

City of Darien

McIntosh County
Brunswick MSA

2003 Population Estimate 1,670; -3.0% change from 2000 Census.
Not a Tree City USA.

Streetscapes/Parks Committee with 4 members; no meeting frequency required by ordinance.

Tree and Landscape Ordinance

First adopted 2002. No revisions.
Addresses public and private property.
Includes landscape requirements.

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Preferred that contact
information not be published.

Tree Ordinance

City of Darien, GA

May 21, 2002

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CITY OF DARIEN, GEORGIA TREE AND LANDSCAPE ORDINANCE

PURPOSE AND INTENT

This Tree and Landscape Ordinance is enacted to provide standards for:

1. Preserving and/or replacing trees and vegetation as part of the land development and building construction process;
2. Improving the aesthetic appearance of commercial, governmental, industrial and residential areas through the incorporation of landscaping guidelines into development, in ways that enhance the environment;
3. Maintaining permeable land areas essential to surface water management and aquifer recharge;
4. Encouraging the conservation of natural resources through the use of native plants and maintenance techniques as recommended by the American National Standards Institute (A300);
5. Promoting energy conservation through the creation of shade, thereby reducing heat retention in or on buildings or paved areas;
6. Protecting canopy and specimen trees as defined in this Ordinance.

The intent of these standards is to provide necessary information to facilitate development project design, plan review, and enforcement processes so that the provisions of the ordinance can be administered by the City of Darien Streetscapes and Parks Committee in the most effective, efficient and economical manner. In furtherance of this intent, the City of Darien, Georgia Tree and Landscape Ordinance Activities Manual (Activities Manual) is created as a tool to provide detailed examples and guidance in creation and implementation of development plans in compliance with this Ordinance and is made a part thereof.

APPLICATION

With the exception of individual single and two-family dwellings, the terms and provisions of the Tree and Landscape Ordinance shall apply to any planned development or land disturbing activity, private and/or governmental, as follows:

1. All undeveloped property;
2. Any developed property which undergoes substantial change (50% or more) in footprint;
3. Public rights-of-way, parks and other public lands;
4. Any annexed property.

Definitions

Basal Caliper

Diameter of a plant's main stem measured at six inches above ground level.

Canopy Tree

A large tree that has a distinct presence in the landscape or forest where the limbs overhang large areas including public rights-of-way.

Critical Root Zone

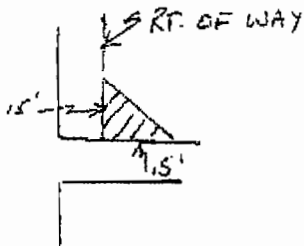
The minimum area beneath a tree, which must be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. The critical root zone (CRZ) will typically be represented by a concentric circle centering on the tree's trunk with a radius equal in feet to one (1) times the number of inches of the trunk diameter. Example: The CRZ radius of a 20-inch diameter tree is 20 feet.

Preserved Tree

Any tree indicated on a site development plan that is to be protected during development of property for incorporation into the final landscaping requirements.

Sight Triangle

Example:



The area of property on both sides of a driveway formed by the intersection of each side of the driveway and public right-of-way with the two sides of each triangle being a minimum of 15 feet in length from the point of intersection and the third side being a straight line connecting the ends of the two other sides.

Specimen Tree

Any tree designated for preservation because of rarity, aesthetic value, historical value, botanical importance, importance to overall community planning or size.

Street Yard

A perimeter planting area, which is located between a street right-of-way and a vehicular use area.

3/10/2016

PLANNING DEPARTMENT OF THE CITY OF DARTON, GA.

Structural Roots

Those tree roots, which should not be encroached upon by soil disruptions and hardscape installation. (See Appendix B)

Tree

For purposes of land clearing, a tree is any woody plant except dogwood or other flowering tree that has a single trunk with a caliper of 5 inches or more at 6 inches above the ground. A dogwood or other flowering tree with a caliper of 2 inches or more at 6 inches above the ground is also defined as a tree.

Vehicular Use Area

Any ground surface area, excepting public right-of-way used by any type of vehicle whether moving or at rest for the purpose of, including but not limited to, driving, parking, loading, unloading, storage or display, such as, but not limited to, new and used car lots, activities of a drive-in nature in connection with banks, restaurants, filling stations, grocery and convenience stores.

SECTION I. PUBLIC TREE CARE

A. Maintenance by City of Darien

1. Trees Under City Control. It shall be unlawful for any person(s) to engage in pruning, treating or removing public or park trees, except those persons who are employees of or contracted by the City of Darien or are approved or designated by the Streetscapes and Parks Committee.

2. Removal for Public Safety. The Streetscapes and Parks Committee may recommend to the Public Works Department the removal or pruning of any trees or vegetation or part thereof which: is deemed to be in an unsafe condition, or which by reason of its nature is a public hazard, or is potentially injurious to any public improvement, or is affected by any threatening insect or injurious transmittable disease which constitutes a potential threat to other trees in the City of Darien.

3. Right to Clear Sight Obstructions. The City of Darien shall have the right to prune obstructive trees and shrubs on private property that overhang onto the public right-of-way or obstruct the view or safe passage for vehicular or pedestrian traffic. Private trees that overhang public property may be pruned or removed up to the property line by the City of Darien without notice to the property owner. The City shall be obligated to prune only that portion of the tree which affects public interests.

4. Maintenance Standards. All pruning of public trees shall be done in accordance with the most recent edition of the American National Standards Institute (ANSI) Standard for Tree Care Operations - Tree, Shrub and Other Woody Plant Maintenance - Standard Practices (ANSI A300).

5. Pruning Standards for Private Trees Pruned by the City. Where necessary to protect the public interest, private trees will be pruned to ANSI Standards only if permission is given by the property owner for the City to enter upon private property.

6. Stumps. All stumps of street and park trees shall be removed below the surface of the ground.

B. Placement of Street Trees and Park Trees

1. Approval of Streetscapes and Parks Committee Required. Prior to planting a tree or shrub on or along any street, park, or other public land, the species to be planted must be approved by the Streetscapes and Parks Committee.

2. Spacing of Trees. Small trees may not be planted less than thirty (30) feet apart, medium trees less than forty (40) feet apart, and large trees less than fifty (50) feet apart, except in case of special planting effects created by a qualified landscape designer.

3. Clearance from Curbs and Sidewalks and Underground Utilities. No tree stem shall be planted closer to a curb or sidewalk, or the closest lateral distance from an underground utility than the following distances: small and medium trees, three (3) feet; and large trees, four (4) feet. No pines shall be planted within ten (10) feet of a curb or sidewalk.

4. Clearance from Intersections. No tree may be planted any closer than thirty-five (35) feet of any street corner, measured from the point of the nearest intersecting curbs or pavement.

5. Clearance from Fire Hydrants. A minimum ten (10) feet radius clear zone shall be maintained around all fire protection equipment, including fire hydrants. The clear zone shall contain no plant materials or structural elements other than ground cover plants.

6. Clearance from Overhead Utilities. The location of overhead utility lines shall be considered during the placement of required trees in accordance with the following standards:

- a.** Small and medium species may be planted within thirty-five (35) feet of the nearest overhead utility line.
- b.** Large species shall be planted more than thirty-five (35) feet from the nearest overhead utility line. (See Appendix A for characterization of tree sizes by species.)

SECTION II. PERMITS

A. Permits Required

1. Administrator. The Darien Department of Public Works with the assistance of the Streetscapes and Parks Committee shall direct, administer and control the care of and necessary removal of all trees and vegetation growing now or hereafter in the City of Darien in accordance with the guidelines set forth herein.

2. Permits. No person, firm, organization, corporation or society shall directly or indirectly cut, remove, burn or destroy any tree situated on property subject to this ordinance without first obtaining the required permits:

a. BUILDING PERMIT. No Building Permit shall be approved for development by the City of Darien Building Inspector without it being determined that the proposed site-development plan is in compliance with the provisions of this ordinance.

b. TREE AND LANDSCAPE PERMIT. Permit forms may be obtained from the Clerk of the City of Darien. The completed form shall be submitted to the Clerk of the City of Darien along with a tree inventory of the subject site, noting trees to be removed as described in Section II.C. below.

c. BURNING PERMIT. Issued by the City of Darien with the approval of the McIntosh County or City of Darien Fire Chief.

3. ANNEXED PROPERTY. Any property annexed into the City of Darien shall comply with the Tree and Landscape Ordinance within twelve (12) months of annexation.

4. DEADLINE FOR SUBMISSION. The deadline for submission of any tree and landscape permit will be no less than 14 calendar days prior to the regularly scheduled meeting of the Streetscapes and Parks Committee. Applicants requesting action on their permits outside the normal schedule shall be subject to a \$100 fee for special handling and a called meeting.

B. Permit Procedures.

The following procedures and requirements shall be followed by the applicant and the City:

1. Filing and Review. Application for approval of landscape plan and issuance of a permit shall be made by filing the Site Development Plan (Landscape Plan) at the same time other building plans are submitted for review by the City of Darien Building Inspector's Office. The Landscape Plan shall be reviewed and approved by the City of Darien Streetscapes and Parks Committee prior to the issuance of permits by the Clerk of the City of Darien. Landscape Plans for properties in the Historic Darien Districts must also be reviewed and approved by the Darien Historic Preservation Commission.

2. Approved Landscape Plan Required for Issuance of Permit. No Building Permit, if required, shall be issued unless and until the City of Darien has approved the Site Development Plan and issued a Tree and Landscape Permit.

3. Permit Posting. A copy of the approved Land Disturbing Activities Permits shall be available and displayed conspicuously on site during construction and installation of landscape improvements.

C. Site Development Plan Required

1. Site Development Plan Requirements. For any Site Development requiring a Building Permit from the City of Darien, a Site Development Plan shall be submitted upon application for a Tree and Landscape Permit. The Site Development Plan shall include the following information:

a. Scale Drawing indicating the existing and proposed structural improvements, location, dimensions and square footage of vehicular use areas, vehicle sales display areas, outdoor storage areas, public and private utility service areas, proposed parking space and overhead and underground utilities lines.

b. Existing and Proposed Landscaping Uses to satisfy the requirements of this ordinance, including quantities, species, location and size of trees, shrubs and ground covers; the location and dimensions of planting areas and street yards; the location and size of earthen berms; the location, size and construction material of fences, walls, wall planters. and walkways.

c. Trees to be preserved on the site shall be identified by location, species, height and diameter 4.5 feet above grade, critical root zone, and special techniques employed for tree preservation.

d. Trees to be removed from the site shall be identified by location, species, height and diameter 4.5 feet above grade.

SECTION III. LANDSCAPING REQUIREMENTS

To ensure the attainment of the objectives of this ordinance, the design and installation of required landscaping shall be consistent with the following standards and the City of Darien, Georgia Tree and Landscape Ordinance Activities Manual (Activities Manual) unless it can be demonstrated that alternative design and installation plans will meet the objectives of this ordinance.

A. General Requirements

1. Vision Clearance at Intersections. Landscaping required by this ordinance shall comply with the City of Darien's minimum vision clearance standards and sight triangle for streets, intersections and driveways as defined herein and in the City of Darien's Zoning Ordinance and any other applicable codes. Landscape plant material shall not obstruct or impede public pedestrian rights-of-way or routes.

2. Protection from Vehicle Encroachment. All vegetation in planting areas which are adjacent to vehicular use areas or outdoor storage areas shall be protected from vehicular encroachment by construction of curbing or other appropriate barriers.

3. Erosion Control. The soil surface of all planting areas shall be stabilized to prevent erosion by the use of live ground cover plants, shrubs, mulches, permeable pedestrian paving blocks, or a combination thereof.

4. Overhead Utilities. The location of overhead utility lines shall be considered during the placement of required trees in accordance with the following standards:

- a. Small and medium species may be used when located within thirty-five (35) feet of either side of the nearest overhead utility line.
- b. Large species may be used when located more than thirty-five (35) feet on either side of the nearest overhead utility line. (See Activities Manual for characterization of tree sizes by species.)

5. Clearance from Fire Hydrants. A minimum ten (10) feet radius clear zone shall be maintained around all fire protection equipment, including fire hydrants. The clear zone shall contain no plant materials or structural elements other than ground cover plants.

6. Tree and Shrub Selection. Tree selection for planting will be made from the locally adapted species list included in the Activities Manual of this ordinance. If a species not on the list is intended for planting, it first must be approved by the Streetscapes and Parks Committee. All medium and large trees must be at least two (2) inches at basal caliper and at least eight (8) feet in height at the time of planting. All small trees to be planted must be at least one (1) inch at basal caliper and at least six (6) feet in height at the time of planting. Shrubs included in interior planting areas must be a minimum of twelve (12) inches in height at installation. Shrubs shall be locally adapted species which retain their foliage to within six (6) inches above ground line and shall be spaced no more than eighteen (18) inches apart edge to edge. All planting shall conform to the most recent edition of the Tree and Shrub Transplanting Manual distributed by the International Society of Arboriculture. Tree quality shall meet or exceed Grade 1 as defined in the most recent edition of the American Standard for Nursery Stock published by the American Association of Nurserymen.

7. Preservation of Existing Trees. The City of Darien desires to preserve all existing trees wherever possible during development. Preserved trees may be credited toward and count in the minimum landscape requirements. To be deemed a preserved tree and count in the minimum landscape requirements, the existing tree must be at least 5 inches in basal caliper and included among the approved species listed in the Activities Manual of the Activities Manual. In order to encourage the preservation of large mature trees, except those defined as specimen trees, preserved trees will be

substituted for trees required to be planted under the minimum landscape standards on a one-to-one ratio. Preserved trees shall meet or exceed the minimum standards for planted trees. Preserved specimen trees will be credited toward the landscape minimum standards for trees to be planted on a one-to-six ratio. (One preserved specimen tree shall equal six (6) proposed planted trees.)

8. Tree Protection Measures During Construction. Existing trees to be retained on development sites shall be protected from injury and damage throughout the development process from permit approval through issuance of certificate of occupancy.

a. Tree Protection Fence Required. A tree protection barrier shall be erected upon issuance of the Building Permit and prior to commencing any other physical construction or land disturbing activities on the site. The tree protection fence shall be maintained in place throughout construction until issuance of the certificate of occupancy. The minimum area enclosed by a tree protection barrier shall include the Critical Root Zone (CRZ) for all trees enclosed by the fence.

b. Critical Root Zone (CRZ) Protection. The CRZ shall be maintained free of encroachment. No construction materials, equipment, vehicles, tools, portable toilets, construction trailers or other matter shall be stored, set up or disposed of, nor shall any concrete or paint washout, or any other material disposal occur within the CRZ of any retained tree or within the tree protection barrier area.

c. CRZ Clearing. Clearing of underbrush, vines and other materials shall be accomplished by hand. No vehicle entry is permitted.

d. CRZ Mulching. The soil surface surrounding the CRZ shall be mulched to a depth of four to six (4-6) inches with wood-product mulch. Mulch and mulch depth shall be maintained throughout construction.

e. Underground and Overhead Utilities. Underground and overhead utilities shall be routed so as not to encroach into a CRZ whenever possible. If encroachment cannot be avoided, underground utilities shall be bored the entire distance of encroachment through the CRZ with a minimum depth of two (2) feet. Under no circumstances shall underground utilities be routed within the zone of structural roots.

Overhead utilities shall maintain a minimum clearance of ten (10) feet of the nearest part of a protected tree. Pruning shall not be used to attain the required clearance.

f. Grading and Filling. No grading or filling shall occur within the CRZ of any preserved tree.

9. Maintenance of Preserved Trees and Plants. Preserved trees shall be maintained during construction as required by this ordinance. Maintenance is the sole responsibility of the owner. Any dead trees or plants shall be replaced according to the provisions of this ordinance within sixty (60) days of mortality, and/or prior to the issuance of a certificate of occupancy.

10. Open Space Requirement. Each development site shall include a minimum of twenty percent (20%) gross surface area as open permeable land.

11. Irrigation. Permanent irrigation is required for all planted areas. The minimum shall be a hose bib capable of supplying 3 gallons of water per minute. No preserved tree shall be more than 75 feet distance from a hose bib.

B. Vehicular Use Areas

The following landscaping standards shall be met in all vehicular use areas in development or redevelopment:

1. Permeable Land Requirement. Vehicle use areas shall have a minimum 5% of its gross surface area as permeable land.

2. Tree and Shrub Planting. In vehicular use areas, the minimum landscape requirement of one large tree species and five shrubs for every 8,000 square feet of vehicular use area or proportionate fraction thereof. No parking surface shall be located within 4 feet of the base of any tree. The minimum planting area width or diameter is nine (9) feet.

3. Planting Space Size Requirements. Each large tree shall have a minimum of 400 square feet of permeable land allocated to its root system. Each medium tree shall have a minimum of 225 square feet of permeable land allocated to its root system. Each small tree shall have a minimum of 100 square feet of permeable land allocated to its root system.

C. Street Yard Areas

1. Tree and Size Requirements. A landscaped street yard area shall be required along all vehicular use areas adjacent to a street right-of-way. A street yard area must have a minimum width of 9 feet of private property. A minimum of one (1) large tree species and five (5) shrubs shall be required along every seventy-five (75) linear feet of street yard, except in the presence of overhead utilities. If overhead utilities are present, small tree species shall be substituted for large species on a one-for-one basis. Trees and shrubs planted in street yard areas must conform to the specifications stated in Section III. A.6. Planting the largest size class of tree the site will accommodate is specifically encouraged.

2. Walkway Placement and Design. Street yard areas may not be used for any purposes other than landscaping, signage and pedestrian walkway. If pedestrian walkways are constructed of impervious material, the walkway shall not exceed fifteen (15) percent of the total surface area of the street yard. Any walkway constructed of impervious material shall not be within three (3) feet of the trunk of any existing or proposed planting. When this is not possible, the sidewalk shall be rerouted or pervious paving materials shall be used upon approval of the Streetscapes and Parks Committee.

D. Expansion of Existing Vehicular Use Areas

Any expansion of existing vehicular use areas up to and including 50% of the gross existing surface area shall have the same requirements as prescribed for interior and exterior street yard planting areas of new development. The requirements shall pertain only to the expansion area; however, the minimum landscape standards as to trees and shrubs may be distributed throughout the entire vehicular use area if the applicant desires. Existing vehicular use areas shall comply with the same tree and landscaping standards as new vehicular use areas whenever any expansion, singularly or collectively, commenced within a period of two years, of an existing vehicular use area exceeds 50% of the existing gross surface area.

E. Screening Outdoor Storage Areas.

Any outdoor storage area with a linear dimension of 15 feet or greater, or any dumpster-type refuse container with a linear dimension of 5 feet or greater which is not screened by a building or other structure shall be screened from view from any public street right-of-way for its entire length, including the gated area. A wall or natural barrier with a minimum height of 6 feet constructed of the same or acceptable material as the principal structure is required.

F. Historic District Provisions.

1. Deposit to Tree Fund *in lieu* of Planting. If the City of Darien Historic Preservation Commission recommends that part or all of the requirements for tree and shrub planting under this Ordinance would conflict with the historic preservation guidelines for a commercial development proposed within the Historic District of Darien, those requirements in conflict shall be met by deposit of monies into the City Of Darien Tree Fund by the developer at the rates in effect at the time of permit issue. In no case shall funds received from projects located within the Historic District of Darien be used to fund plantings outside the Historic District.

2. Receipt of Monies Required Prior to Issuance of Certificate of Occupancy. All funds due for a project shall be received into the Tree Fund prior to issuance of the Certificate of Occupancy for that project.

3. Location of Alternate Plantings on Public Property. Trees and shrubs shall be planted in the closest available planting spaces to the development project. The closest available spaces shall meet the planting space requirements of this Ordinance and shall not require modification of built infrastructure by the City of Darien.

G. Specimen Trees.

The City of Darien seeks to protect the live oak (*Quercus virginiana* L.) as well as exceptional specimens of other tree species within the city limits. Every effort shall be made to ensure survival of trees designated as Specimen Trees. In recognition of the importance of these trees and the additional costs likely to be incurred in the conservation of Specimen Trees, the following requirements and credits are enacted:

1. Specimen Tree Designation. The Streetscapes and Parks Committee shall annually recommend a list of specimen trees to Darien City Council. Upon action of Darien City Council in regular meeting assembled, the trees accepted as Specimen Trees shall enjoy protection under this ordinance. The list shall include tree identification by property identification number, diameter and approximate height. The list shall be published as an annual addendum to the Tree and Landscape Ordinance Activities Manual.

2. Critical Root Zone is the Minimum Conserved Area. The minimum area which must be conserved for use by a Specimen Tree is the Critical Root Zone. Conservation outside the boundaries of the CRZ is strongly encouraged.

3. Use of CRZ Area Under Special Conditions. Some portion of the CRZ of a Specimen Tree may be allowed (ex. for vehicle use, storage, or structure overhang) if additional protections and treatments are provided and specific conditions are met.

4. Root Zone Specific Conditions. The following minimum criteria must be met and maintained to achieve and maintain Specimen Tree Conservation Credits:

a) Soil Compaction. Soil compaction as measured by bulk density is 1.7g/cc or less in sandy soils and 1.3g/cc or less in clay soils during construction and maintained at or below this limit after construction throughout the conserved area.

b) Water Supply. Permanent water supply adequate to deliver one inch of water per week to the entire conserved area.

c) Organic Matter. Provisions are made to supply and cover the entire conserved area with an average minimum depth of two inches of wood-product mulch annually.

d) Soil pH. Soil pH is maintained between 4.5 and 7.0. over the entire conserved area.

5. Credits for Specimen Tree Conservation. The Credits for Specimen Tree Conservation are measured in square unit area. Credits are determined by subtracting the 20% minimum permeable ground requirement area from the conserved area. The positive remainder in square unit area is the credit for Specimen Tree Conservation.

6. Applying for Credits for Specimen Tree Conservation. A request for consideration for tree conservation credits shall be submitted with the Site Development Plan. The request shall include description of the methods for achieving root zone specific conditions and show calculations for determining the credits requested. The applicant will be notified by the City of Darien in writing upon issuance of the building permit if credits will tentatively be awarded for the project.

7. Award of Credits. Credits will be officially awarded in writing at issuance of Certificate of Occupancy upon completion of inspection and testing has confirmed all specific conditions have been met.

8. Redeeming Credits for Specimen Tree Conservation. Credits may be redeemed on subsequent development projects on a one-for-one basis against minimum permeable land requirements.

9. Reporting Transfer of Credits for Specimen Tree Conservation. The owner of Specimen Tree Conservation Credits may elect to sell or otherwise permanently transfer some or all of their accumulated credits to another party. The City of Darien shall be notified of the transfer with a letter signed by all involved parties stating the quantity of credits transferred, naming the provider(s) and the receiver(s) of credits, and the effective date of the transfer.

10. Replacement of Specimen Trees In the event that it is not possible to retain a specimen tree on a development site, the Specimen Tree shall be replaced on a species per species and basal-cross-sectional-inch per basal-cross-sectional-inch basis. (Ex. one 24-inch diameter live oak specimen tree would be replaced by sixteen (16) six-inch (6") diameter live oaks, or thirty-six (36) four-inch (4") caliper live oaks, or one-hundred-forty-four (144) two-inch (2") caliper live oaks, or combination thereof).

11. Alternatives to Planting Specimen Tree Replacement Trees on the Development Site. Alternatives to planting all replacements for specimen trees on the development site are: 1) plant the replacement trees on other lands within the city limits of Darien upon approval of the property owner and provided the sites meet all planting site and maintenance requirements under this ordinance, 2) deposit sufficient monies into the Tree Fund to cover the cost for the City to plant the replacement trees, or 3) a combination of these.

SECTION IV: CITY OF DARIEN, GEORGIA TREE FUND

A. City Of Darien, Georgia Tree Fund Established.

The City Of Darien, Georgia Tree Fund (Tree Fund) is hereby established as a separate account held and managed by the City of Darien, Georgia to receive and disburse funds for the planting trees, shrubs and other vegetation on public property in the City of Darien.

B. Source of Deposits.

Deposits into the Tree Fund may be from any source. The Tree Fund is specifically established to receive funds 1) in lieu of direct on-site planting required under this Ordinance on development sites within the City, 2) public or private donations for beautification projects and tribute plantings, 3) other projects as may be designated by the Darien City Council from time to time.

C. Timely Use of Funds Required.

The City of Darien shall start to use the funds deposited *in lieu* of planting by a private development project within 12 months of issuance of the Certificate of Occupancy for that project. Any funds remaining 36 months after issuance of Certificate of Occupancy shall be returned to the project developer.

D. Location of Plantings on Public Property from Private Development Sources.

Trees and shrubs shall be planted on public property in the closest available planting spaces to the development project. The closest available spaces shall meet the planting space requirements of this Ordinance and shall not require modification of built infrastructure at cost to the City of Darien.

E. Approved Uses for Funds from Private Development Sources.

Funds received from private development sources shall be used exclusively to plant and maintain on public property and through a two-year establishment period the trees and shrubs waived from on-site planting for the private development. Tree Funds shall be used only for direct costs to purchase,

deliver, install, and maintain through a two-year establishment period the said trees and shrubs. Purchase, delivery, installation and maintenance may include unit cost, shipping, hardening off, loading, off-loading, watering, soil tests, labor, equipment, soil treatments, amendments, mulching, plant health care, staking, and all other usual and necessary tasks to ensure plant establishment.

F. City to Plant in Numbers and Sizes Equal to Deposits Received.

The City of Darien shall plant trees and shrubs on a one-for-one basis equal to the quantities and sizes of plants used to determine the amount of the deposit received from private development sources.

G. Schedule of Costs.

The Schedule of Costs for the City of Darien to plant trees of the three size classes, standard shrubs, special plantings and other vegetation as might be required by Darien City Council shall be reviewed annually by the Streetscapes and Parks Committee and the Public Works Director. Cost adjustments necessary to cover the City's actual direct costs to conduct planting and establishment operations shall be recommended to Darien City Council annual budget requests.

Initial 2002 Cost Schedule

Standard Large Tree - 2" caliper 8-10 feet tall	\$400.00
Standard Medium Tree - 2" caliper 8-10 feet tall	\$350.00
Standard Small Tree - 1" caliper 8-10 feet tall	\$105.00
Standard Shrub - 3 gallon 18"-24"	\$ 35.00

SECTION V: CONTINUING COMPLIANCE AND OBLIGATION FOR MAINTENANCE

A. Maintenance Required. The owner/lessee of a property to which a Tree and Landscape Permit applies shall be required to maintain the landscaping in compliance with this Ordinance in perpetuity.

B. Inspection. Sites shall be inspected at least annually by the City of Darien public Works Department or the Streetscapes and Parks Committee to ensure that continuing compliance with required trees and landscape standards are met and that plants are established and thriving.

C. Notification of Deficiency. The owner/lessee of the property will be notified in writing by the City of Darien Public Works Department of any missing or dead plants that need to be replaced.

D. Prompt Replacement Required. All missing or dead plants shall be replaced with a plant of the same species meeting requirements under this ordinance within sixty (60) days (or in the next planting season, November-March) of written notice to the applicant and property owner.

E. Change of Ownership. In the event that a property changes ownership, the provisions of this ordinance shall be followed by the new owner.

SECTION VI. VIOLATIONS AND PENALTIES

A. Failure to Obtain a Permit Before Performing Land Disturbing Activities or Other Activities Which Impact Trees. It shall be unlawful for any person to perform any land disturbing activity to property under the jurisdiction of this ordinance or perform pruning or removal work on a tree without first obtaining a permit from the City of Darien Building Inspector's Office. Each tree impacted by such work shall constitute a separate offense.

B. Violations of Provisions or Removal or Destruction of Trees. It shall be unlawful for any person to injure, mutilate, remove or otherwise destroy any tree(s) which are under the jurisdiction of this ordinance. The injury, mutilation, removal or destruction of each tree shall constitute a separate offense.

C. Failure to Maintain Trees on Site. Any tree designated in the Site Development Plan to be retained that dies or is destroyed during construction or dies after occupancy shall be replaced with a tree of the same species meeting planting size requirements within sixty (60) days (or in the next planting season, November-March) of written notice to the applicant or property owner. Failure to replace said tree(s) within this time frame shall subject said party, upon conviction, to a minimum fine of \$200.00 per tree. Each day the party fails to replace said tree(s) after the sixty (60) day notice required herein shall constitute a separate and distinct offense.

D. Failure to Replace Dead Plants as Designated in the Landscape Plan. Any person failing to replace any dead plants and/or tree after sixty (60) days written notice as provided for in this ordinance shall be subject, upon conviction, to a minimum fine of \$50.00 per offense. Each day that said party fails to replace said plant(s) shall constitute a separate offense.

E. Jurisdiction. Any person violating this ordinance shall be punished according to the law and subject to fine by the Municipal Court, City of Darien, Georgia.

F. Waivers. Darien City Council may waive requirements and penalties under this ordinance upon the developer demonstrating in a show for cause hearing why meeting the provisions of this ordinance imposes an unreasonable burden.

VII. ABROGATION AND GREATER RESTRICTIONS

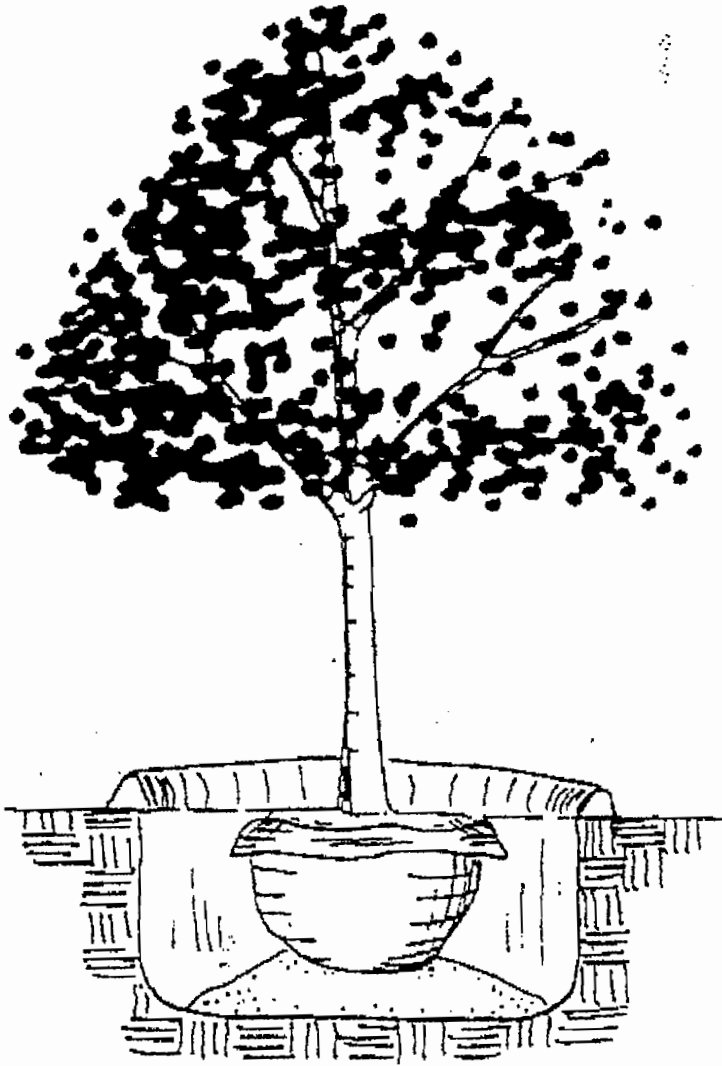
This Ordinance is not intended to repeal, abrogate, supplant or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

VIII. SEVERABILITY

If any provision of this ordinance is declared to be invalid, such declaration shall not affect, impair, or invalidate the remaining provisions of this ordinance.

IX. CONFLICTS

All ordinances or parts of ordinances in conflict herewith are hereby repealed.



- TREE WRAP
- BERM/DIKE TO FACILITATE WATERING.
- MULCH 4 - 6" DEEP
- TREE SHALL BEAR SAME RELATION TO FINISHED GRADE AS IT BORE TO PREVIOUS EXISTING GRADE.
- FINISH GRADE
- REMOVE BURLAP AND TIES FROM AROUND TREE COLLAR.
- USE NATIVE SOIL FOR BACKFILL. TAMP LIGHTLY.
- SCARIFY BOTTOM AND SIDES OF HOLE.
- HOLE TO BE TWO TIMES WIDER AND 6" DEEPER THAN ROOT BALL.
- UNDISTURBED GRADE
- STAKE WHERE APPROPRIATE.

Tree Planting Details

**Appendix A
Trees, Shrubs and
Groundcovers
Recommended for Planting
in
Darien, Georgia**

**Tree Species Recommendations
For Darien GA
(Reference: Trees of the Southeastern U.S./Duncan & Duncan)**

Common Name Botanical Name	Size	Description Page No.	Picture
Green Ash <i>Fraxinus pennsylvanica</i>	L	58	47
Bald Cypress <i>Taxodium distichum</i>	L	41	23
American Basswood <i>Tilia americana</i>	L	201	144
River Birch <i>Betula nigra</i>	L	231	180
Blackgum <i>Nyssa sylvatica</i>	L	257	212
Eastern Cottonwood <i>Populus deltoids</i>	L	112	126
Chinese Elm <i>Ulmus parvifolia</i>	L	235	184
Winged Elm <i>Ulmus alata</i>	L	237	187
Ginkgo (Male Only) <i>Ginkgo biloba</i>	L		
Mockernut Hickory <i>Carya tomentosa</i>	L	68	61
Pignut Hickory <i>Carya glabra</i>	L	69	63
Southern Magnolia <i>Magnolia grandiflora</i>	L	106	119
Florida Sugar Maple <i>Acer barbatum</i>	L	91	98
Red Maple <i>Acer rubrum</i>	L	88	89/90
Bluff Oak <i>Quercus austrina</i>	L	276	223
Cherrybark Oak <i>Quercus pagoda</i>	L	284	240
Chestnut Oak <i>Quercus prinus</i>	L	280	231
Darlington (Laurel) Oak <i>Quercus hemisphaerica</i>	L	209	152
Live Oak <i>Quercus virginiana</i>	L	208	149

Overcup Oak <i>Quercus lyrata</i>	L	278	
Post Oak <i>Quercus stellata</i>	L	276	
Shumard Oak <i>Quercus shumardii</i>	L	288	
Southern Red Oak <i>Quercus falcate</i>	L	284	239
Swamp Chestnut Oak <i>Quercus michauxii</i>	L	279	230
White Oak <i>Quercus alba</i>	L	279	227
Common Persimmon <i>Diospyros virginiana</i>	L	258	216
Loblolly Pine <i>Pinus taeda</i>	I.	31	6
Longleaf Pine <i>Pinus palustris</i>	L	30	4
Slash Pine <i>Pinus elliotii</i>	L	30	5
Yellow Poplar <i>Liriodendron tulipifera</i>	L	105	117
Eastern Redcedar <i>Juniperus virginiana</i>	I.	43	28
Southern (coast) Redcedar <i>Juniperus silicicola</i>	L	44	
Sweetgum <i>Liquidambar styraciflua</i>	L	199	139
Sycamore <i>Platanus occidentalis</i>	L	109	125
Japanese Zelkova <i>Zelkova serrata</i>	L	238	191
Atlantic White Cedar <i>Chamaecyparis thyoides</i>	M	4442	26
Chaste Tree <i>Vitex agnus-castus</i>	M	60	50
Carolina Cherry Laurel <i>Prunus caroliniana</i>	M	296	260
Crape myrtle <i>Lagerstroemia indica</i>	M	254	210
Devilwood <i>Osmanthus americanus</i>	M	94	101

Flowering Dogwood <i>Cornus florida</i>	M	92	99
Fringe Tree <i>Chionanthus virginicus</i>	M	95	104
Golden Raintree <i>Koelreuteria paniculata</i>	M	82	85
Loblolly Bay Gordonia <i>Cordia lasianthus</i>	M	218	165
American Holly <i>Ilex opaca</i>	M	216	160
Eastern Hophornbeam <i>Ostrya virginiana</i>	M	227	176
American Hornbeam <i>Carpinus caroliniana</i>	M	227	175
"Little Gem" Magnolia <i>Magnolia grandiflora 'little gem'</i>	M		
Trident Maple <i>Acer buergerianum</i>	M		
Sand Live Oak <i>Quercus geminata</i>	M	208	150
Cabbage Palmetto <i>Sabal palmetto</i>	M	49	31
Chinese Pistache <i>Pistacia chinensis</i>	M		
Redbay <i>Persea borbonia</i>	M	213	157
Eastern Redbud <i>Cercis Canadensis</i>	M	200	140
Sassafras <i>Sassafras albidum</i>	M	198	138
Downy Serviceberry <i>Amelanchier arborea</i>	M	242	195
Carolina Silverbell <i>Halesia Carolina</i>	M	311	281
Sweetbay <i>Magnolia virginiana</i>	M	106	118
Witchhazel <i>Hamamelis virginiana</i>	M	240	194
Hazel Alder <i>Alnus serrulata</i>	S	267	221
Eastern Baccarjos <i>Baccharis halmifolia</i>	S	225	174

Red Buckeye <i>Aesculus pavia</i>	S	55	41
Chamaecyparis Variety <i>Chamaecyparis spp.</i>	S	42	26
Franklinia <i>Frankliniana altamaha</i>	S	309	277
Gallberry <i>Ilex glabra</i>	S		
Dahoon Holly <i>Ilex cassine</i>	S	218	163
Yaupon Holly <i>Ilex vomitoria</i>	S	217	161
Pinckneya <i>Pinckneya bracteata</i>	S	99	111
Chickasaw Plum <i>Prunus angustifolia</i>	S	300	266
Forest Pansy Redbud <i>Cercis Canadensis 'Forest Pansy'</i>	S	200	140
Oklahoma Redbud <i>Cercis reniformis 'Oklahoma'</i>	S		
Texas White Redbud <i>Cercis reniformis 'Texas White'</i>	S		
American Snowbell <i>Styrax americanus</i>	S	244	198
Tree Sparkleberry <i>Vaccinium arboreum</i>	S	222	170
Virginia Stewartia <i>Stewartia malacodendron</i>	S	242	196
Sweetleaf <i>Symplocos tinctoria</i>	S	224	173
Red Titi (Swamp Cyrilla) <i>Cyrilla racemifloran</i>	S	215	159
Viburnum Species <i>Viburnum species</i>	S	100	113
Southern Waxmyrtle <i>Myrica cerifera</i>	S	206	147
Common Winterberry <i>Ilex veerticellata</i>	S	306	272

**Large Evergreen Shrub Species List
(8-12 Feet in Height)**

Common Name	Botanical Name	Comments
Anise (see Illicium)		
<i>Azalea sp.</i>		
Southern Indica Azaleas		Shade in summer and in afternoon; acid soil
Duc de Rohan		Orange-red
Duchess of Cyprus		Salmon-blush with reddish blotch
Fielder's White		White with chartreuse blotch
Formosa		Magenta
George L. Tabor		Orchid with magenta blotch
Mrs. G.G. Gerbing		White
Iveryana		White with red flecks
Judge Solomon		Watermelon pink
Lawrence A. Walker		Salmon
President Clay		Cherry red with Magenta blotch
Pride of Mobile		Watermelon red
Pride of Summerville		Salmon
Red Formosa		Deep Magenta
Salmon Soloman		Salmon pink
Southern Charm		Watermelon pink
Fernleaf Bamboo		
<i>Bambusa multiplex</i>		Good for screens; contained clump; fast-growing; pest free
Banana Shrub (see Michelia)		
Bottlebrush		
<i>Callistemon lanceolatus</i>		Red bloom spike in spring; thorny; pest-free; Use as background hedge or screen
Camellia		
<i>Camellia japonica</i>		No wet feet; blooms in fall-winter; tea scale; Rich, humus; acid soil
Camellia		
<i>Camellia sasanqua</i>		Same as above
Rosemary		
<i>Ceratiola ericoides</i>		Native shrub with lavender flowers in early spring; well-drained sandy soil
Cleyera		
<i>Cleyera japonica</i>		Upright; dark green leaves; pest-free
Elaeagnus		
<i>Eleagnus pungens</i>		Rampant grower, needs lots of room; silvery Natural hedge or border; wildlife plantings; no pest
Japanese Fatsia		
<i>Fatsia japonica</i>		Coarse texture; white flowers in fall; blue berries in winter; tropical accent; dark green foliage.

Pineapple Guava <i>Feijoa sellowiana</i>	White flower in spring; edible fruit; pest-free. Good shrub massing or screen
Kumquat <i>Fortunella japonica</i>	Creamy fragrant flowers; edible fruit
Chinese Holly <i>Ilex cornuta</i>	Red or yellow fruit in fall; dark green leaves; scale a problem; Specimen or foundation planting.
Burford Holly <i>Ilex cornuta 'Burfordii'</i>	Orange-red berries; rapid, dense foliage; scale; Specimen or hedge planting
Japanese Anise Tree <i>Illicium anisatum</i>	Coarse, aromatic leaves; pest-free Upright; Specimen or foundation planting
Florida Anise Tree <i>Illicium floridanum</i>	Moist to wet soil; deep red flowers in spring; Ornamental specimen
Star Anise <i>Illicium parviflorum</i>	Yellow-green flowers in June; aromatic leaves; Interesting fruit; Screen or hedge planting.
Florida Leucothoe <i>Leucothoe populifolia</i>	White-pink flowers on old wood; irregular growth
Japanese Privet <i>Ligustrum japonicum</i>	Coarse texture; white flowers in spring; fast growth. Good as screen
Curlyleaf Ligustrum <i>Ligustrum japonicum 'Rotundifolium'</i>	Dark green foliage; columnar plant; twisted; slow growing; easily pruned into tight spaces.
Waxleaf Privet <i>Ligustrum lucidum</i>	Coarse textured; useful as screen or hedge, may be pruned into small tree; white flowers; blue fruits
Evergreen Loropetalum <i>Loropetalum chinense</i>	Feathery white or pink flowers in spring; irregular form; no pests; screen, shrub massing use
Fetterbush <i>Lyonia ferruginea</i>	Native; leathery leaves; pink flowers in spring
Fetterbush <i>Lyonia ligustrina</i>	Same as above
Fetterbush <i>Lyonia lucida</i>	Same as above
Banana Shrub <i>Michelia figo</i>	Banana-scented cream flowers in April; Fragrant accent or shrub border
True Myrtle <i>Myrtus communis</i>	White flowers in spring; aromatic berries on females; Fine textured specimen. Hard to establish.
Common Oleander <i>Nerium oleander</i>	Red, pink, yellow, or white flowers in summer; toxic; Specimen; shrub border, hedge or screen use

Fraser Photinia <i>Photinia x 'fraseri'</i>	New leaves red; upright growth for screen, hedge or tree form; problems with disease.
Redtip Photinia <i>Photinia glabra</i>	New leaves red; upright growth for screen, hedge or tree form; problems with disease.
Chinese Photinia <i>Photinia serrulata</i>	New leaves coppery red; flowers in spring; red summer fruit; rapid growth; use as specimen for large areas
Pineapple Guava (See Feigoa)	
Pittosporum <i>Pittosporum tobira</i>	Interesting branching habit; variegated form; fragrant spring flowers; accent plant, shrub massing or hedge use.
Formosa Firethorn <i>Pyracantha koidzumi</i>	Bright red fall, winter fruit; specimen, screen, border; watch for scale; Cultivars: 'San Jose' spreading, "Santa Cruz" is prostrate form, 'Low Dense' is mounding, 'Victory' has showy dark-red berries
Indian Hawthorn <i>Raphiolepis umbellate 'Majestic Beauty'</i>	Fragrant pink or white flowers in spring; slow growing; wind, salt tolerant; specimen, foundation planting
Cleyera <i>Ternstroemia gymnanthera</i>	White flowers; red fruit in late summer
Viburnum <i>Viburnum macrophyllum</i>	Large, dark green leaves; upright; shrub borders, hedge usc. May be damaged by extreme cold—site in protected aarea
Sweet Viburnum <i>Viburnum odoratissimum</i>	Large, glossy leaves; white flowers; red-black fruit
Sandankwa Viburnum <i>Viburnum suspensum</i>	Dark green foliage; pest free; Shrub border or foundation planting use; May be damaged by extreme cold
Laurus tinus <i>Viburnum tinus</i>	White to pink flowers in winter; upright; border or screen; May be damaged by extreme cold—use in protected areas.
Spanish Bayonet <i>Yucca alofolia</i>	White flowers in summer; pest free; spiny leaves; specimen or protective screen usc.

**Large Deciduous Shrub Species List
(8-12 Feet in Height)**

Common Name Botanical Name	Comments
Althea (See Hibiscus)	
Groundsel Bush/Salt Myrtle <i>Baccharis halimifolia</i>	Native to salt marshes and dry uplands; showy white flowers in fall; natural borders; salt tolerance
Cassia <i>Cassia splendida</i>	Yellow flowers in fall; may die back when cold. (Also <i>Cassia corymbosa</i> and others are good for fall color)
Button Bush <i>Cephalanthus occidentalis</i>	Cream flowers; irregular form. Wet, natural areas
Wintersweet <i>Chimonanthus praecox</i>	Fragrant yellow flowers in January; dark green leaves; Shrub border use.
Fuzzy Deutzia <i>Deutzia scabra</i>	White flowers in May; tall and erect; shrub border or specimen; background for other plantings
Pearlbush <i>Exochorda racemosa</i>	White flowers in spring; mass planting use
Border Forsythia <i>Forsythia x intermedia</i>	Yellow flowers in early spring; good along banks, specimen planting; rapid growth; prune old canes annually; no pests
Althea, Rose of Sharon <i>Hibiscus syriacus</i>	Grown for flowers; white, rose, lavender, pink in summer; Use in shrub border; cut back in spring for increased bloom
Oak Leaf Hydrangea <i>Hydrangea quercifolia</i>	Native with coarse oak-like leaves; large white flowers in spring; red fall color. 'Snow Queen' is upright cultivar
Carolina Holly <i>Ilex ambigua</i>	Translucent red fruit; not common in nurseries
Beautybush <i>Kolkwitzia ambigua</i>	Pink flowers in spring; prune regularly to maintain shape; Shrub border; pest free
Spicebush <i>Lindera benzoin</i>	Yellow flowers in early spring; yellow fall color; irregular form; shrub border or naturalistic setting.
Mock Orange <i>Philadelphus coronarius</i>	Fragrant orange blossom aroma; white flowers in spring; shrub border; irregular, rangy growth habit
Alabama Azalea <i>Rhododendron alabamense</i>	Early flowering; fragrant white with gold flowers

Sweet Azalea <i>Rhododendron arborescens</i>	Mid to late flowering; fragrant white flowers
Coastal Azalea <i>Rhododendron atlanticum</i>	Early, fragrant white flowers; stoloniferous
Florida Azalea <i>Rhododendron austrinum</i>	Early fragrant gold flowers
Piedmont or Florida Pinxter <i>Rhododendron canascens</i>	Fragrant, early pink flowers; native; to 8" in ht. & width
Plumleaf Azalea <i>Rhododendron prunifolium</i>	Very late orange-red flowers
Hammock-sweet Azalea <i>Rhododendron serrulatum</i>	Large fragrant white flowers
Oconee Azalea <i>Rhododendron speciosum</i>	
Swamp Azalea <i>Rhododendron viscosum</i>	Mid-season; fragrant, white flowers
Cherokee Rose <i>Rosa laevigata</i>	State Flower; white blooms in April
Possumhaw Viburnum <i>Viburnum nudum</i>	Flossy foliage; colorful fruit and fall foliage
Blackhaw Viburnum <i>Viburnum prunifolium</i>	Creamy flowers in May; dark green foliage; bronze red fall color; blue fruit in fall; fast growing.
Weigela <i>Weigela florida</i>	White-red flowers in summer; old-fashioned plant. Needs room to spread.

**Medium Evergreen Shrub Species List
(3-8 Feet in Height)**

Common Name Botanical Name	Comments
Glossy Abelia <i>Abelia grandiflora</i>	Pink-white flowers in June; bronze winter foliage; medium hedge, border or background planting; attracts butterflies
Japanese Aucuba <i>Aucuba japonica</i>	Shade; rapid growth; pest-free; coarse texture; variegated cultivars with gold color; Gold Dust Plant
Wintergreen Barberry <i>Berberis julianae</i>	Yellow bloom in spring; blue fruits; bronze/wine red leaves in winter; thorny; good barrier plant or hedge
'Drupacea' <i>Cephalotaxus Harringtonia</i>	Drooping branches with dark green foliage; ground cover or foundation planting
Evergreen Euonymus <i>Euonymus japonicus</i>	Compact form in sun; variegated leaves in some cultivars. Susceptible to scale, pests, diseases; limit use
Cape Jasmine <i>Gardenia jasminoides</i>	Fragrant white flowers in summer; Pests: scale, whitefly; Hedges, borders, specimen planting
Dwarf Burford Holly <i>Ilex cornuta "Burfordii Nana"</i>	Glossy foliage; red fruits; good screen, hedge use.
Carissa Holly <i>Ilex cornuta "Carissa"</i>	Hedge, edging; dense dwarf form
Needlepoint Chinese Holly <i>Ilex cornuta "Needlepoint" S</i>	Long, narrow, twisted leaves; fast growth; dense foliage
Dwarf Chinese Holly <i>Ilex cornuta 'Rotunda'</i>	Glossy, spiny foliage; tolerates hot, dry areas; tough plant; no pruning needed.
Roundleaf Holly <i>Ilex crenata 'Compacta'</i>	Dark green foliage; no fruit; pests; foundation plantings
Heller's Holly <i>Ilex crenata "Helleri"</i>	Low spreading shrub with fine texture; scale, pests
Inkberry <i>Ilex glabra</i>	Broad leaf; upright form; black berry; naturalistic plantings
Dwarf Yaupon Holly <i>Ilex vomitoria 'Nana'</i>	Taller than I. V 'Stokes'; same as above
Dwarf Shillings Holly <i>Ilex vomitoria 'Stokes'</i>	Smaller than I.v. 'Nana'; compact shape; no pruning; some pests, drought resistant; fine texture.
Coastal Leucothoe <i>Leucothoe axillaris</i>	White or pink flowers in April; dark foliage; graceful form; mass plantings; acid conditions

Prinrose Jasmine <i>Jasminum mesnyi</i>	Mounding habit; pale yellow, semi-double flowers
Juniper <i>Juniperus chinensis</i>	Silvery blue to gold foliage; rapid growth; pests are a problem
Variegated Chinese Privet <i>Ligustrum sinense 'Variegata'</i>	Variegated forms available; weedy growth habit; pests.
Leatherleaf Mahonia <i>Mahonia bealei</i>	Yellow flowers in March; glue grape-like clusters of berries; Holly-like leaves; specimen, foundation planting
Chinese Mahonia <i>Mahonia fortunei</i>	Dark purple berries; moderate growth rate; specimen
Heavenly Bamboo <i>Nandina domestica</i>	Bamboo-like foliage; cut out old canes; reddish foliage in winter; red berries in fall; white flowers in summer
Scarlet Firethorn <i>Pyracantha coccinea 'Wheeler's Dwarf'</i>	Small white fragrant flowers; shiny dark green leaves; orange-red berries in fall; fast growth; flowers are toxic; pest problems; white flowers in spring; espaliers on walls
Indian Hawthorn <i>Raphiolepis indica</i>	White or pink flowers in spring; rounded leaves; shrub borders, foundation plantings
Spanish Dagger <i>Yucca gloriosa</i>	Greenish white flowers in September; spiny blue-green leaves; salt tolerant; barrier, specimen or accent plant