 29"	5
30" +	7
Shrubs will be credited at a rate of 1:1	

D) Tree Protection during Construction.

1. Protective fencing. Before grading begins fencing shall be required around the critical root zone and drip line of all trees that are to be preserved. Additional fencing shall be required around the critical root zone of trees on adjacent properties or located in a right-of-way.
2. Type of fencing. All fencing required by this section shall be a minimum of four (4) feet high and of durable construction; such as wood or metal fencing.
3. Signs. Signs shall be installed on the protective fence visible on all sides of the fenced-in area (minimum one on each side and/or every 300 linear feet). The size of each sign must be a

minimum of one foot by 1.5 feet and shall contain the following: "TREE PROTECTION ZONE: KEEP OUT."

4. Activity within a fenced tree protection zone. No construction, grading, parking, equipment, or material storage, or any other activity, shall be allowed within the fenced area.
5. Maintenance of fencing. For existing trees to be counted toward required tree credits, they must be protected during the entire development period, beginning prior to the commencement of site work. Encroachment within the tree protection zone is only permitted to allow the Landscape Contractor access to complete site work.
6. Encroachments. Encroachments within the critical root zones of any tree being preserved to comply with required tree credits, or within designated tree protection zones, shall occur only in rare instances. If such an encroachment is anticipated, a written request must be made to the Business and Development Services Director for allowance of encroachment. Request must detail preventative measures taken. If approved the following preventative measures shall be employed:
 - a) Clearing activities. The removal of trees adjacent to a tree protection zone can cause inadvertent damage to the protected trees. Wherever possible, it is advisable to cut minimum two-foot trenches along the limits of land-disturbance, so as to cut, rather than tear, roots. Trenching is required for the protection Heritage trees.
 - b) Soil compaction. Where compaction might occur due to traffic or materials through the tree protection zone, the area must first be mulched with a minimum four (4) inch layer of processed pine bark or wood chips or a six-inch layer of pine straw. Equipment or materials storage shall not be allowed within tree protection areas.

E) Protection and removal of Heritage trees.

- a) In order to protect significant trees, the city has established a Heritage tree designation. A Heritage tree is any tree greater than thirty inches (30") in diameter. A Heritage tree shall be further defined as one that is free of major damage, and exhibits the growth habit and superior qualities to be considered a specimen of its species. Heritage trees shall be protected on a development site in accordance with the tree protection standards outlined in Section 6:2.4 (D), *Tree Protection during construction*.
- b) Heritage trees shall not be cut, removed, pushed over, harmed, trimmed, sprayed, or destroyed without written approval by the Business and Development Services Director.
- c) Removal of a Heritage Tree. Except on lots containing existing single-family detached dwellings, a healthy heritage tree may only be removed if the landowner demonstrates to the Business and Development Director that one of the applicable following standards are met:
 1. The Heritage tree is certified by an arborist or other qualified professional as being severely diseased, high risk, or dying. A severely diseased, high risk or dying heritage tree shall be exempt from replacement.
 2. The required site grading will have an adverse impact on the tree most likely resulting in decline and death of the tree in the near future.
 3. The Heritage tree is not located within a Riparian Buffer Zone.
 4. After significant attempts to design around a Heritage tree, it is determined that the Heritage Tree is located such that preservation significantly affects the ability to develop the site for its approved uses, and hinders compliance with other required site and landscape developments.
 5. Except on lots containing single-family detached dwellings, each healthy Heritage tree removed or destroyed shall be replaced with three (3) replacement trees, measuring at least six (6) inches in diameter by American Nurseryman Standards, and shall be

replanted within twelve (12) months of the removal or destruction of the tree; and/or prior to the close-out of a development under construction.

6. New trees used to comply with Heritage Tree replacement requirements shall not count toward the street tree requirements or parking lot landscaping requirements.
7. No construction, grading, equipment, or material storage, or any other activity, shall be allowed within the critical root zone of a heritage tree unless steps taken to adequately ensure the health of the tree are submitted to the Business and Development Services Director in writing.

Section 6:2.5 Compliance

A) *Time for Installation of Required Landscaping.* All landscaping, including mulching and seeding or sodding, shall be completed in accordance with the approved Site and Landscape Plan prior to issuance of a Final Certificate of Occupancy. The Business and Development Services Director may grant an exception to this requirement through the issuance of Temporary Certificate of Occupancy in thirty (30) day increments, not to exceed ninety (90) calendar days, when all Life Safety, Accessibility, and Land Development standards have been satisfied.

1. The Business and Development Services Director may grant an extension for a period beyond ninety (90) when the applicant provides an acceptable form of Guarantee that ensures that all landscaping standards will be met at a predetermined later date. Refer to Section 6:2.5(B), *Performance Guarantees for Landscaping*, for what is acceptable.
2. Exceptions may be granted due to unusual environmental conditions, such as drought, ice, over-saturated soil (deep mud), or inappropriate planting seasons for the plant species.
3. Exceptions may be granted due to the substitution or unavailability of plant species or acceptable plant size as specified on the Landscape Plan or Alternative Compliance Landscape Plan in cases where such materials are not commercially available within a reasonable time.
4. Exceptions may be granted due to circumstances beyond the developer's or landowner's control, such as incomplete road construction or utility work to occur in a proposed landscaped area within one-hundred eighty (180) days after expected site completion, provided the developer or land owner submits a letter from the responsible party or utility company stating the estimated installation date.

B) *Performance Guarantees for Landscaping.* The Business and Development Services Director may allow issuance of Certificate of Occupancy to allow a developer/owner to delay the installation of required landscaping materials through the provision of a performance guarantee in accordance with the following requirements:

1. *Types of Performance Guarantees for Landscaping.* The owner or developer shall furnish a itemized cost estimate prepared by a professional landscape architect or designer performance guarantee in any of the following acceptable forms:
 - a) Cash deposit made to the City of Mauldin
 - b) Irrevocable letter of credit or Surety Bond from a South Carolina banking institution in a form acceptable to the City Attorney; or
 - c) Any other financial security found acceptable by the City Attorney.
2. *Performance Guarantee Amount.* A cost estimate shall be prepared by a professional landscape architect or designer to include landscaping materials, irrigation and labor for all improvements. The improvements shall be guaranteed at one hundred twenty-five (125) percent of the cost estimate provided. An additional non-refundable fee may be assessed to cover the cost of additional administration and inspections to accommodate this process.
3. *Time Limit for Installation.* The performance guarantee shall include a statement indicating when all required landscaping installation will be completed. In no event shall the installation of all required landscaping be delayed by more than two (2) growing seasons.

4. Release of Performance Guarantees. Upon the owner or developer's completion of the installation of the required landscaping, the owner/developer shall provide written notice to the Business and Development Services Director requesting an inspection. Upon the Business and Development Services Director's the full amount of security shall be released.
5. Forfeiture of Security.
 - a) Failure to Install Landscaping. If an owner or developer fails to properly install all required landscaping within the time-frames established in accordance with this subsection, the Business and Development Services Director shall give written notice to the owner/developer (if different) by certified mail, after which time the City may draw on the security and use funds to complete the required improvements.
 - b) Report of Expenditures. After completing the required landscaping, the City shall provide a complete accounting of the expenditures, including administration and inspection, to the owner/developer (as appropriate) and, as applicable, refund all unused security deposited, without interest, to the party posting the guarantee. If the costs to complete the required landscaping are greater than the amount of the security, the City may assess the additional costs to the affected property owner(s) or responsible association.

Section 6:2.6 Maintenance of Landscaping Materials.

- A) *Responsible Party for Maintenance of Landscaping Materials.* The owner shall be responsible for the maintenance of all landscape areas not in the public right-of-way. Such areas shall be maintained in accordance with the approved Landscape Plan or Alternative Compliance Landscape Plan and shall present a healthy and orderly appearance free from refuse and debris. All plant life shown on an approved Landscape Plan or Alternative Compliance Landscape Plan shall be replaced if it dies, is seriously damaged, or removed.
- B) *Damage Due to Natural Occurrence.* In the event that any vegetation or physical element functioning to meet the standards of this section is severely damaged due to an unusual weather occurrence or natural catastrophe, or other natural occurrence such as damage by wild or domestic animals, the owner or developer may be required to replant if the landscaping standards are not being met. The owner shall have one (1) growing season to replace or replant. The Business and Development Services Director shall consider the type and location of the landscape buffer or required vegetation area as well as the propensity for natural re-vegetation in making a determination on the extent of replanting requirements.
- C) *Protection during Operations.* The owner or developer should take actions to protect trees and landscaping from unnecessary damage during all facility and site maintenance operations. Plants must be maintained in a way that does not obstruct sight distances at roadway and drive intersections, obstruct traffic signs or devices, and/or interfere with the use of sidewalks or pedestrian trails.
- D) *Maintain Shape.* All required trees (whether canopy, understory, or otherwise) and shrubs shall be maintained in their characteristic natural shape, and shall not be severely pruned, sheared, topped, or shaped as shrubs.

Trees (including but not limited to Crape Myrtles) that have been severely pruned, sheared, topped, or shaped as shrubs and no longer serve the intended landscape requirement function buffering shall be considered a violation as damaged vegetation in need of replacement and shall be replaced during the current or next available growing season.
- E) *Natural Death.* The natural death of existing vegetation within any required landscape area does not necessarily constitute a violation and would not require re-vegetation to replace the plant material unless the required landscape area no longer achieves the required standards of this section. In no instance shall this provision be construed to prevent re-planting if, in the opinion of the Business and Development Services Director, the required performance standard of the landscaping is not being met.

Section 6:2.7 Monitoring for Compliance with Landscaping Standards

- A) *Inspections Prior to Certificate of Occupancy.* The Business and Development Services Director shall inspect the site prior to the issuance of a Final Certificate of Occupancy for the development, and shall not be issued if the landscaping required under this section is not living or healthy, or is not installed in accordance with the approved Site and Landscape Plan or Alternative Compliance Landscape Plan, and/or other requirement of this ordinance.
- B) *Violations.* Failure to maintain required landscape areas (trees and shrubs) in accordance with the standards of this section shall constitute a violation and subject to enforcement in accordance with Article 12 of the Mauldin Zoning Ordinance.

6:2.7 Suggested Plant Material List.

~~American Beech (Fagus Grandifolia)~~
~~American Chestnut (Castanea Dentata)~~
~~American Holly (Ilex Opaca)~~
~~American Hornbeam (Carpinus Caroliniana)~~
~~American Linden (Tilia Americana)~~
~~American Sycamore (Platanus Occidentalis)~~
~~Bald Cypress (Taxodium Distichum)~~
~~Black Cherry (Prunus Serotina)~~
~~Black Gum (Nyssa Sylvatica)~~
~~Black Mulberry (Morus Nigra)~~
~~Black Oak (Quercus Velutina)~~
~~Black Walnut (Juglans Nigra)~~
~~Box Elder (Acer Negundo)~~
~~Cabbage Palm (Sabal Palmetto)~~
~~Carolina Basswood (Tilia Caroliniana)~~
~~Carolina Hemlock (Tsuga Caroliniana)~~
~~Chinese Elm (Ulmus Parvifolia)~~
~~Deodar Cedar (Cedrus Deodar)~~
~~Eastern Hop Hornbeam (Ostrya Virginiana)~~
~~Eastern Redbud (Cercis Canadensis)~~
~~Ginkgo – male specimens (Gingko Biloba)~~
~~Green Ash (Fraxinus Pennsylvanica)~~
~~Horse Chestnut (Aesculus Hippocastanum)~~
~~Laurel Oak (Quercus Laurifolia)~~

Live Oak (*Quercus Virginiana*)
Lombardy Poplar (*Populus Nigra*)
London Planetree (*Platanus X Acerifolia*)
Mockernut Hickory (*Carya Tomentosa*)
Norway Maple (*Acer Platanoides*)
Pecan (*Carya Illinoensis*)
Pignut Hickory (*Carya Glabra*)
Planetree Maple (*Acer Pseudoplatanus*)
Redbay (*Persea Borbonia*)
Red Buckeye (*Aesculus Pavia*)
Red Maple (*Acer Rubrum*)
Red Mulberry (*Morus Rubra*)
Red Oak (*Quercus Rubra*)
River Birch (*Betula Nigra*)
Sassafras (*Sassafras Albidum*)
Shagbark Hickory (*Carya Ovata*)
Silver Maple (*Acer Saccharinum*)
Sourwood (*Oxydendrum Arboreum*)
Southern Magnolia (*Magnolia Grandiflora*)
Sugar Maple (*Acer Saccharum*)
Sweetgum (*Liquidambar Styraciflua*)
Tulip Tree (*Liriodendron Tulipifera*)
Water Oak (*Quercus Nigra*)
White Ash (*Fraxinus Americana*)
White Mulberry (*Morus Alba*)
White Oak (*Quercus Alba*)
Willow Oak (*Quercus Phellos*)
Small Trees/Large Shrubs.
American Smoketree (*Cotinus Obovatus*)
Amur Maple (*Acer Ginnala*)
Bay Laurel (*Laurus Nobilis*)

~~Bradford Pear (Pyrus Calleryana)~~
~~Burford Holly (Ilex Cornuta Burfordii)~~
~~Catawba Rhododendron (Rhododendron Catawbiense)~~
~~Common Camellia (Camellia Japonica)~~
~~Grape Myrtle (Lagerstroemia Indica)~~
~~Downy Serviceberry (Amelanchier Arborea)~~
~~Eastern Redbud (Cercis Canadensis)~~
~~Eastern Red Cedar (Juniperus Virginiana)~~
~~Flowering Dogwood (Cornus Florida)~~
~~Fragrant Winter Hazel (Corylopsis Glabrescens)~~
~~Fringetree (Chionanthus Virginicus)~~
~~Green Hawthorn (Crataegus Viridis)~~
~~Hedge Maple (Acer Campestre)~~
~~Japanese Dogwood (Cornus Kousa)~~
~~Japanese Crabapple (Malus Floribunda)~~
~~Japanese Maple (Acer Palmatum)~~
~~Japanese Yew (Taxus Cuspida)~~
~~Leyland Cypress (Cupressocyparis X Leylandii)~~
~~Mountain Laurel (Kalmia Latifolia)~~
~~Russian Olive (Elaeagnus Angustifolia)~~
~~Saucer Magnolia (Magnolia X Soulangiana)~~
~~Trident Maple (Acer Buergerianum)~~
~~Yoshino Cherry (Prunus Yedoensis)~~

Shrubs:

~~American Elderberry (Sambucus Canadensis)~~
~~American Filbert (Corylus Americana)~~
~~Arrowwood (Viburnum Dentatum)~~
~~Azalea (low varieties) (R. Pentanthera and R. Tsutsusi cultivars)~~
~~Beautyberry (Callicarpa Dichotoma)~~
~~Beautybush (Kolkwitzia Amabilis)~~
~~Bluebeard (Caryopteris X Clandonensis)~~

Boxwood (*Buxus Sempervirens*)
Bridal Wreath Spirea (*Spiraea Prunifolia*)
Butterfly Bush (*Buddleia Davidii*)
Carolina Allspice (*Calycanthus Floridus*)
C. Rhododendron (*Rhododendron Carolinianum*)
Chinese Holly (*Ilex Cornuta*)
Common Lilac (*Syringa Vulgaris*)
Common Privet (*Ligustrum Vulgare*)
Dwarf Fothergilla (*Fothergilla Gardenii*)
Dwarf Pomegranate (*Punica Granatum*)
English Holly (*Ilex Aquifolium*)
Evergreen Euonymous (*Euonymous Japonica*)
Flowering Quince (*Chaenomeles Speciosa*)
Forsythia (*Forsythia X Intermedia*)
Gardenia (*Gardenia Jasminoides*)
Hinoki Cypress (*Chamaecyparis Obtusa*)
Hydrangea (*Hydrangea Arborescens*)
Japanese Holly (*Ilex Crenata*)
Japanese Laurel (*Aucuba Japonica*)
Juniper (*Juniperus Communis*)
Leatherwood (*Dirca Palustris*)
Mountain Andromeda (*Pieris Floribunda*)
Nandina (*Nandina Domestica*)
Oleander (*Nerium Oleander*)
Red Chokeberry (*Aronia Arbutifolia*)
Rose of Sharon (*Hibiscus Syriacus*)
Shrubby Cinquefoil (*Potentilla Fruticosa*)
Star Magnolia (*Magnolia Stellata*)
Sweet Fern (*Comptonia Peregrina*)
Sweet Mock Orange (*Philadelphus Coronarius*)
Sweet Pepperbush (*Clothra Alnifolia*)

~~Sweetspire (Itea Virginica)~~

~~Tree Peony (Paeonia Suffruticosa)~~

~~Wax Myrtle (Myrica Cerifera)~~

~~Weigela (Weigela Florida)~~

~~Wintergreen Barberry (Berberis Julianae)~~

~~Yaupon (Ilex Vomitoria)~~

6:2.8 Acceptable List of Plant Materials

The Business and Development Services Director reserve the right to accept additional species that are not listed below.

*Denotes Native Species – Native species are preferred because they are best for our soils and climate, attract a variety of wildlife, provide food and shelter for many species, require less care and watering, thrive with less fertilizer and disease control

TABLE A: LARGE MATURING DECIDUOUS SHADE TREES (Transitional Buffer, Street Trees, Parking Lot Landscaping)	
Common Name	Botanical Name
American Beech	Fagus grandifolia
American persimmon	Diospyros virginiana
Ash, Green *	Fraxinus pennsylvanica
Ash, Green Georgia Gem *	Fraxinus pennsylvanica 'Oconee'
Ash, Green Patmore *	Fraxinus pennsylvanica 'Patmore'
Ash, Green Urbanite *	Fraxinus pennsylvanica 'Urbanite'
Ash, White *	Fraxinus americana
Blackgum *	Nyssa sylvatica
Chinese Chestnut	Castanea mollissima
Chinese Pistachio	Pistacia chinensis
Elm, Allee	Ulmus parvifolia 'Emer II'
Elm, Athena	Ulmus parvifolia 'Emer I'
Elm, Bosque	Ulmus parvifolia 'UPMTF'

Elm, Drake	<i>Ulmus parvifolia</i> 'Drake Chinese Elm'
Elm, Princeton *	<i>Ulmus Americana</i> 'Princeton'
Elm, Slippery *	<i>Ulmus rubra</i>
Elm, Winged	<i>Ulmus alata</i>
Fort McNair Red Horse Chesnut	<i>Aesculus x carnea</i> 'Fort Mcnair'
Ginko, Male only	<i>Ginko biloba</i>
Hackberry *	<i>Celtis occidentalis</i>
Kentucky Coffeetree	<i>Gymnocladus dioicus</i>
Linden, Littleleaf Greenspire	<i>Tilia cordata</i>
Maple, Autumn Blaze	<i>Acer x freemanii</i> 'Jeffers Red'
Maple, Red Autumn Flame *	<i>Acer rubrum</i> Autumn Flame
Maple, Red October Glory *	<i>Acer rubrum</i> October Glory
Maple, Red Sunset *	<i>Acer rubrum</i> 'Franksred'
Maple, Sugar	<i>Acer saccharum</i> 'Northern Sugar Maple'
Maple, Sugar Green Mountain	<i>Acer saccharum</i> 'Green Mountain'
Maple, Sugar Legacy	<i>Acer saccharum</i> 'Legacy'
Oak, Swamp White	<i>Quercus bicolor</i>
Oak, Darlington Laurel	<i>Quercus hemisphaeica</i> 'Darlington'
Oak, Live *	<i>Quercus virginiana</i>
Oak, Northern Red *	<i>Quercus rubra</i>
Oak, Nuttall	<i>Quercus nuttalli</i>
Oak, Overcup *	<i>Quercus lyrata</i>
Oak, Pin	<i>Quercus palustris</i>
Oak, Sawtooth	<i>Quercus acutissima</i>
Oak, Scarlett *	<i>Quercus coccinea</i>
Oak, Shumard *	<i>Quercus shumardii</i>
Oak, White *	<i>Quercus alba</i>
Oak, Willow *	<i>Quercus phellos</i>

Oak, Willow Hightower *	Quercus phellos 'QPSTA'
Oak, Willow Wynstar *	Quercus phellos 'QPMTF'
Planetree, London Bloodgood	Platanus x acerifolia 'Bloodgood'
Planetree, London Yarwood	Platanus x acerifolia 'Yarwood'
River Birch *	Betula Nigra
Sourwood *	Oxydendrum arboreum
Sycamore *	Platanus occidentalis
Tulip Poplar *	Liriodendron tulipifera
Yellowwood	Cladrastis kentukea
Zelkova, Green Vase	Zelkova serrata 'Green Vase'
Zelkova, Myrimar	Zelkova serrata 'ZSFKF'
Zelkova, Village Green	Zelkova serrata 'Village Green'

Table B Acceptable Ornamental or Understory Street Tree Species

TABLE B: SMALL MATURING UNDERSTORY AND ORNAMENTAL TREES Must be properly pruned and maintained in a tree like form. Appropriate for Transition Buffer, Street trees under powerlines, Parking Lot Landscaping	
Common Name	Botanical Name
American Hornbeam *	Carpinus caroliana
Cherry, Dreamcatcher	Prunus 'Dream Catcher'
Cherry, Okame	Prunus x "Okame'
Cherry, Pink Autumn	Prunus subhirtella 'Autumnalis Rosea'
Crape Myrtle	Lagerstroemia indica
Crape Myrtle, Natchez White	Lagerstroemia indica 'Natchez'
Dogwood, Flowering *	Cornus florida
Dogwood, Kousa	Cornus kousa
Dogwood, Pink Flowering *	Cornus florida rubra
European Hornbeam *	Carpinus betulus

Fringetree *	<i>Chionanthus virginicus</i>
Fringetree, Chinese	<i>Chionanthus retusus</i>
Fosters Holly	<i>Ilex x attenuate 'Fosteri'</i>
Holly, Emily Bruner, 'Tree Form'	<i>Ilex x 'Emily Bruner'</i>
Holly, East Palatka, 'Tree Form'	<i>Ilex x attenuate 'East Palatka'</i>
Holly, Foster No. 2, 'Tree Form'	<i>Ilex x attenuate 'Foster No. 2'</i>
Holly, 'Mary Nell'	<i>Ilex x 'Mary Nell'</i>
Holly, Yaupon *	<i>Ilex vomitoria</i>
Magnolia Saucer	<i>Magnolia x soulangiana</i>
Magnolia, Star	<i>Magnolia stellata</i>
Magnolia, Sweetbay	<i>Magnolia virginiana</i>
Maple, Trident	<i>Acer buergeranum</i>
Oak, 'Chinese Evergreen'	<i>Quercus myrsinifolia</i>
Plum, Purpleleaf	<i>Prunus cerasifera</i>
Plum, Thundercloud	<i>Prunus cerasifera 'Thundercloud'</i>
Redbud, Eastern *	<i>Cercis canadensis</i>
Redbud, Eastern White *	<i>Cercis Canadensis var. alba</i>
Redbud, 'Forest Pansy' *	<i>Cercis Canadensis 'Forest Pansy'</i>
Redbud, 'Mexican	<i>Cercis mexicana</i>
Redbud, Oklahoma	<i>Cercis reniformis 'Oklahoma'</i>
Redbud, Texas White	<i>Cercis reniformis 'Texas White'</i>
Smoketree	<i>Cotinus coggygria</i>
Snowbell, Japanese	<i>Styrax japonica</i>
Tea Olive, 'Treeform'	<i>Osmanthus x 24ortune/fragrans</i>
Thornless Honeylocust	<i>Gleditsia triacanthos inermis</i>
Witch Hazel *	<i>Hamamelis virginiana</i>
Tulip Poplar	<i>Liriodendron tulipifera</i>

TABLE C: EVERGREEN TREES
(Transition Buffer, Screening)

Common Name	Botanical Name
Deodar Cedar	Cedrus deodara
Italian Cypress	Cupressus sempervirens
Eastern Redcedar *	Juniperus virginiana
American Holly (cultivar) *	Ilex opaca 'Varied cultivars'
Southern Magnolia (cultivar) *	Magnolia grandifolia 'Varied cultivars'
Loblolly Pine *	Pinus Taeda
Virginia Pine *	Pinus virginiana
Canadian hemlock	Tsuga canadensis
Japanese-Cedar	Cryptomeria japonica
American Arborvitae	Thuja occidentalis
Fosters Holly	Ilex x attenuate 'Fosteri'
Burford Holly	Ilex comuta 'Burfordii'
Nellie R. Stevens Holly	Ilex x 'Nellie R. Stevens'
Yaupon Holly *	Ilex vomitoria
Hollywood Juniper	Juniperus chinensis
Waxy leaf Ligustrum	Ligustrum japonicum
Chinese Fringe Flower	Loropetalum chinense
Sweetbay Magnolia	Magnolia virginiana
Wax Myrtle *	Myrica cerfera
Chinese Evergreen Oak	Quercus myrsinifolia
Spuce Pine *	Pinus glabra
Carolina Cherry Laurel *	Prunus caroliniana
Tea Olive	Osmanthus fragran x fortunei
White Pine	Pinus Strobus

English Laurel	Prunus laurocerasus 'Schipka'
Lusterleaf Holly	Ilex latifolia
Emily Bruner Holly	X Emily bruner
American Holly	Ilex opaca
Mary Nell Holly	Ilex x 'Mary Nell'

TABLE D: SHRUBS
(Transitional Buffer, Street buffer, Parking lot landscaping)

SPECIES	TYPE	BOTANICAL NAME
Glossy Abelia	Evergreen	<i>Abelia x grandiflora</i>
Azalea (Indica species-Evergreen)	Evergreen	
Boxwood, Green Gem	Evergreen	Buxus sempervirens, micropophylla
Camellia Species	Evergreen	Camellia Oleifera
Japanese Plum Yew	Evergreen	<i>Cephalotaxus harringtonii</i>
Cherry Laurel	Evergreen	<i>Prunus laurocerasus</i>
Japanese Euonymus	Evergreen	<i>Euonymus japonicus</i>
<i>Pieris japonica</i>	Evergreen	<i>Pieris japonica</i>
Fatsia	Evergreen	<i>Fatsia japonica</i>
Heavenly Bamboo	Evergreen	<i>Nandina domestica</i>
Gardenia	Evergreen	<i>Gardenia jasminoides</i>
Holly	Evergreen	Ilex Species
Anise Tree	Evergreen	<i>Illicium species</i>
Chinese Fringe	Evergreen	Loropetalum chinense
Mountain Laurel	Evergreen	<i>Kalmia latifolia</i>
Osmanthus	Evergreen	Osmanthus Fragrans/Fortunei
Cherry Laurel	Evergreen	Prunus laurocerasus
Hawthorn	Evergreen	Raphiolepis

Cleyera	Evergreen	Ternstroemia gymnanthera
Viburnum	Evergreen	Viburnum Species
Abelia	Evergreen	Abelia Species
Azalea, Rhododendron	Either	<i>Rhododendron</i> species
Hydrangea	Deciduous	Hydrangea Species
Virginia Sweetspire	Deciduous	Itea Virginica
Spirea	deciduous	<i>S. japonica, S. vanhouttei</i>
Viburnum	Either	<i>Viburnum</i> species
Red Chokeberry	Deciduous	<i>Aronia arbutifolia</i>
<i>Callicarpa</i> species	Deciduous	Beautyberry
<i>Hamamelis</i> species	Deciduous	Witch Hazel
Fothergilla	Deciduous	<i>Fothergilla</i> species
Winter Jasmine	Deciduous	<i>Jasminum nudiflorum</i>
Mapleleaf Viburnum	Deciduous	<i>Viburnum acerifolium</i>
Summersweet	Deciduous	<i>Clethra alnifolia</i>

TABLE E: PROHIBITED TREES

SPECIES	REASON
Allanthus	Invasive, weak wood, littersome
Black Locust	Weak wood, pest
Box elder	Weak wood, pest
Bradford pear	Weak wood
Chinaberry	Weak wood, littersome
Female ginko	Littersome, smelly fruit pods
Mimosa	Invasive, weak wood
Morus spp.	Weak wood, littersome, invasive
Poplar spp.	Weak wood, pests
Silver maple	Weak wood
Siberian elm	Weak wood

Prohibited Plant Lists

Species that are listed within the following documents are prohibited from use.

1. "Invasive Plant Pest Species of South Carolina." Clemson Extension.
<http://www.clemson.edu/psapublishing/PAGES/FORESTRY/ForLf28.pdf>
2. "Roadside Plants to Avoid." SCDOT.
http://www.scdot.org/community/pdfs/plants_to_avoid.pdf
3. "South Carolina EPPC List."
<http://www.clemson.edu/psapublishing/PAGES/FORESTRY/ForLf28.pdf>
4. "Prohibited Plant List for the South Carolina Upstate Region"
<http://www.greenstepschools.com/greensteps/pdf/UPSTATE%20SC%20-%20Prohibited%20Plant%20List%20-%20FINAL%20Update%207-10-9.pdf>

Amendment 2. Add the following definitions to Article XX:

Addition. New construction involving an existing building where the gross floor area of the structure is increased or where a portion of the gross floor area is relocated.

Bufferyard. A linear strip of land combined with a vertical element such as plants, berms, fences, or walls, which physically separates and screens incompatible land uses.

Construction. The erection of any on-site improvements on any parcel of ground whether the site is presently improved, unimproved or becomes unimproved by demolition, destruction of the improvements located thereon by fire, windstorm or other casualty.

Critical root zone. The minimum area beneath a tree which must be left undisturbed and protected from construction disturbance in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. The critical root zone is delineated by a concentric circle with the tree trunk as the center. The radius of the critical root zone equals one foot for every one inch of tree diameter. Example: a 20-inch diameter tree will have a critical root zone radius of 20 feet.

Development. Any human change or alteration to the unimproved or improved state of land, including, but not limited to changes or alteration to vegetation, soil, geology, hydrology, buildings or other structures for any residential, commercial, industrial, utility, or other uses, including, but not limited to, all areas for vehicular access, circulation, and parking and including, but not limited to, mining, dredging, filling, grading, paving, excavating and drilling operations and any subdivision of land.

Diameter at breast height (DBH). Means the standard measure of trees which are existing on a site. The diameter of the trunk is measured at four and one-half feet from the ground. If the tree splits into multiple trunks below four and one-half feet, the trunk should be measured at its most narrow point beneath the split.

Expansion. Any construction that increases the size of a building or structure in terms of site coverage, height, length, width, or gross floor area.

Gross Floor Area. The sum of the total horizontal areas of the several floors of a building measured from the exterior faces of exterior walls and from the centerline of any party walls, if the portions of the

building separated by such party walls those are to be treated separately. The term gross floor area shall include any area with a ceiling height of seven feet or greater, all elevator shafts, stairway shafts, and other areas of the building except up to 1,000 square feet of the floor space occupied by mechanical, electrical, and communications equipment designed to serve only the occupants of the building shall not be included in the calculation of gross floor area when such devices are located in the basement, first floor, or penthouse of said building. Additionally, gross floor area includes areas covered by canopies and like structures under which an active use is occurring such as drive-through service, gasoline pumping, loading and/or storage of materials, and similar activities. Gross floor area does not include the floor area in parking structures/decks.

Guarantee in lieu of construction of improvements. Cash, irrevocable letters of credit, bonds, or similar financial instruments deposited with and accepted by the City to insure that improvements required as part of a development will be satisfactorily completed.

Hardship. A practical difficulty in carrying out the requirements of this chapter. Unless otherwise indicated, financial difficulties, in and of themselves, do not constitute a hardship.

Impervious surface. Any surface which in whole or in part, restricts or prevents the natural absorption of water into the ground. Such surfaces may include, but not be limited to, compacted earth, traffic-bearing gravel, concrete, asphalt, or other paving material, and all area covered by the footprint of buildings or structures. Uncovered slatted decks and the water area of a swimming pool, pond, or other water body are considered pervious.

Industrial use. Uses that primarily involve the assembly, packaging, processing, production, and manufacturing of goods.

Infill development. New development or redevelopment that occurs within established urban areas where the site or area is either vacant or has previously been used for another urban purpose.

Island or median. An unpaved area within a parking lot or street, usually surrounded by a curb or other raised element, which is surrounded by a paved or gravel surface on at least three sides.

Light Industrial use. Uses that primarily involve the assembly, packaging, processing, production, and manufacturing of goods if such activities are conducted wholly within an enclosed building; and if operated in a manner that prevents external effects of the activity such as (but not limited to) smoke, soot, dirt, vibration, odor from being detectable at any property line.

Pervious Surface. A surface that allows water to pass through (i.e. grass, permeable pavers, pervious pavement)

Renovation costs. The following shall be considered when determining the site improvements that may be required by ordinance. For zoning purposes, the total cost of renovation shall include any structural or other trades work, permanent equipment or other fixtures that are necessary for the operation and/or occupancy of the building, and shall also include cosmetic work such as but not limited to painting, carpeting, flooring, cabinet installation, facade work and reroofing.

Screening. A structure or planting that conceals view from public ways or adjacent property.

Shared access. The mutual use of one or more points of ingress or egress by establishments on separate lots.

Shared parking. The development and use of parking areas on two or more separate properties for joint use by the businesses on those properties.

Streetscape. The scene as may be observed along a public street or way composed of natural and manmade components, including buildings, paving, planting, street furnishings, and miscellaneous structures.

Through lot. A lot having its front and rear yards each abutting on a street.

Transition Buffer. An area of natural or planted vegetation or an area of such vegetation in conjunction with berms, fences, or walls serving as a separation between two areas or land uses.

Vehicular use area (VUA). All driving surfaces including: parking, drive aisles, driveways, loading areas, and maneuvering areas that are paved or gravel.

Visible. Capable of being seen by the unaided eye in the daylight.

Wall. An upright structure of masonry, wood, plaster or other building material serving to enclose, divide or protect an area.

Zoning permit. A permit issued by the City of Mauldin stating that a particular development or redevelopment project, change in use, or addition, is in compliance with the ordinances of the city pertaining to use of the land on which such use is situated. A zoning permit is typically issued after all other permits and approvals related to a project have been obtained.

Amendment 3. Remove from definitions, Section 3:3, Trees, A-E and Replace with the following definitions:

Tree. Any living, self-supporting woody perennial plant which normally obtains a trunk diameter of at least two inches and a height of at least ten feet, and typically has one main stem and many branches.

Tree, Canopy or Large Maturing. Any tree whose height under average regional growing conditions will exceed 35 feet in height at maturity.

Tree, Understory or Small Maturing. Any tree whose height under average regional growing conditions will be less than 35 feet in height at maturity.

Amendment 4. Amend from definitions, Section 3:3, Change of Use and replace it with the following definition:

Change of Use. The act of eliminating the type of land use in a structure or on a lot and replacing it with another type of land use; or the act of adding another type of land use in a building or on a lot which did not previously exist there. A change of use may or may not involve any type of new construction or building renovation. Single tenant developments where a use has ceased or is no longer in operation for a period of one hundred eighty (180) calendar days or more shall render the prior use inactive and subsequent uses of the property shall be considered a "change in use" and reviewed, as such. ~~Multi-tenant developments where all of the units are vacant or unoccupied for a period of one hundred eighty (180) days or more shall be considered a change of use and reviewed as such.~~ Multi-tenant developments where fifty percent (50%) or more of the gross floor area of a structure or lot (accommodating two or more uses) has ceased or is no longer in operation for a period of one hundred eighty (180) calendar days or more shall be considered a change of use and reviewed as such.

Amendment 5. Create the following three (3) new fees:

Temporary Certificate of Occupancy: \$50 dollars per 30 day increment, maximum of ninety (90) calendar days.

Alternative Landscape Compliance Review Fee: \$100.00