



**SURFSIDE BEACH PLANNING & ZONING COMMISSION
WORKSHOP – TREE ORDINANCES
TOWN COUNCIL CHAMBERS
FEBRUARY 19, 2015 ♦ 6:00 P.M.**

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1. **CALL TO ORDER.** Chairman Pruitt called the Planning & Zoning Commission workshop to order at 6:00 p.m. Commission members present: Chairman Pruitt, Vice Chairman Abrams and members Elliott, Johnson, Lauer, and Lowery. Member Crone was absent. A quorum was present. Others present: Town Clerk Herrmann; Planning Director Morris; Ms. Tabitha Mull, and Mr. Bert Krassin representing Ocean Pines II Homeowners Association.

2. **PLEDGE OF ALLEGIANCE.** Chairman Pruitt led the Pledge of Allegiance.

3. **WORKSHOP.**

Ms. Morris explained that the workshop was to discuss the town's tree ordinances so the commission could formulate recommendations at its next regular meeting. After a PowerPoint presentation was shown; a graph comparing other Tree Cities' ordinances, and a lengthy discussion, the commission concurred to hold a public hearing and to consider the following at its next regular meeting:

Foremost, the ordinance should be explicit that a permit is required before any tree cutting was done. Free permits were issued for cuttings under 4-inches.

Any removal over 4-inches requires a permit; *finer and tree replacement, if no permit obtained:*

1. \$500 for removing limbs over 4-inches;
2. \$500 for topping or removing a tree;
3. \$500 per 4-inch caliper for removing protected or specimen trees;
4. \$500 failure to obtain a permit;
5. \$1,000 for specimen trees;
6. \$10,000 landmark trees;
7. Tree replacement shall be twice the inches removed and shall be from the protected tree list (may be the same species for landscaping plans);
8. Percentage of fine assessed to homeowner 40-percent; to contractor 60-percent; and
9. A Municipal Summons may also be written that will require a court appearance and additional fines.

Fines will be placed in the Tree Mitigation Fund pursuant to Section 17-732 of the Town Code.

The commission concurred to revise the C-1 Commercial District tree ordinance to comply with the overlay ordinance requirements.

The commission concurred that the all measurements should be based on caliper. Caliper is determined as the diameter of the tree six inches above the ground for trees up to 4-inches, and 12-inches above the ground for larger diameters.

Landmark trees will be defined as any tree of a certain size of a particular species, for instance, the Live Oaks at 3rd Avenue South; Hickory trees; Magnolia trees, and Red Maple trees. Ms. Morris will consult with an arborist and present his recommendations. The commission concurred that all Live Oak trees should be designated landmark trees regardless of size. Cutting any landmark tree will require an arborist opinion or a setback variance appeal before the Board of Zoning Appeals.

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Trees would not be preserved, if doing so would make the lot unbuildable. Development would always be allowed. However, if the house could be moved to save the tree, the owner may request a setback variance from the Board of Zoning Appeals. Under the current code, the Board may allow a variance to save a tree. The homeowner has the option to appeal; but staff did not want responsibility for allowing the variance.

Professionals and citizens will be advised of the new fine structure when the ordinance is adopted. A suggestion was made to have a tree planting to bring attention to the new code and the importance of saving trees.

4. **PUBLIC COMMENTS - General.**

Mr. Krassin said from the floor that the owners at Ocean Pines II (83 owners) supported the tree ordinance. The owners were upset even when a pine tree had to be removed.

5. **ADJOURNMENT.** Ms. Abrams moved to adjourn at 7:24 p.m. Ms. Johnson seconded. All voted in favor. **MOTION CARRIED.**

Prepared and submitted by,

Debra E. Herrmann, CMC, Town Clerk

Approved: March 3, 2015.

Mikey Pruitt, Chairman

Clerk's Note: This document constitutes action minutes of the workshop that was digitally recorded, and not intended to be a complete transcript. Appointments to hear recordings may be made with the town clerk; a free copy of the audio will be given to you provided you bring a flash drive. In accordance with FOIA, meeting notice and the agenda were distributed to local media and interested parties. The agenda was posted on the entry door at Town Council Chambers, and in the Town Hall reception area. Meeting notice was also posted on the Town marquee.

