

DeKalb County

Atlanta MSA

2003 Population Estimate 674,334; +1.3% change from 2000 Census.

Not a Tree City USA.

No tree board established by ordinance.

Chapter 14, Article II, Section 14-39 Tree Protection

First adopted 1991. Last revised 1999.

Addresses private property.

Includes buffer and landscape requirements.

TABLE OF CONTENTS

Part 1. Enactment

Section 14-39. Tree Protection

- (a) Statement of Purpose
- (b) General Applicability.
- (c) Exemptions.
- (d) Definitions.
- (e) Procedures.
- (f) Fees. (Reserved)
- (g) Tree Preservation and Replacement Requirements.
- (h) Tree Replacement Standards.
- (i) Buffers.
- (j) Parking Lot Landscaping.
- (k) Street Trees.
- (l) Maintenance.
- (m) Alternative Compliance.
- (n) Tree Harvesting.
- (o) Utility Company and Public Works Guidelines
- (p) Enforcement.

Part 2. Severability.

Part 3. Repeal of Conflicting Ordinances.

Part 4. Effective Date.

APPENDIX A DeKalb County Overstory Trees Acceptable for Replanting Credits

Section 27-753. Landscaping requirements for parking lots.

CHECKLIST FOR BUILDING PERMITS

VEGETATION PROTECTION AND REPLACEMENT [also a checklist]

For more information, contact:

Steven Strickland

County Arborist

404.371.4913 voice / 404.371.2725 fax

www.co.dekalb.ga.us

Revised to include amendments
Approved by BOC through December 14, 1999.

AN ORDINANCE TO DELETE AND REPLACE CHAPTER 14, ARTICLE II,
SECTION 14-39 (VEGETATION PROTECTION AND REPLACEMENT) TO PROVIDE
FOR REGULATION OF THE PROTECTION AND PRESERVATION OF TREES IN
CONNECTION WITH LAND DEVELOPMENT IN DEKALB COUNTY AND FOR OTHER
PURPOSES

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS
OF DEKALB COUNTY, GEORGIA, and it is hereby ordained by the
authority of same, that Chapter 14, Article II, Section 14-39 of
the DeKalb County Code, shall be entitled "Tree Protection" and
amended to revise the rules governing the protection and
preservation of trees in connection with land development in
DeKalb County:

Part 1. Enactment. Chapter 14, Article II, Section 14-39 is
hereby amended by deleting it in its entirety and replacing it to
read as follows:

Sec. 14-39. Tree Protection

(a) Statement of Purpose.

- (1) The purpose of these standards is to facilitate the preservation and/or replacement of trees as a part of land development in the county.
- (2) The DeKalb County Board of Commissioners hereby finds that the preservation of existing trees is a public purpose that protects the public health, safety, general welfare and aesthetics of DeKalb County and all its citizens.
- (3) The citizens of the county and their many communities enjoy many benefits that can be directly attributed to our trees.
 - a. Trees produce oxygen, which is essential to the well being of all animal life, including humans.
 - b. Trees help to reduce the amounts of airborne pollutants. For example, trees remove carbon dioxide, that is a major environmental concern due to its current high levels.
 - c. Trees and their foliage intercept dust and particulate matter, thereby helping to purify our air and limiting health risks.

- d. Trees and their root systems reduce soil erosion and storm water runoff. This decreases sedimentation problems and improves water quality.
 - e. Trees provide food and shelter for desirable urban wildlife.
 - f. Trees provide screening, which in turns aids in the reduction of noise and glare.
 - g. Trees help moderate our air temperature to provide us with a comfortable environment.
 - h. Trees provide scenic amenities to soften the harshness of city buildings and streets. They are aesthetically pleasing to all that view them.
 - i. Trees may affect property values and can have a positive impact upon the economy of an area.
 - j. Trees can enhance the natural functions of streams and related buffers.
- (4) Protect specimen and historical trees in a manner consistent with the DeKalb County Tree Protection Administrative Standards which shall be promulgated by the Director. The Director shall maintain a list and map of these trees in the office of the Director through the assistance of the following offices:
- a. DeKalb County Board of Education.
 - b. DeKalb County Extension Service.
 - c. Fernbank Science Center.
 - d. DeKalb Chapter, Georgia Conservancy.
 - e. Georgia Forestry Commission.
- (5) Provide standards for the preservation of trees as part of the land development process.
- (6) Prevent clear-cutting and mass grading of land that results in the loss of mature trees, and to ensure appropriate replanting when tree loss does occur.
- (7) Protect trees during construction to enhance the quality of life in DeKalb County.
- (8) Protect trees in construction of public facilities and utilities.

(b) General Applicability.

- (1) The terms and provisions of the Tree Protection Ordinance shall apply to all real property in DeKalb County except as otherwise provided in this Section 14-39.
- (2) The terms and provisions of the Tree Protection Ordinance shall further apply to any residential or non-residential development which requires the issuance of a land disturbance permit, development permit, or building permit, except as otherwise provided in this Section 14-39.
- (3) The terms and provisions of the Tree Protection Ordinance shall also apply to development on any county-owned property, including property owned by county agencies, boards, and authorities, except as otherwise provided in this Section 14-39.

(c) Exemptions.

- (1) a. The removal of five (5) or fewer trees, other than specimen trees, on any single-family residential property, within a single calendar year.
b. The removal of more than five (5) trees, other than specimen trees, from an owner-occupied, single-family lot may be approved by the County Arborist if the owner must remove these trees in order to build a newly permitted structure, or to build an addition to or make improvements to an existing structure, or to improve the health of other trees in the landscape.
- (2) Zonings conditioned to a specific site plan prior to adoption of the Tree Protection Ordinance on February 9, 1999, provided that said zoning contains specific conditions for both tree preservation and tree replacement.
- (3) The removal of trees found to be dead, diseased, or insect infested by the County Extension Service, the State Forestry Commission, certified arborist, the County Arborist or urban forester.
- (4) Grandfathered projects:
 - a. Section 14-39 shall not apply to any portion of a property included within the limits of a valid and complete application for a land disturbance permit or preliminary plat approval where said application has proceeded through and completed first round red line review by the Development Department nor to commercial site plans that have been reviewed and red lined by the Development Department and which were received by the Director prior to the effective date of this Section

14-39, provided that all time constraints relating to the permit issued shall be observed.

- b. The requirements of this Section 14-39 may be waived by the Director for a land disturbance permit which is to proceed with development of a larger project, at least seventy-five (75) percent of the land area of which has already received a permit or permits initiating clearing or grading activities prior to the effective date of this Section 14-39.
- c. In no event shall any grandfathered project be extended for a greater time period than 12 months from the date of enactment of this Section 14-39.
- d. The Board of Commissioners may grandfather a project not specifically covered under the foregoing subsections upon application of a developer or owner of property, provided that an applicant can demonstrate that:-1) failure to grandfather the applicant's project will cause the applicant substantial economic hardship; 2) the proposed development activity will not substantially harm the public health, safety, aesthetics and welfare of the citizens of DeKalb County; 3) the proposed development activity is otherwise consistent with all pertinent development standards and is compatible with surrounding land uses; and 4) applicant has on file with the County on the effective date of this ordinance an application for a building permit, land disturbance permit or preliminary plat review or has submitted construction plans for Development Department review. Incomplete applications shall not be processed for hearing before the Board of Commissioners. Any application by an applicant for whom the Department of Public Works did not have on file an application for a building permit, land disturbance permit preliminary plat review or construction plans on February 9, 1999, shall not be processed for hearing before the Board. Such applications shall stand automatically denied.
- e. Upon submission of a written application by the developer or owner for a hardship waiver to the Director of Public Works Development, the Board of Commissioners shall, within twenty-one (21) days of receipt of such application, schedule a public hearing. At said public hearing, the developer or owner and any other interested parties shall have the opportunity to be heard with regard to the application, and the Board of Commissioners shall render its decision either granting, with or without conditions, or denying the application prior to the succeeding regularly scheduled meeting of the Board of Commissioners.

- f. In the event a hardship waiver is granted by the Board, the applicant shall be required to comply with the vegetation protection ordinance in effect immediately prior to February 9, 1999.
- (5) The removal of trees from horticultural properties, such as farms, nurseries or orchards. This exemption shall not include tree harvesting.
- (6) The removal of any tree which has become, or threatens to become, a danger to human life or property.
- (7) Agricultural activities on land zoned R-200.
- (8) Approved utility construction within permanent utility easements.
- (9) Construction, expansion, and operation of county landfills.
- (10) Building permits that do not require or authorize land disturbance.
- (d) Definitions.**

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where context clearly indicates a different meaning:

- (1) *Caliper* means the diameter of a tree trunk, applied only to new or replacement plantings, that is taken six (6) inches above the ground for up to and including four-inch caliper size, and twelve (12) inches above the ground for larger sizes.
- (2) *Critical Root Zone* means an area of root space that is within a circle circumscribed around the trunk of a healthy tree using a radius of 1 foot per inch DBH.
- (3) *County Arborist* means the Department of Public Works employee having the primary responsibilities of administration and enforcement of the Tree Protection Ordinance. The Arborist shall have a bachelor's degree in Arboriculture or a related degree, four or more years of experience in the cultivation, care, and maintenance of trees, and certification by the International Society of Arboriculture.
- (4) *DBH (Diameter at breast height)* means the diameter of a tree trunk measured in inches at a height of 4 ½ feet above the ground. If a tree splits into multiple trunks below 4 ½

- feet, then the trunk is measured at its most narrow point beneath the split.
- (5) *Development Permit* means an official authorization issued by the Department of Public Works, allowing defoliation or alteration of the site, or the commencement of construction activities.
 - (6) *Director* means the Director of the Department of Public Works or the Director's designee.
 - (7) *Growing season* means a period of no less than twelve (12) months during which there are at least three (3) contiguous months of dormancy followed by spring leafing.
 - (8) *Protected Zone* means all areas of a parcel required to remain in open space, including all areas required as yard areas, buffers, transitional buffer zones or landscaped areas according to provisions of the DeKalb County Zoning Ordinance or by conditions of zoning or variance approval.
 - (9) *Significant tree* means any existing, healthy, living tree eight (8) inches DBH or greater in size.
 - (10) *Specimen Tree* means any tree which has been determined to meet the criteria within this Section 14-39 for the determination of specimen trees.
 - (11) *Transitional buffer zone* means a planted buffer area between two different land use zones which is intended to provide protection between said land use zones and which meets the criteria for said buffer as specified in Chapter 27 of the DeKalb County Ordinances.
 - (12) *Tree* means any living, self-supporting, woody perennial plant which has a trunk caliper of two (2) inches measured at a point six (6) inches above the ground and which normally attains a height of at least ten (10) feet at maturity usually with one (1) main stem or trunk and many branches.
 - (13) *Tree Harvesting* means the felling, loading, and transporting of timber products done pursuant to a special exception issued by the Zoning Board of Appeals.
 - (14) *Tree Save Area* means the boundaries of the area or areas surrounding trees wherein it is essential that they remain undisturbed in order to prevent damage and loss of trees which are to be retained on site during the development and building process.

(15) *Tree Replacement* means the replacement of trees and landscape plant materials into the minimum required landscape areas, as determined by the zoning regulations or the Tree Protection Ordinance.

(e) *Procedures.*

(1) Application Requirements

a. Pre-Application Conference

Prior to submission of an application for development, the applicant is encouraged to meet with the County Arborist to discuss the Tree Protection Ordinance as it relates to the applicant's property. The purpose of the pre-application conference is to clarify the provisions and procedures of the Tree Protection Ordinance and review applicable standards and guidelines for the submittal of documents and required tree protection, replacement, and maintenance measures.

b. Tree Survey

Except as provided elsewhere in this Section, a tree survey shall be required as part of any application for a land disturbance permit, development permit, building permit or preliminary subdivision plat. Except as provided elsewhere in this Section, all trees eighteen (18) inches (DBH) and larger shall be identified. Specimen trees shall be identified by size, species and location. Trees larger than two (2) inches (DBH) may be identified and counted for unit credit on the Tree Protection Plan. Single residential lots on which the applicant intends to reside may be exempted from the Tree Survey requirements at the discretion of the Director. With the prior approval of the County Arborist sampling methods may be used to determine tree densities for forested areas.

(2) Tree Protection Plan

A Tree Protection Plan shall be submitted with other permit drawings as part of the development permits process. This plan may either be a separate drawing, or part of a landscape plan, and shall include the following information:

a. Definition of spatial limits:

1. Limits of land disturbance, clearing, grading, and trenching;
2. Tree save areas;

3. Specimen trees; and
 4. Areas of revegetation.
- b. Detailed drawings of tree protection measures and their location:
1. Location, species and size (DBH) of existing significant trees and an indication of which significant trees would remain on the site.
 2. Tree fences;
 3. Erosion control fences;
 4. Tree protection signs;
 5. Tree wells;
 6. Aeration systems;
 7. Transplanting specifications;
 8. Staking specifications; and
 9. Other applicable drawings as determined by the Director.
- c. The developer shall coordinate the location of utility lines with the utility companies in order to prevent root damage within the critical root zones of protected trees, and to minimize damage to trees located in protected zones.
- d. Procedures and schedules for the implementation, installation, and maintenance of tree protection measures.
- e. Calculations of tree density proposed on site per subsection (g) *Tree Preservation and Replacement Requirements*.
- f. Tree Protection Inspection
Following the receipt of a complete application, the County Arborist shall schedule and conduct an inspection of the proposed development site. The applicant or applicant's designee shall be advised as to the date and time of the inspection and given an opportunity to participate.

- g. Following inspection said plans shall be reviewed by the Director for conformance with applicable zoning conditions, the Tree Protection Ordinance, and any applicable administrative guidelines, and will either be approved or denied. Reasons for denial shall be noted on the Tree Protection Plan or otherwise stated in writing.
- h. No development or building permit shall be issued until the Tree Protection Plan has been approved by the County Arborist.
- i. All tree protection measures shall be installed prior to land disturbance.
- j. Single residential lots on which the applicant intends to reside may be exempted from the Tree Protection Plan requirements at the discretion of the Director.

(3) Final Inspection. No certificate of occupancy shall be issued by the Director with respect to any permit subject to this Section 14-39 unless and until the County Arborist shall have inspected the site and confirmed that all existing trees to remain are in healthy condition and all replacement trees have been planted in accordance with this Section.

(4) Issuance of a building or land development permit shall be conditioned on the approved Tree Protection Plan and conformance to the provisions of these regulations. Any permit may be voided if its terms are violated.

(f) Fees. (Reserved)

(g) Tree Preservation and Replacement Requirements.

The following tree preservation and replacement requirements are hereby established:

- (1) If significant trees exist on a tract of land for which a permit subject to this Section is sought, either 120 inches (DBH) per acre or 25% of existing significant trees per acre of such significant trees, whichever is less, shall be preserved on the site. Except for zoned C-1, C-2, M, or M-2 sites, trees and tree save areas counting toward this requirement shall not be located in required buffer zones. Trees and tree save areas counting toward this requirement on zoned C-1, C-2, M or M-2 sites may be located in required buffer zones and designated floodplains.

If the County Arborist determines that special constraints of a site result in an inability to build or develop without removing significant trees on a site, where there are only 120 inches (DBH) per acre or less of existing significant

trees, the Arborist may permit the removal of one or more significant trees. Trees removed pursuant to this section must be replaced with trees 1.0 times the diameter inches of those removed.

- (2) There shall be at least two (2) 2-inch (DBH) over story trees in every front yard of properties zoned R-200, R-150, R-30,000, R-20,000, R-100, R-85, and R-75. There shall be at least one (1) 2-inch (DBH) over story tree in every front yard of properties zoned R-A5, R-50, R-A8 and RDT.
- (3) The applicant shall landscape the areas with trees and other plant materials in accordance with the following standards:
 - a. Residential developments: All residential subdivisions shall have an average density of 15 density units per acre. Required trees may be located on individual lots or in subdivisions in which there is commonly owned property may be located on such commonly owned property.
 - b. Non-residential and multifamily developments: The quantity of total existing/replacement trees on site must be sufficient so as to produce a total site density factor of no less than thirty (30) density units per acre.
 - c. With the exception of C-1, C-2, M, or M-2 zoned property, the total tree density units required for a parcel or lot shall be computed based on the area of the parcel or lot, excluding all area within the 100-year floodplain. Total tree density units required for C-1, C-2, M, or M-2 zoned property shall be computed based on the area of the parcel or lot, including all area within the 100-year floodplain.
- (4) Procedures for calculating the required tree density are provided in Charts 2, 3 and 4 of this Section 14-39. Tree unit values are assigned as follows:

CHART 1

Conversion From Diameter To Density Factor Units For Existing Deciduous Trees To Remain On Site

DBH	UNITS	DBH	UNITS	DBH	UNITS
2 to 3	.8	25	6.8	38	15.8

4 to 6	1.6	26	7.4	39	16.6
7 to 9	2.4	27	8.0	40	17.4
10 to 12	3.2	28	8.6	41	18.4
13 to 15	4.0	29	9.2	42	19.2
16 to 18	4.8	30	9.8	43	20.2
19 to 21	5.4	31	10.4	44	21.2
22 to 24	6.0	32	11.2	45	22.0
		33	11.8	46	23.0
		34	12.6	47	24.0
		35	13.4	48	25.2
		36	14.2	49	26.2
		37	15.0	50	27.2

Chart 2.

**Conversion From Diameter To Density Factor Units For Evergreens
And Conifers**

DBH	
2 to 9	.2 less unit than deciduous trees
10 to 15	.1 less unit than deciduous trees
All others	Same as deciduous trees

Replacement

Chart 3.

Conversion From Caliper Diameter To Density Factor Units For Deciduous Replacement Trees.

Caliper inches	UNITS
0.0 to 0.9	Not allowed
<u>1.0 to 1.9 no replants under 2 caliper inches</u>	<u>Not allowed</u>
2.0 to 2.9	.4
3.0 to 3.9	.5
4.0 to 4.9	.7
5.0 to 5.9	.8
6.0 to 6.9	1.0
7.0 to 7.9	1.1
8.0 to 8.9	1.2
9.0 to 9.9	1.3
10.0 to 10.9	1.5
11.0 to 11.9	1.6
12 inches or greater	2.0

Container-grown pine trees are given replacement value as follows:

Size	Units
7 gallon	.05

The use of one and three gallon pines will be permitted only with prior approval. There will be no replacement value given for such trees.

- (5) Nothing in these regulations shall be construed to allow the removal of any tree or vegetation in a required stream buffer, transitional buffer zone, or undisturbed buffer except buffer improvements as authorized by the Director.
- (6) Tree relocation and credit for existing trees
Replacement units will be granted to trees relocated on site. Tree relocation is subject to approval of the County Arborist. Existing trees between two (2) caliper inches and seven-point-nine (7.9) caliper inches may be used for credit on the tree replacement plan.

(7) Understory Vegetation

Tree preservation areas shall leave intact the naturally occurring groundcover and understory vegetation except where directed otherwise by the County Arborist in order to allow the removal of undesirable groundcover or understory vegetation.

(8) Specimen Trees

- a. Specimen trees shall be identified by the County Arborist, and shall be located on the Tree Protection Plan.
- b. Standards for the identification, preservation, and protection of specimen trees shall be as follows:

Any tree in fair or better condition which equals or exceeds the following diameter sizes:

- i. Large hardwoods, i.e. oaks, hickories, yellow poplars, etc.: 30 inches DBH.
- ii. Large softwoods, e.g. pines, evergreens, etc.: 30 inches DBH.
- iii. Small trees, e.g. dogwoods, redbuds, sourwoods, etc.: 10 inches DBH.

A tree in fair or better condition should meet the following minimum standards:

- i. A life expectancy of greater than 15 years.
- ii. A relatively sound and solid trunk with no extensive decay or hollow, and less than 20 percent radial trunk dieback.
- iii. No major insect or pathological problem.

A lesser-sized tree can be considered a specimen if:

- i. It is a rare or unusual species or of historical significance.
 - ii. It is specifically used by a builder, developer, or design professional as a focal point in a project or landscape.
 - iii. It is a tree with exceptional aesthetic quality.
- c. The County Arborist may identify and require the preservation of a tree stand if it contains one or more specimen trees and the specimen trees are interlocked with other members of the stand in such a way as to

imperil the specimen tree if other members of the stand were to be removed.

- d. It shall be prohibited to cut specimen trees existing on a tract of land that is the subject of a development permit or building permit without a special exception granted by the Zoning Board of Appeals if removal of the specimen tree has not been approved by the County Arborist.
- e. Any specimen tree removed from a parcel shall be replaced by 1.5 times the equivalent inches (DBH) of replacement trees or existing trees in excess of the requirements of subsection (g) Tree Preservation and Replacement Requirements using species with potentials for comparable size and quality at maturity.

(9) Protection of Trees During Construction

Methods and standards for tree protection shall be established in administrative guidelines to this Section 14-39.

- a. Trees identified to be preserved and counted as credit for meeting required unit density shall have four (4) foot orange tree protection fencing installed at the critical root zones.
- b. No person engaged in the construction of any structure(s) or improvement(s) or any activity shall encroach or place solvents, material, construction machinery or temporary soil deposits within six (6) feet of the area outside the critical root zone, as defined herein, of any existing significant tree within a tree save area, transitional or undisturbed buffer zone.
- c. All tree protection devices must remain in functioning condition until completion of the project or until the Certificate of Occupancy is issued.
- d. Any tree, designated in the plan to be saved, which is negligently damaged during construction or as a result of negligent construction, as determined by the Arborist, shall be treated according to accepted National Arborists Association Standards. If fatally damaged, trees shall be replaced with four (4) inch caliper trees equal to the unit value of the tree removed. However, any specimen tree negligently damaged as described above shall be replaced with four (4) inch caliper trees equal to 1.5 times the equivalent inches (DBH) of the tree removed or damaged.

(10) Removal of Trees from Floodplain not Permitted.

Trees shall not be cut or removed from the floodplain, except as follows:

- a. Those trees found to be dead, diseased or insect infested by the County Extension Service, the Georgia Forestry Commission, a certified arborist, the County Arborist, or a certified forester.
- b. As necessary for construction, repair or maintenance of public roads, utilities or drainage structures.
- c. As part of an approved wetland mitigation plan.
- d. Trees in 100-year floodplain or required stream buffer may not be cut nor shall they be counted, except as otherwise provided in subsection (g) Tree Preservation and Replacement Requirements for C-1, C-2, M, and M-2 zoned property, to accomplish requirements of the Tree Protection Ordinance.

(11) The County Arborist shall be responsible for distribution of appropriate public educational materials concerning the procedures of the Tree Protection Ordinance, the value of maintaining existing trees, and proper methods of tree planting, preservation, and care.

(h) Tree Replacement Standards.

- (1) The Tree Protection Plan shall include planting schedules with proposed tree names (botanical and common), quantity, size spacing, and any special planting notes. Trees used for credit on the tree replacement plan must be chosen from the preferred list attached hereto as Appendix A. At least 50% of replacement trees must be overstory trees; no more than 50% may be understory trees. No more than 25% may be of single species, and no more than 25% may be of evergreen species.
- (2) Unless otherwise approved by the County Arborist, trees selected for replanting must meet the minimum standards as provided in the *American Standard for Nursery Stock* (ANSI Z60.1, 1980), and unless prior approval is given by the County Arborist, trees selected for replanting must be on the Tree Species Selection List found in the Appendix A to this Section 14-39. Trees selected must be free of injury, pests, disease, nutritional disorders or root defects, and must be in good vigor to assure a reasonable expectation of survival. Standards for transplanting shall be in keeping with those established in the International Society of Arboriculture publication *Tree and Shrub Planting Manual* or a similar publication.

- (3) It is desirable that replanted trees be ecologically compatible with the site and neighboring sites. When practical, the replanted trees shall be of the same or similar species as those removed.
- (4) Replacement trees shall be planted in manner that provides adequate space for nourishment, light, and maturation as recommended by the County Arborist.
- (5) Planting and staking details are addressed in the administrative guidelines and shall be specified in the required Tree Protection Plan.

(i) Buffers.

(1) Stream Buffers

Undisturbed, natural buffers not less than 25 feet in width shall be provided and maintained unless a buffer of greater width is otherwise required in this Chapter.

(2) Land Use Transition Buffers

Buffers shall be provided between dissimilar districts or uses in accordance with the provisions of the Zoning Ordinance or as a condition of zoning, special land use permit or variance approval.

- a. Buffer planting shall meet the minimum width requirements contained in Chapter 27 of the DeKalb County Code of Ordinances, except as authorized to be reduced by a condition of zoning, special land use permit or variance approval.
- b. Disturbance or Encroachments
 1. Ditches, swales, stormwater conveyance facilities, stormwater detention ponds, sanitary sewer conveyance facilities, and any associated easements, shall not encroach into a buffer except that necessary access and utility crossings (e.g. stormwater or sanitary sewer pipes) may encroach into the buffer as near to perpendicular as practical.
 2. Supplemental plantings or replantings of vegetation or authorized non-vegetative screening devices shall be authorized to encroach into a buffer provided there is minimal disturbance of any existing vegetation.
 3. Dying, diseased or dead vegetation may be removed from a buffer provided minimal disturbance occurs. Vegetation thus removed shall be replaced where

necessary to meet the screening requirements contained herein.

c. Protection During Land Disturbing Activities

1. During authorized land disturbing activities, buffers shall be clearly demarcated and protected prior to commencement of, and during, construction.
2. The method of demarcation and protection utilized shall be in accordance with best management practices or as required by the Arborist.

(j) *Parking Lot Landscaping.*

- (1) Off-street parking lots which contain more than twenty (20) off-street parking spaces on any single lot shall contain landscaping and plantings as provided in Chapter 27 of the DeKalb County Code of Ordinances.
- (2) Variances to reduce required parking spaces may be granted by the Zoning Board of Appeals when necessary to preserve a significant tree(s) that otherwise would be lost if the parking requirements were strictly applied. Such variance may only be granted if the Arborist certifies to the Zoning Board of Appeals that such tree(s) will be lost either by necessary removal for construction of the parking lot or as a consequence of construction having an adverse impact on the survivability of the tree by virtue of damage to the root system of the tree(s).
- (3) Any variance granted under the provisions of this section shall include a condition that should the subject tree(s) die as a consequence, direct or indirect, of construction, despite granting of the variance, the tree or trees shall be replaced at the property owner's or applicant's expense, in accordance with a tree replacement plan approved by the Arborist.
- (4) The maximum variance allowed under this provision shall be four parking spaces, or ten percent of the total number of parking spaces required by the Zoning Ordinance, whichever is greater.

(k) *Street Trees.*

Street trees and continuous landscape strips shall be provided, in conformance with the design requirements specified in Section Chapter 27 of the DeKalb County Code of Ordinances, along newly constructed streets, and along existing streets which are widened or realigned subsequent to the adoption of this ordinance, in all office, commercial, and industrial developments and along newly constructed streets of residential developments with a net

residential density exceeding three (3) dwelling units per acre or as otherwise directed by conditions of zoning or special land use permits.

(l) Maintenance.

Trees which are used to meet the density requirements for this Section 14-39, except on single family residential lots, shall be maintained for two (2) growing seasons after the date of final inspection. The property owner shall maintain required tree density. The developer or builder will be responsible for identifying newly planted trees to the homeowner and to inform the homeowner as to their proper maintenance.

(m) Alternative Compliance.

The County Arborist must review and approve all requests for alternative compliance. In no instance shall one hundred (100) percent of the required site density be met through alternative compliance. Where the County Arborist has determined that special constraints of a site result in an inability to provide the required tree density, the number of trees will be determined by the County Arborist based on site review. Such site review shall require the developer to re-landscape each parcel using a density calculated as the maximum number of trees that can be sustained on the parcel less the impervious area of that parcel. The balance of trees shall be provided in common areas. If common areas are not sufficient, any remaining balance of trees may be provided for plantings on public grounds. Tree bank arrangements can be made through the Director. The minimum size of trees replanted through the Tree Bank shall be two (2) caliper inches and shall be planted in accordance with the species list attached as Appendix A hereto and in accordance with the requirements in subsection (h) *Tree Replacement Standards*.

(1)

Common Area Planting

If trees are to be planted at another location, the following note must appear on the approved tree protection plan: "A tree protection plan addendum for this project shall be submitted to the County Arborist at least thirty (30) days prior to requesting a final inspection. This plan shall include the species, size and location of trees to be planted off-site to meet the tree density deficit shown. Issuance of a certificate of occupancy is subject to approval of this plan, as well as verification of the installation of the trees."

(2)

Tree Banking

If trees can not be planted on site and there is insufficient common area for replanting, the balance of trees will be accepted by the Director for tree banking within unincorporated DeKalb County. Participants in the tree banking program administered by the Director, including the signing of an off-site reforestation agreement.

(n) Tree Harvesting.

Selective tree harvesting may be permitted upon authorization by the Zoning Board of Appeals in consultation with the Arborist. Permits authorizing tree harvesting shall be in accordance with the following standards:

- (1) A 75 foot undisturbed buffer shall be provided and maintained along the entire perimeter of the property, including road frontages, during the land disturbing activity, except for authorized access crossings.
- (2) Notwithstanding the other provisions of this Section, no property owner shall be required to preserve an undisturbed buffer that covers more than twenty-five (25) percent of the total land area of the property, excluding area inside the 100-year floodplain. In any such case, an alternative buffer width shall be provided, as determined by the Zoning Board of Appeals pursuant to its review of the application for a tree harvesting permit.
- (3) The property shall be required to meet a tree density standard of 30 units per acre, not including the seventy-five (75) foot buffer, upon completion of authorized land disturbing activities.
- (4) The owner/developer shall utilize the recommended Best Management Practices as established by the Georgia Forestry Commission.
- (5) No tree harvesting shall be allowed within the County except after approval of a Special Exception by the Zoning Board of Appeals as is provided in Division 205 of Chapter 27 of the DeKalb County Code of Ordinances. Further, subsequent to such approval of a Special Exception, no such tree harvesting shall be undertaken on any nonresidential parcel of land unless the transitional buffer zones required by the zoning regulations of the district in which located, are preserved in a natural and undisturbed state.
- (6) Once tree harvesting takes place in conformity with the above regulations, no development of the property shall be permitted that would require the cutting of trees preserved

under subsection (n)(3) and (n)(5) for a period of five (5) years following authorization of tree harvesting.

(o) Utility Company and Public Works Guidelines.

- (1) All utility companies shall be required to obtain an annual permit issued by the Director of Public Works. All applications for an annual permit shall include a list of sub-contractors with names, addresses, and County business license numbers.
- (2) Periodic work schedules are to be submitted to the Arborist showing the proposed location and extent of tree work to be performed.
 - a. All tree trimming and pruning to be performed by public utilities, public agencies, and their sub-contractors on trees growing on private or public rights-of-way shall be done according to the National Arborist Association *Standards for Pruning of Shade Trees*.
 - b. The routing of public and private utility easements shall be subject to review and comment by the County Arborist.

(p) Enforcement.

It shall be the duty of the Director to enforce this Tree Protection Ordinance. The Director shall have the authority to, and the County Arborist may recommend that, the Director revoke, suspend or void any land disturbance permit, development permit or building permit or suspend all work on a site or portion thereof in order to effect compliance with this Ordinance.

(1) Violation and Penalty.

Any person, firm or corporation violating any of the provisions of this Section, after having been first issued a warning, shall be deemed guilty of an offense and upon conviction in recorder's court shall be punished as is provided in Section 1-10 of the Code of DeKalb County. Each tree removed or killed in violation of this Section 14-39 shall be considered a separate offense. The owner of any buildings or premises or parts thereof, where anything in violation of this Section exists, and any architect, builder, contractor or any other agent of the owner, or any tenant, who commits or assists in the commission of any violation, shall be guilty of a separate offense.

- (2) Any trees eight inches (DBH) and over which have been removed in violation of this ordinance shall be replaced by the violator with four (4) inch caliper replacement trees equal to the unit value of the trees removed. However, any specimen tree removed from a parcel shall be replaced with

four (4) inch caliper trees 1.5 times the equivalent inches (DBH) of replacement trees or existing trees in excess of the requirements of subsection (g) Tree Preservation and Replacement Requirements using species with potentials for comparable size and quality at maturity.

(3) Additional legal remedies.

In addition to all other actions and penalties authorized in this Section, the Department of Law is hereby authorized to institute injunctive, abatement or any other appropriate judicial or administrative actions or proceedings to prevent, enjoin, abate, or remove any violations of this Section.

(3) Appeals.

Power and Duty of the Board to hear appeals of decisions of administrative officials. The Zoning Board of Appeals shall have the power and duty to hear and decide appeals where it is alleged by an aggrieved party that there is error in any final order, requirement, or decision made by the Director based on or made in the enforcement of the Tree Protection Ordinance. All such appeals shall be heard and decided following the notice requirements, criteria and procedural requirements in Chapter 27 of the DeKalb County Code of Ordinances.

(5) Administrative variances.

Front, side and rear yard setbacks may be reduced by an amount not to exceed fifty (50) percent where it is determined by the County Arborist to be necessary in order to preserve existing specimen or significant trees. Appropriate conditions to said administrative variances shall be imposed so as to ensure the continued health of said trees following the granting of such variances, including mandatory replacement requirements. Such administrative variances shall be considered and decided consistent with the procedures and criteria contained in Chapter 27 of the DeKalb County Code of Ordinances. Appeals of final decisions regarding administrative variances may be taken as provided in paragraph p(3) above.

(6) Special Exception.

The Zoning Board of Appeals is authorized to consider requests for Special Exception for the removal of an unauthorized specimen tree. All such requests shall be filed, notice given, and all procedures shall be as is required in the Zoning Ordinance. No such Special Exception for the unauthorized removal of a specimen tree shall be granted by the Zoning Board of Appeals unless the applicant has demonstrated and the Board has found that the property is not capable of earning a reasonable economic return absent the grant of the Special Exception. In making this determination the Board shall consider the following factors:

- i. value of the trees in question, considering their age, size, health, and significance;
- ii. the current level of economic return on the property;
- iii. the marketability of the property; and the unfeasibility of alternate design or uses. Appeals from final decisions of the Board shall be as provided for in Chapter 27 of the DeKalb County Code of Ordinances.

(Ord. No. 89-22, § 3, 6-13-89; Ord. No. 91-009, § 1, 4-25-91; Ord. No. 92-40, § 8, 12-22-92)

Part 2. Severability.

Should any section, subsection, clause, or provision of this Section 14-39 be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Section 14-39 in whole or any part thereof other than the part so declared to be invalid.

Part 3. Repeal of Conflicting ordinances.

This Section is the Tree Protection Ordinance of DeKalb County, and all other conflicting ordinances or resolutions are hereby repealed, provided that nothing herein shall be construed as repealing the conditions of use, operation, or site development accompanying building or development permits issued under previous ordinances or resolutions, provided further that modification or repeal of these past conditions of approval may be accomplished as authorized and provided by the requirements of this Section.

Part 4. Effective Date.

This Section 14-39 shall become effective upon its adoption by the Board of Commissioners and approval by the Chief Executive Officer.

ADOPTED by the DeKalb County Board of Commissioners this
____ day of _____, 1999.

PORTER SANFORD, III
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County,
Georgia, this _____ day of _____, 1999.

LIANE LEVETAN
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

MICHAEL J. BELL, Ex-Officio Clerk
Of the Chief Executive Officer and
Board of Commissioners
DeKalb County, Georgia

APPROVED AS TO FORM:

JONATHAN WEINTRAUB
County Attorney

O:\LDUNLAVY\combtree.doc

APPENDIX A

DeKalb County
Overstory Trees Acceptable for Replanting Credits

Scientific Name	Common Name	Recommended	Leaf Habit
<i>Acer rubrum</i>	Red Maple	October Glory, Red Sunset	Deciduous
<i>Betula nigra</i>	Riverbirch	Duraheat	Deciduous
<i>Carpinus betuls</i>	European Hornbeam		Deciduous
<i>Carya aquatica</i>	Water Hickory	Availability	Deciduous
<i>Carya cordiformis</i>	Bitternut Hickory	Availability	Deciduous
<i>Carya glabra</i>	Pignut Hickory	Availability	Deciduous
<i>Carya illinoensis</i>	Pecan		Deciduous
<i>Carya tomentosa</i>	Mockernut Hickory	Availability	Deciduous
<i>Cedrus atlantica</i>	Atlas Cedar		Evergreen
<i>Cedrus libani</i>	Cedar of Lebanon		Evergreen
<i>Cedrus deodara</i>	Deodar Cedar		Evergreen
<i>Cryptomeria japonica</i>	Japanese Cryptomeria		Evergreen
<i>Fagus grandifolia</i>	American Beech		Deciduous
<i>Fraxinus tomentosa</i>	Pumpkin Ash		Deciduous
<i>Gingko biloba</i>	Gingko	Plant male only. Autumn Bold, Fairmont	Deciduous
<i>Ilex opaca</i>	American Holly		Evergreen
<i>Juniperus virginiana</i>	Red Cedar	Brodie	Evergreen
<i>Liquidambar styraciflua</i>	Sweetgum	Limited Use-Rotundiloba (Avail.)	Deciduous
<i>Liriodendron tulipifera</i>	Tulip Poplar	Limited Use	Deciduous
<i>Magnolia acuminata</i>	Cucumbertree		Deciduous
<i>Magnolia grandiflora</i>	Southern Magnolia	Bracken's Brown Beauty, Greenback	Evergreen
<i>Magnolia virginiana</i>	Sweetbay Magnolia		Deciduous
<i>Metasequoia glyptostroboides</i>	Dawn Redwood	Limited Use	Deciduous
<i>Nyssa sylvatica</i>	Black Gum		Deciduous
<i>Pinus echinata</i>	Shortleaf Pine		Evergreen
<i>Pinus taeda</i>	Loblolly Pine		Evergreen
<i>Platanus occidentalis</i>	Sycamore		Deciduous
<i>Quercus acutissima</i>	Sawtooth Oak		Deciduous
<i>Quercus alba</i>	White Oak		Deciduous
<i>Quercus bicolor</i>	Swamp White Oak		
<i>Quercus coccinea</i>	Scarlet Oak		Deciduous
<i>Quercus falcata</i>	Southern Red Oak		Deciduous
<i>Quercus georgiana</i>	Georgia Oak		Deciduous
<i>Quercus imbricaria</i>	Shingle Oak		Deciduous
<i>Quercus lyrata</i>	Overcup Oak		Deciduous
<i>Quercus laurifolia</i>	Laurel Oak		Deciduous
<i>Quercus michauxii</i>	Swamp Chestnut Oak		Deciduous
<i>Quercus macrocarpa</i>	Bur Oak		Deciduous

Quercus nigra	Water Oak		Deciduous
Quercus nuttalli	Nuttall Oak		Deciduous
Quercus phellos	Willow Oak		Deciduous
Quercus prinus	Chestnut Oak	Availability	Deciduous
Quercus rubra	Northern Red Oak		Deciduous
Quercus shumardii	Shumard Red Oak		Deciduous
Quercus stellata	Post Oak		Deciduous
Quercus velutina	Black Oak		Deciduous
Taxodium distichum	Bald Cypress	Shawnee Brave	Deciduous
Tilia spp.	Linden		Deciduous
Thuja x 'Green Giant'	Arborvitae	'Green Giant'	Evergreen
Thuja plicata	Giant (Western) Arborvitae		Evergreen
Ulmus americana	American Elm	Princeton and other resistant varieties	Deciduous
Ulmus parviflora	Lacebark Elm	Allee, Athena, Bosque	Deciduous
Zelkova serrata	Japanese Zelkova	Green Vase	Deciduous

DeKalb County
Understory and Other Small Trees Acceptable for Replanting Credits

Scientific Name	Common Name	Recommended	Leaf Habit
Acer barbatum	Florida Maple		Deciduous
Acer buergerianum	Trident Maple	Street Wise	Deciduous
Acer campestre	Hedge Maple		Deciduous
Acer leucoderme	Chalk Maple		Deciduous
Acer palmatum	Japanese Maple		Deciduous
Acer saccharum	Sugar Maple		Deciduous
Aesculus pavia	Red Buckeye		Deciduous
Alnus serrulata	Alder		Deciduous
Amelanchier x grandiflora	Serviceberry	Princess Diana, Autumn Brilliance	Deciduous
Aralia spinosa	Devils Walking Stick		Deciduous
Betula nigra	River Birch	Little King	Deciduous
Carpinus caroliniana	American Hornbeam		Deciduous
Castanea pumila	Chinkapin		Deciduous
Celtis tenuifolia	Georgia Hackberry		Deciduous
Celtis laevigata	Sugarberry		Deciduous
Cercidiphyllum japonicum	Katsura Tree		Deciduous
Cercis canadensis	Eastern Redbud		Deciduous
Cercis reniformis	Redbud	Oklahoma	
Chioanthus retusus	Chinese Fringetree		Deciduous
Chioanthus virginicus	White Fringetree		Deciduous
Cladrastis kentukea	Yellowwood		Deciduous
Comus spp.	Dogwood	Florida & Kousa crosses	Deciduous
Cornus florida	Flowering Dogwood	Aurora	Deciduous

Scientific Name	Common Name	Recommended	Leaf Habit
<i>Cornus kousa</i>	Kousa Dogwood		Deciduous
<i>Crataegus</i> spp.	Hawthorn	Thornless cultivars	Deciduous
<i>Crataegus phaenopyrum</i>	Washington Hawthorn		Deciduous
<i>Diospyros virginiana</i>	Persimmon		Deciduous
<i>Halesia carolina</i>	Silverbell		Deciduous
<i>Halesia diptera</i>	Two Winged Silverbell		Deciduous
<i>Hamamelis virginiana</i>	Witch-hazel		Deciduous
<i>Ilex</i> spp.	Holly	Burford, Carolina #2, Foster, Neillie R. Stevens, Savannah, Yaupon	Evergreen
<i>Ilex decidua</i>	Possumhaw		Deciduous
<i>Juniperus virginiana</i>	Red Cedar		
<i>Koelreuteria paniculata</i>	Golden Raintree		Deciduous
<i>Lagerstromia indica</i> x <i>faurieri</i>	Crape Myrtle	Tree form cultivars disease resistant and hardy, eg. Choctaw, Natchez	Deciduous
<i>Magnolia grandiflora</i>	Southern Magnolia	Alta, Bracken's Brown Beauty, Greenback, Claudia Wannamaker	Evergreen
<i>Magnolia x loebneri</i>	Loebner Magnolia	Merrill	Deciduous
<i>Magnolia macrophylla</i>	Bigleaf Magnolia		Deciduous
<i>Magnolia soulangiana</i>	Saucer Magnolia		Deciduous
<i>Magnolia stellata</i>	Star Magnolia	Star Man	
<i>Magnolia tripetala</i>	Umbrella Magnolia		Deciduous
<i>Magnolia virginiana</i>	Sweetbay Magnolia		Evergreen
<i>Malus floribunda</i>	Japanese Flowering Crabapple		Deciduous
<i>Myrica cerifera</i>	Waxmyrtle		Evergreen
<i>Osmanthus americanus</i>	Devilwood		Evergreen
<i>Ostrya virginiana</i>	Eastern Hophornbeam		Deciduous
<i>Oxydendrum arboreum</i>	Sourwood		Deciduous
<i>Pinus Virginiana</i>	Virginia Pine	Slopes, Screen	Evergreen
<i>Pistacia chinensis</i>	Chinese Pistache		Deciduous
<i>Prunus</i> spp.		Okame, Autumnalis	Deciduous
<i>Sassafras albidum</i>	Sassafras		Deciduous
<i>Styrax americana</i>	Snowbell		Deciduous
<i>Ulmus alata</i>	Winged Elm		Deciduous
<i>Vaccinium arboreum</i>	Sparkleberry		Evergreen

**DeKalb County
Recommended Trees for Under Powerlines**

cientific Name	Common Name	Recommended
Acer buergeranum	Trident Maple	
Acer palmatum	Japanese Maple	
Cercis candensis	Redbud	
Chionanthus retusus	Chinese Fringetree	
Chionanthus virginicus	White Fringetree	
Cornus spp.	Dogwood	Florida & Kousa crosses
Cornus florida	Flowering Dogwood	Disease resistant varieties, Aurora
Cornus kousa	Kousa Dogwood	
Crataegus phaenopyrum	Washington Hawthorn	
Ilex spp.	Holly	Nellie R. Stevens, tree form Burford, Yaupon
Koelreuteria paniculata	Golden Raintree	
Magnolia x loebneri	Loebner Magnolia	Merrill
Magnolia soulangiana	Saucer Magnolia	
Magnolia stellata	Star Magnolia	Star Man
Oxydendrum arboreum	Sourwood	
Prunus spp.		Okame, Autumnalis

Recommended Trees for Parking Lots

Scientific Name	Common Name	Recommended
Acer buergeranum	Trident Maple	Street Wise
Acer rubrum	Red Maple	October Glory, Red Sunset
Betula nigra	River Birch	Duraheat
Chionanthus virginicus	Fringetree	
Cladrastis kentukea	Yellowwood	
Crataegus phaenopyrum	Washington Hawthorn	
Juniperus virginiana	Red Cedar	Brodie
Ilex spp.		Tree form Yaupon, Burford, Carolina #2
Lagerstromia indica x faurier	Crape Myrtle	Tree form cultivars, disease resistant and hardy, eg. Natchez, Choctaw
Nyssa sylvatica	Black Gum	
Pistacia chinensis	Chinese Pistache	
Quercus michauxii	Swamp Chestnut Oak	
Quercus nigra	Water Oak	
Quercus nuttalli	Nuttall Oak	
Quercus palustris	Pin Oak	
Quercus phellos	Willow Oak	
Quercus rubra	Northern Red Oak	

Scientific Name	Common Name	Recommended
Taxodium distichum	Bald Cypress	Shawnee Brave
Ulmus parvifolia	Lacebark Elm	Athena
Zelkova serrata	Japanese Zelkova	Green Vase

Sec. 27-753. Landscaping requirements for parking lots. All accessory surface parking lots and all authorized parking lots

210

within the RM-150, RM-100, RM-85, RM-75, RM-HD, OI, OD, NS, C-1, C-2, M, and M-2 Districts which contain a total of twenty or more parking spaces which are constructed subsequent to the adoption of this chapter shall comply with the following requirements:

- A. Each such parking lot shall have a minimum of 10 percent of the total lot area of the parking lot in landscaped space.
- B. Non-continuous barrier curbs shall be installed around the perimeter of the parking lot and around landscaped areas that are required herein, except where the perimeter abuts an adjacent building or structure and except at points of ingress and egress into the facility, so as to prevent encroachment of vehicles onto adjacent property, rights-of-way, sidewalks and landscaped areas.
- C. Where required, barrier curbs shall be a minimum of six inches in height and a minimum of six inches in width and shall be permanent in nature. Barrier curbs shall be concrete or stone. Such curbs shall be securely installed and maintained in good condition.
- D. Where the end of a parking space abuts a landscaped area, barrier curbs may be placed in the parking space at a maximum of two feet from the end of the parking space. This two foot wide area may have the pavement removed, and be developed as part of the required landscaped area.
- E. A minimum of one tree per eight parking spaces shall be included in the required landscaped areas. For the purpose of satisfying this requirement, existing trees that are three inches or more in caliper as measured at a height of thirty-six inches above ground level shall be considered to be equivalent to one or more newly planted trees on the basis of one tree for each three inches of caliper.
- F. In addition to trees, ground cover shall also be provided in order to protect tree roots and to prevent erosion. Ground cover shall consist of shrubs, ivy, liriope, pine bark mulch, or other similar landscaping material.
- G. Shrubs shall be maintained at a maximum height of two and one-half feet, except where such shrubs are screening the parking surface from an adjacent residential area.
- H. In the event that landscaped areas are in the interior of a parking lot, they shall be a minimum of six feet in width and six feet in length, with a minimum area of thirty-six square feet.
- I. Continuous landscaped buffer strips shall be constructed along sidewalks and public rights-of-way where surface parking lots are adjacent to such sidewalks or public right-of-way except at points of ingress or egress into the facility. Such landscaped buffer strips shall be a minimum of ~~five~~ feet in width and shall contain, in addition to ground cover, trees planted a maximum of forty feet on center along the entire length.

- J. Newly planted trees shall be a minimum of three inches in caliper as measured at a height of six inches above ground level, shall be a minimum of ten feet in height, shall have a forty foot minimum mature height, and shall be drought tolerant. Trees shall be planted at a minimum of thirty inches from any barrier curb, so as to prevent injury to trees from vehicle bumpers. A minimum of 75 percent of the trees planted pursuant to these requirements shall be deciduous hardwood shade trees.
- K. Where landscaped areas are located adjacent to vehicle overhangs, the trees shall be planted in line with the side stripes between parking spaces in order to avoid injury to trees by vehicle bumpers.
- L. All landscaped areas shall be properly maintained in accordance with approved landscape plans. In the event that a tree or any plant material dies, it shall be replaced within twelve months so as to meet all requirements of this Section and to allow for planting in the appropriate planting season.
- M. All trees planted pursuant to the requirements of this Sec. 27-753 shall be counted for the purpose of meeting the tree planting and tree replacement requirements imposed by Sec. 14-39, Vegetation protection and replacement, Chapter 14, Land Development.

Sec. 27-754. Lighting. Lighting in all districts shall be established in such a way that no direct light is cast upon or adversely affects adjacent properties and roadways. This section shall not apply to lighting established by governmental authority within public rights-of-way.

Sec. 27-755. Loading space and loading berth requirements, off-street. Off-street loading spaces and off-street loading berths shall be provided as follows:

- A. Each loading space shall be no less than 12 feet by 35 feet by 14 feet overhead clearance. Each loading berth shall be no less than 12 feet by 55 feet by 14 feet overhead clearance. Each loading space and each loading berth shall have sufficient maneuvering space on site so as to prevent interference with pedestrian or vehicular circulation on public street and sidewalks.
- B. Loading spaces and loading berths shall be provided as follows:
 - 1. Retail operations, including restaurants and other retail uses within hotels and office buildings, with a total gross floor area of 20,000 square or more shall provide one loading berth for each 40,000 square feet of floor area or fraction thereof and one loading space for each 20,000 square feet of floor area or fraction thereof.

PARKING

CHECKLIST FOR BUILDING PERMITS

- PROVIDE 120 INCHES PER ACRE, OR 25% OF SIGNIFICANT TREES SAVED CALCULATION
- PROVIDE 15 DENSITY UNITS PER ACRE CALCULATION.
- PROVIDE REQUIRED FRONT YARD TREES PER ZONING DISTRICT.
- SHOW SIZE, SPECIES AND LOCATION OF ALL EXISTING AND REPLACEMENT TREES REQUIRED.
- SHOW SIZE, SPECIES AND LOCATION OF ALL (SAVED OR REMOVED) SPECIMEN TREES. SHOW RECOMPENSE FOR SPECIMENS REMOVED.
- SHOW THAT REPLACEMENT TREES ARE AT LEAST 50% OVERSTORY SPECIES; NO MORE THAN 25% OF ANY SINGLE SPECIES; AND NO MORE THAN 25% EVERGREEN SPECIES.
- SHOW ALL LAND DISTURBING ACTIVITIES.
- SHOW LOCATION(S) OF TREE PROTECTION FENCE.
- PROVIDE EROSION CONTROL MEASURES.
- NOTE ON PLAN:
 - 1.) ALL TREE PROTECTION AREAS TO BE PROTECTED FROM SEDIMENTAION.
 - 2.) ALL TREE SAVE FENCING TO BE INSTALLED PRIOR TO BE START OF LAND DISTURBANCE, AND MAINTAINED UNTIL FINAL ALNDSCAPING.
 - 3.) ALL TREE SAVE FENCE TO BE REPAIRED OR REPLACED AS NEEDED.
 - 4.) NO PARKING, STORAGE, OR OTHER CONSTRUCTION ACTIVITIES ARE TO OCCUR WITHIN TREE PROTECTION AREAS.

VEGETATION PROTECTION AND REPLACEMENT:

- PROVIDE A SEPARATE TREE PROTECTION AND REPLACEMENT PLAN.
- TREE PLAN IS INADEQUATE, OR NEEDS CLARIFICATION.
- PROVIDE CALCULATIONS FOR PRESERVATION (SIGNIFICANT TREE) REQUIREMENT.
- PROVIDE CALCULATIONS FOR UNIT DENSITY AND REPLACEMENT REQUIREMENTS.
- PROVIDE OFF-SITE PLANTING CALCULATION.
- PROVIDE A TREE SURVEY SHOWING ALL SPECIMEN TREES, ALL TREES 18" D.B.H. OR LARGER AND CRITICAL ROOT ZONES.
- SHOW SIZE, SPECIES AND LOCATION OF ALL EXISTING TREES TO BE SAVED, AND ALL REPLACEMENT TREES THAT ARE NEEDED TO MEET REQUIREMENTS.
- SHOW THAT REPLACEMENT TREES ARE AT LEAST 50% OVERSTORY SPECIES, NO MORE THAN 25 % EVERGREEN SPECIES, AND NO MORE THAN 25% OF ANY SINGLE SPECIES.
- PROJECT MUST COMPLY WITH PARKING LOT LANDSCAPE REQUIREMENTS (SECT. 27-753).
- SHOW RECOMPENSE FOR SPECIMEN TREES REMOVED, IF APPLICABLE.
- BOARD OF APPEALS APPROVAL REQUIRED FOR REMOVAL OF SPECIMEN TREE(S).
- SHOW ALL UTILITIES, EASEMENTS, BUFFERS, BUILDING SETBACKS, RIGHTS-OF-WAY, AND DESIGNATED TREE SAVE AREAS.
- SHOW LIMITS OF LAND DISTURBANCE, CLEARING, GRADING, STAGING AND CONSTRUCTION MATERIAL STORAGE AREAS.
- SHOW LOCATION OF TREE PROTECTION MEASURES, AND PROCEDURES FOR IMPLEMENTATION, INSTALLATION AND MAINTENANCE.
- PROVIDE DETAIL OF TREE PROTECTION FENCING.
- PROVIDE DETENTION POND LANDSCAPING. {SECT. 14-40(b)(10)}
- NOTE ON PLAN:
 - 1. ALL TREE PROTECTION AREAS TO BE PROTECTED FROM SEDIMENTATION.
 - 2. ALL TREE PROTECTION DEVICES TO BE INSTALLED PRIOR TO THE START OF LAND DISTURBANCE, AND MAINTAINED UNTIL FINAL LANDSCAPING.
 - 3. ALL TREE PROTECTION FENCING TO BE INSPECTED DAILY, AND REPAIRED OR REPLACED AS NEEDED.
 - 4. NO PARKING, STORAGE OR OTHER CONSTRUCTION ACTIVITIES ARE TO OCCUR WITHIN TREE PROTECTION AREAS.
 - 5. ALL REQUIRED VEGETATION MUST BE MAINTAINED FOT TWO GROWING SEASONS AFTER THE DATE OF FINAL INSPECTION.
- OTHER: _____
