

Gwinnett County

Atlanta MSA

2003 Population Estimate 673,345; +12.6% change from 2000 Census.

Not a Tree City USA.

No tree board established by ordinance.

Buffer, Landscape and Tree Ordinance & Guidelines

First adopted 1987. Last revised 2003.

Addresses private property.

Includes buffer and landscape requirements.

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*Summary of Buffer, Landscape and Tree Ordinance
Tree Removal Information for Homeowners in Gwinnett County*

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Gwinnett County Buffer, Landscape, and Tree Ordinance

Article 1 Intent, Purpose and Title

Section 1.1 Intent

This ordinance shall apply to all properties or portions thereof located within the unincorporated areas of Gwinnett County, Georgia, to the extent of the provisions contained herein. The Board of Commissioners hereby finds that the protection and preservation of trees, the planting of new trees and other landscape material, and the provision of buffers between dissimilar uses as part of the land development process is a public purpose and provides for the public health and general welfare.

Section 1.2 Purpose

The purpose of this ordinance is to preserve and enhance the County's natural environment. This is accomplished through the preservation, protection and planting of trees and other landscape material, particularly those trees recognized herein as canopy and understory trees, and the provision of natural and/or planted buffers between dissimilar uses as part of the land development process. The ordinance is intended to further the County's policy that all development sites where trees are most commonly removed will achieve upon project completion a uniform standard related to tree coverage, landscaping and buffers. In addition, trees are recognized for their importance in shading and cooling, noise and wind reduction, prevention of soil erosion, production of oxygen, dust filtration, fostering air quality through carbon dioxide absorption, providing wildlife habitat, and contributing to the aesthetic and economic value of real property. This ordinance is also intended to further the County's policy of encouraging all individuals or firms who propose to develop land, and which are required to meet the requirements of this ordinance, to consider the use of water-efficient landscaping principles and techniques (xeriscaping).

Section 1.3 Title

This ordinance shall be known as "The Buffer, Landscape, and Tree Ordinance of Gwinnett County, Georgia" and may be referred to generally as "The Buffer Ordinance," or "The Landscape Ordinance," or "The Tree Ordinance," or, as used herein, "this Ordinance."

Article 2 Definitions

Section 2.1

Definitions of Words and Phrases In construing the provisions hereof and the meaning of each and every word, term, phrase, or part thereof, where the context will permit, the definitions of words as contained in Zoning Resolution supplemented by the following, shall apply:

- Buffer: Land area used to visibly separate one use from another through screening and distance, to shield or block noise, light, glare, or visual or other conditions, to minimize physical passage to non-similar areas, or to reduce air pollution, dust, dirt, and litter.
- Canopy Tree: A tree that, under normal forest conditions, will compose the top layer or canopy of vegetation and generally will reach a mature height of greater than 40 feet.
- Clearing: The removal of vegetation from a property, whether by cutting or other means.
- Construction Buffer: A type of buffer which is temporary and remains in effect during the construction of a project.
- County: Gwinnett County, Georgia.
- Department: The Gwinnett County Department of Planning and Development, as established by the Gwinnett County Board of Commissioners, and as operated through the actions and administration of the appointed director of said department or his/her designee.
- Development Regulations: The adopted regulations providing for the subdivision and development of real property within Gwinnett County, Georgia, as amended from time-to-time by the Board of Commissioners of Gwinnett County.
- Diameter, Tree: The diameter of a tree measured as follows: 1) for existing preserved trees, at a point 4.5 feet above the ground; 2) for new replaced trees, at a point 6 inches above the ground.
- Director: The director of the Department of Planning and Development or his/her designee.
- Dripline: A line on the ground established by a vertical plane extending from a tree's outermost branch tips down to the ground; i.e., the line enclosing the area directly beneath the tree's crown from which rainfall would drip.
- Floodplain, 100-Year: Those lands subject to flooding, which have at least a one percent probability of flooding occurrence in any calendar year; and specifically, the floodplain as shown on the Flood Boundary and Floodway Map as prepared by the Federal Emergency Management Agency (FEMA).

- Grading: The placement, removal, or movement of earth by use of mechanical equipment on a property.
- Land Disturbing Permit (LDP): Any permit other than a Building Permit issued by Gwinnett County that authorizes clearing or grading activities on a site or portion of a site. This permit may be a Clearing, Clearing and Grubbing, Grading, or Development Permit as defined and authorized by the Development Regulations of Gwinnett County.
- Landscape Strip: Land area located within the boundary of a lot and required to be set aside and used for landscaping upon which only limited encroachments are authorized.
- Modification: A type of administrative appeal that may be granted by the director only where specifically authorized in this ordinance.
- Screening: A method of shielding or obscuring one abutting or nearby structure or use from another by opaque fencing, walls, berms, densely planted vegetation, or the like.
- Shrub: A woody plant of relatively low height, as distinguished from a tree by having several stems rather than a single trunk.
- Timber Harvesting: The felling, loading and transporting of timber products (pulpwood, etc.). The term "timber harvesting" may include both clearcutting and selective cutting of timber.
- Tree Density Unit (TDU): A credit assigned to a tree, based on the diameter of the tree, in accordance with tables contained in this ordinance.
- Tree Density Standard (TDS): The minimum number of Tree Density Units per acre which must be achieved on a property.
- Tree: Any self-supporting woody perennial plant, usually having a main stem or trunk and many branches, and at maturity normally attaining a trunk diameter greater than 3 inches at any point and a height of over 10 feet.
- Tree Protection Area (TPA): Any portion of a site wherein are located existing trees which are proposed to be preserved in order to comply with the requirements of this ordinance. The Tree Protection Area shall include no less than the total area beneath the tree canopy as defined by the dripline of the tree or group of trees collectively.
- Tree Preservation and/or Replacement Plan (TP/RP): A plan that identifies Tree Protection Areas where existing trees are to be preserved and where proposed replacement trees are to be planted on a property to meet minimum requirements, as well as methods of tree protection to be undertaken on the site and other pertinent information.
- Tree Thinning: Selective cutting or thinning of trees only for the clear purpose of good forestry management in order to protect said

forest from disease or infestation and in no way shall be construed as clearcutting.

- Understory Tree: A tree that, under normal forest conditions, grows to maturity beneath overstory trees and will generally reach a mature height of at least 10 feet but less than 40 feet.
- Xeriscaping: A method of landscaping utilizing materials which are water-efficient (refer to Article 6 of this ordinance for principles and techniques).
- Zoning Buffer: A buffer required by the Zoning Resolution or as a condition of zoning, special use or variance approval for a specific property.
- Zoning Resolution: The Zoning Resolution of Gwinnett County, Georgia, as amended from time-to-time by the Board of Commissioners of Gwinnett.

Article 3 Buffer Regulations

Section 3.1 Applicability

Section 3.1.1 Buffers shall be required between dissimilar districts or uses in accordance with the provisions of the Zoning Resolution or as a condition of zoning, special use or variance approval.

Section 3.2 Standards for Permanent Buffers

Section 3.2.1 Width of Buffers

Buffers shall meet the minimum width requirements contained in the Zoning Resolution, except as authorized to be reduced by the applicable buffer reduction process, as follows:

1. As specified in the "Minimum Buffer Strip Requirement Table"; or,
2. As specified in a residential zoning district for a permitted non-residential use (e.g. a church, temple, synagogue, etc.); or,
3. As required by a condition of zoning, special use, or variance approval.

Section 3.2.2 Screening Requirements

1. Buffers shall be natural, undisturbed, and free of encroachments except as authorized by a condition of zoning, special use or variance approval, or as authorized herein, and shall contain the existing tree cover and vegetation as well as any supplemental plantings or replantings as may be required.
2. Buffers shall be of such nature and density so as to screen activities, structures and uses on the property from view from the normal level of a first story window on an abutting lot and shall further provide a year-round effective visual screen.
3. Buffers required along side property lines shall extend to a street right-of-way line unless otherwise required by the director in order to observe the sight distance requirements contained in the Development Regulations, or as authorized by a condition of zoning, special use, or variance approval.
4. In situations where the required buffer width is partially or completely contained within an existing easement (e.g. power or natural gas transmission, etc.), the screening requirements of this Ordinance shall be met outside of the easement area.

Section 3.2.3 Supplemental Plantings

1. Buffers in which vegetation is non-existent or is inadequate to meet the screening requirements of this Ordinance shall be planted with supplemental plantings so as to provide a year-round effective visual screen.

2. Supplemental plantings and replantings shall consist of evergreen trees, shrubs, or combination thereof, native or adaptable to the region. All trees planted shall be a minimum of 6 feet in height at time of planting and shall be a species which will achieve a height of at least 20 feet at maturity. All shrubs planted shall be a large growing species, shall be a minimum of 3 feet in height at time of planting and shall be a species which will achieve a height of at least 10 feet at maturity.
3. All supplemental plantings shall be installed to allow for proper plant growth and maintenance.

Section 3.2.4 Non-Vegetative Screening

1. Non-vegetative materials utilized to satisfy the screening requirements of this Ordinance, in addition to the use of existing vegetation and/or supplemental plantings, may consist of walls, fences, earthen berms or any combination thereof.
2. If walls or fences are to be utilized, their placement and installation shall be such so as to cause minimal disturbance of existing vegetation and located so as to provide an effective visual screen.

Section 3.2.5 Disturbance or Encroachments

1. Ditches, swales, storm water conveyance facilities, storm water detention ponds, sanitary sewer conveyance facilities, similar facilities, and any associated easements, shall not encroach into a buffer except that necessary access and utility crossings (e.g. storm water 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 their is minimal disturbance of any significant existing vegetation.
3. Land disturbance is authorized in areas of a buffer that are devoid of significant vegetation provided that the final grade and replantings of vegetation meet the screening requirements contained herein.
4. 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.

Section 3.2.6 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 department.

Section 3.3 Standards for Construction Buffers

Section 3.3.1 Where Required

Construction buffers shall only be required where specifically provided as a condition of zoning, special use or variance approval.

Section 3.3.2 Time Constraints

Construction buffers shall only be in effect during the construction period of a project and shall terminate upon project completion. In the case of a residential subdivision, a construction buffer shall terminate upon each individual lot with the issuance of a Certificate of Occupancy for the principal dwelling.

Section 3.3.3 Disturbance or Encroachments

1. Construction buffers shall be natural, undisturbed and free of encroachments except as authorized by a condition of zoning, special use or variance approval, or as authorized herein.
2. The encroachment of ditches, swales, stormwater conveyance facilities, stormwater detention ponds, sediment basins, sanitary sewer conveyance facilities, similar facilities, and any associated easements, into a construction buffer shall not be authorized except that necessary access and utility crossings (e.g. storm water or sanitary sewer pipes), and natural bottom detention ponds (sediment basins must be located outside of the construction buffer) and their appurtenant structures which require no grading and removal of trees, may encroach upon the construction buffer.
3. If the construction buffer on a residential lot is devoid of existing trees and vegetation, and a tree survey is submitted to document this situation prior to conducting land disturbing activities (including clearing) on the lot, then the department may authorize the encroachment of a building or structure into the construction buffer for a distance not to exceed 10 feet.

Section 3.3.4 Protection During Land Disturbing Activities

1. During authorized land disturbing activities, construction 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 department.

Article 4 Landscape Regulations

Section 4.1 Applicability

Section 4.1.1 Nonresidential and Multi-Family Uses

Nonresidential and multi-family uses shall provide for and maintain landscape plantings on-site as follows:

- a. In a Landscape Strip at least 10 feet in width adjacent to any street right-of-way abutting the property and running the length of the entire property frontage; and,
- b. In areas adjacent or internal to off-street parking lots that are required by the Zoning Resolution to contain more than 5 off-street parking spaces; and,
- c. As required by a condition of zoning, special use or variance approval.
- d. The director is hereby authorized to grant a modification of up to 50% of the 10 foot landscape strip width provided the strip is not required by a condition of zoning, special use, modification, variance or waiver approval.

Section 4.1.2 Residential Subdivisions

Residential subdivisions shall provide for and maintain landscape plantings on-site as set forth in Section 4.4. in the following circumstances:

- a. In no-access easements that are required by the Development Regulations along the line of double frontage lots abutting upon a major thoroughfare; and,
- b. As required by a condition of zoning, special use; modification, variance or waiver approval.

Section 4.2 Landscape Strip Planting Requirements

Section 4.2.1 Ten (10) Foot Wide Landscape Strips

Landscape Strips which are required to be 10 feet in width shall contain landscaping and plantings within or adjacent to the strip as follows:

- a. One (1) tree for each 25 linear feet of strip length shall be provided. Deciduous trees shall be at least 2 inches in diameter and evergreen trees shall be 6 feet in height at time of planting. Trees shall be a species native or suitable to this region.
- b. One (1) shrub for each 25 linear feet of strip length shall be provided. Each shrub shall be a species native or suitable to this region.
- c. Trees and shrubs required herein may be planted and spaced singly or in groups as authorized by the Director so long as the total number of plantings is achieved.

d. The remaining ground area shall be sodded, seeded or hydroseeded with grass, and/or planted with groundcover species and/or provided with other landscaping material, or any combination thereof.

Section 4.2.2 Five (5) Foot Wide Landscape Strips

Landscape Strips which are required to be 5 feet in width shall contain landscaping and plantings within or adjacent to the strip as follows:

a. One (1) tree for each 50 linear feet of strip length shall be provided. Deciduous trees shall be at least 2 inches in diameter and evergreen trees shall be at least 6 feet in height at time of planting. Trees shall be a species native or suitable to this region.

b. One (1) shrub for each 50 linear feet of strip length shall be provided. Each shrub shall be a species native or suitable to this region.

c. Trees and shrubs required herein may be planted and spaced singly or in groups as authorized by the Director so long as the total number of required plantings is achieved.

d. The remaining ground area shall be sodded, seeded or hydroseeded with grass, and/or planted with groundcover species and/or provided with other landscaping material, or any combination thereof.

Section 4.2.3 Landscape Strips Wider than 10 Feet

Tree and shrub quantities in landscape strips that are required to be wider than 10 feet by a condition of zoning, special use, variance or waiver approval shall be proportional to their width (e.g. a 20 foot wide landscape strip would require two (2) trees and two (2) shrubs for each 25 linear feet of strip length).

Section 4.2.4 Encroachments Into Landscape Strips

Required Landscaped Strips shall not be encroached upon by parking spaces, driveway surfaces or storm water detention facilities except that driveway crossings may traverse such strip as near to a perpendicular alignment as practical. Signs may also be located in such strip.

Section 4.3 Off-Street Surface Parking Lot Planting Requirements

Section 4.3.1 Quantity, Spacing and Planting Standards

Off-street surface parking lots which are required to contain more than 5 parking spaces shall contain landscaping and plantings as follows:

a. Trees shall be provided and maintained adjacent to, and in the interior portions of, parking lots in a ratio of one (1) tree for each seven (7) parking spaces. In addition, every parking space shall be within 60 feet of the trunk of a tree.

b. Deciduous trees shall be at 2 inches in diameter and evergreen trees shall be at least 6 feet in height. Canopy trees listed in Appendix "A" A.2 Parking Lot & Street Tree Species List, shall be selected, planted, and maintained. Any plantings beyond the minimum requirements may come

from any of the species lists. In addition, no more than 33 percent of a single genus of canopy or other trees shall be authorized.

c. The minimum planting area or island for each canopy tree shall be at least 200 square feet. If shared with other trees, 80 square feet for each additional tree shall be added.

d. The minimum planting area or island for each understory tree shall be 100 square feet. If shared with other trees, 40 square feet for each additional tree shall be added.

e. Trees shall be planted in areas surrounding the perimeter of the parking lot and/or shall be planted in planting areas or islands internal to the parking lot. Trees may be planted and spaced singly or in groups. Each planting area or island shall not be less than 4 feet in width in any direction.

f. Ground areas shall be sodded, seeded or hydroseeded with grass and/or planted with groundcover species, and/or provided with other landscaping material, or any combination thereof.

g. Paved or striped islands greater than 50 square feet shall not be allowed. These areas shall contain landscape plantings.

h. Trees removed or having had their tops cut after compliance with this section shall be replaced with the equivalent inches of removed trees. However, trees removed due to disease or insect infestation upon the written advice and findings of the County Extension Service or the Georgia Forestry Commission shall be replaced in accordance with the minimum standards contained in the ordinance.

Section 4.4 No-Access Easement Screening Requirements

Section 4.2.1 No-access easements which are required by the Development Regulations, or as a condition of zoning, special use or variance approval, shall be screened as follows:

a. Planted with a single line of evergreen trees at least 6 feet in height and spaced no greater than 10 apart; or,

b. Contain a solid or decorative fence at least 4 feet in height; or,

c. Contain such other landscaping treatments or grade changes that will produce a partial screening effect as authorized by the director.

Article 5 Tree Preservation and Replacement Regulations

Section 5.1 Applicability and Exemptions

Section 5.1.1 This article shall apply to any activity on real property which requires the issuance of a Land Disturbing except as excluded in this section. Table A: Summary of Applicability and Exemptions, at the end of this section, summarizes those activities which are exempt from the provisions of this ordinance and those for which a Tree Preservation and/or Replacement Plan must be approved prior to issuance of a Land Disturbing Permit.

Section 5.1.2 Grandfathered Projects

- a. This article shall not apply to any portion of a property included within the limits of a valid Land Disturbing Permit issued prior to the effective date of this ordinance, provided that all time constraints relating to the permit issued shall be observed. In no event shall any grandfathered project be extended for a greater time period than 24 months from the date of enactment of this ordinance.
- b. Projects which were included within the limits of a Land Disturbing Permit issued prior to June 23, 1987, which was the effective date of the Tree Ordinance, shall be grandfathered from the requirements of this article to the extent of the time constraints imposed upon said permit by the Development Regulations.
- c. The requirements of this article may be waived by the department for a Land Disturbing Permit which is to proceed with development of a larger project, at least 75% of the land area of which has already received a permit or permits initiating clearing or grading activities prior to June 23, 1987 which was the effective date of the Tree Ordinance.

Section 5.1.3 Horticultural or Agricultural Operations

- a. All plant or tree nurseries and botanical gardens shall be exempt from the terms and provisions of this ordinance in relation to those trees which are being grown for relocation and continued growth in the ordinary course of business, or for some public purpose.
- b. All orchards of trees in active commercial operation shall be exempt from the terms and provisions of this ordinance for bona fide agricultural purposes only.
- c. Land clearing or clearing and grubbing activities for clearly agricultural purposes in the RA-200 zoning district shall be exempt from the provisions of this ordinance.
- d. Timber harvesting (selective cutting or clear-cutting) for pulpwood or sawtimber shall be exempt within the RA-200 zoning district. In other zoning districts, such activities shall be authorized only in accordance with the issuance of a Land Disturbing Permit under the requirements of this ordinance.

Section 5.1.4 Removal of Disease or Insect Infestation

Upon the written advice of the County Extension Service or the Georgia Forestry Commission in accordance with commonly accepted forestry practices and a finding of disease or insect infestation, the director may authorize the removal of trees to prevent the transmission of disease or infestation, to prevent the danger of these trees falling, or to prevent potential injury to life and property. The owner/developer, prior to the removal of these trees, shall notify the director, identifying the location of the infested property, and shall submit to the director the written finding of the County Extension Service or Georgia Forestry Commission.

Section 5.1.5 Tree Thinning

Upon the written advice and findings of the County Extension Service or Georgia Forestry Commission, the thinning of trees (selective cutting only) in zoning districts other than RA-200, solely for the purpose of good forestry management, may be permitted upon authorization by the Director and shall require the submittal and approval of a Tree Preservation and/or Replacement Plan. Permits authorizing tree thinning shall be limited to the following:

- a. The property shall have been initiated for rezoning by Gwinnett County, rather than the property owner, from RA-200 to its present zoning classification.
- b. The property shall not have been subdivided. The property shall have the same configuration since June 9, 1970 when the comprehensive Zoning Tax Maps were adopted.
- c. A 75 foot undisturbed buffer (not a zoning 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.
- d. The property shall be required to meet a Tree Density Standard of 24 units per acre upon completion of authorized land disturbing activities.
- e. The owner/developer shall utilize the recommended Best Management Practices (BMP's) as established by the Georgia Forestry Commission.

Section 5.1.6 Zoning Buffer Exclusion

Existing trees proposed to be retained preserved, and new trees proposed to be planted, in order to meet the buffer requirements of the Zoning Resolution or conditions of zoning, special use or variance approval shall not be considered in fulfilling the requirements of this ordinance.

Section 5.1.7 Easement Exclusion

Properties possessing natural gas, petroleum or electric power transmission easements, or major sanitary sewer main (greater than 8 inches in diameter) or water main (greater than 16 inches in diameter) distribution easements, may exclude the land area contained in the easement from the total acreage of the property in fulfilling the Tree Density Standard provided that no improvements (e.g. parking lots, tennis courts, driveways, storm water detention facilities, etc.) are proposed within the easement. If any improvements are proposed within the easement, then the land area so utilized within the easement for the improvements, plus an additional 10-feet of land area surrounding the improvements, shall be used to fulfill the Tree Density Standard.

Section 5.1.8 Lake and Pond Exclusion

Properties with a lake or pond greater than one (1) acre in size may exclude the land area contained in the lake or pond from the total acreage of the property in fulfilling the Tree Density Standard.

TABLE A
SUMMARY OF APPLICABILITY AND EXEMPTIONS

PROJECT TYPE	TYPE OF CONSTRUCTION	APPLICABILITY
Grandfathered Projects	Any property included within the limits of a LDP approved prior to the effective date of this Ordinance, and remaining portion of a project where 75% of area has already been included in LDP's approved prior to June 23, 1987 which was the effective date of the Tree Ordinance	Exempt (see 5.1.2.)
Horticultural or Agricultural Operations	Land clearing for clearly agricultural purposes, including timber harvesting, in RA-200 zoning district; Plant or Tree Nurseries; Orchards	Exempt (see 5.1.3.)
Diseased or Insect Infested Trees	Removal upon advice and written finding of County Extension Service or Georgia Forestry Commission	Exempt (see 5.1.4.)
Tree Thinning	Thinning of trees (selective cutting) in zoning districts other than RA-200 solely for the purpose of good forestry management, utilizing recommended BMP's of the Georgia Forestry Commission, upon the advice and written findings of the County Extension Service or Georgia Forestry Commission	TP/RP Required (see 5.1.5.)
Residential Lots or Subdivisions	Clearing, Clearing & Grubbing, Grading, Development or Building Permit	Two trees per lot or street trees or TP/RP meeting 16 TDU's with TPA's protected by conservation easement * (see 5.2.4.)
Nonresidential and Multi-Family Subdivisions	Land disturbance limited to areas needed for streets, drainage and utilities	TP/RP <u>not</u> required * (see 5.2.3.a.)
	Land disturbance beyond areas needed for streets, drainage, and utilities	TP/RP required (see 5.2.2.)

**TABLE A
SUMMARY OF APPLICABILITY AND EXEMPTIONS**

PROJECT TYPE	TYPE OF CONSTRUCTION	APPLICABILITY
Residential Recreation Areas, Multi-Family and Nonresidential Individual Sites	Clearing or clearing and grubbing only, limited to areas outside of all minimum yards, buffers, and 100 year flood plain	TP/RP <u>not</u> required * ** (see 5.2.3.b.)
	Clearing or clearing and grubbing only, proposing disturbance within a minimum yard or 100 year flood plain	TP/RP required (see 5.2.2.)
	Grading or Development Permit	TP/RP required (see 5.2.2.)
	Building Permit	Covered by TP/RP as approved by LDP (see 5.2.2.)

- Limits of buffers and Tree Protection Areas shall be designated with protective tree fencing prior to, or concurrent with, commencement of activities, consistent with exemption allowances.
- ** Additional areas may be designated by the department to remain undisturbed based on Land Use Plan

Section 5.2 Permits

Section 5.2.1 Permit Required

Land disturbing activities shall not commence until such activities have been authorized by issuance of an appropriate Land Disturbing Permit under the provisions of the Development Regulations. Once a Final Plat has been recorded, land disturbing activities on residential lots shall not occur until a Building Permit has been obtained.

Section 5.2.2 Tree Preservation and/or Replacement Plan Required

For projects not exempt from the provisions of this ordinance, and not included under subsection 5.2.3. or 5.2.4., below, a Tree Preservation and/or Replacement Plan shall be submitted along with the other documents required by the Development Regulations for the issuance of a Clearing, Clearing and Grubbing, Grading, or Development Permit.

- a. Tree Preservation and/or Replacement Plans and related documentation shall be reviewed by the department for conformance to the provisions of this ordinance along with and at the same time as all other plans required for a requested Land Disturbing Permit under the provisions of the Development Regulations.
- b. Clearing, grading and development activities shall conform in all respects with the approved Tree Preservation and/or Replacement Plan. Any revisions to the proposed development of a property, and any changes reflected in a subsequently submitted permit application, shall be shown on a revised Tree Preservation and/or Replacement Plan and be approved as part of the new or revised permit prior to the commencement of such changed activities.

Section 5.2.3 Limited Land Disturbing Projects

Projects which propose only limited development activities may be issued a Land Disturbing Permit without a Tree Preservation and/or Replacement Plan under the following circumstances:

- a. Nonresidential subdivisions shall not be required to submit a Tree Preservation and/or Replacement Plan if the proposed land disturbing activities are strictly limited to those directly related to the provision of the streets and storm water drainage and detention facilities, placement of required soil erosion and sedimentation controls, the installation of public or private utilities, and other required improvements expressly required by the county or by a condition of zoning, special use, modification, waiver or variance approval.
- b. Residential recreation areas, and individual multi-family residential and nonresidential projects (not involving the subdivision of the property) may be allowed to undertake

activities limited to clearing or clearing and grubbing only, without approval of a Tree Preservation and/or Replacement Plan, if the proposed land disturbing activities are limited to those portions of the property outside of all minimum yard areas required by the zoning district, all buffer areas required by the Zoning Resolution or conditions of zoning, special use, modification, waiver or variance approval, and any area within the 100-year floodplain, except for curb cut access into the property and for the placement of required soil erosion and sedimentation controls. Additional areas may be designated by the department to remain undisturbed as may be reasonably required with consideration given to the proposed use of the property, as well as adjacent properties, in accordance with the County's Land Use Plan. The limits of clearing or clearing and grubbing shall be established no closer to the boundaries of all said undisturbed areas than the driplines of the trees that are located within said areas.

For any property for which a Tree Preservation and/or Replacement Plan was not required prior to issuance of a Land Disturbing Permit under the provisions of this section, all areas required to be undisturbed shall be provided with protective tree fencing along the limits of clearing or grading which adjoin existing trees in accordance with the provisions found in subsection 5.4.1. These measures shall be in place prior to beginning clearing or grading activities, and shall be maintained throughout the land disturbing period.

Section 5.2.4 Residential Lots and Subdivisions

Owners and/or developers of residential lots and subdivisions shall comply with this article by choosing at least one of the following options:

a. Individual Lot Trees

A minimum of two (2) trees, at least 2 inches in diameter, shall be planted or preserved on each individual lot prior to the issuance of a Certificate of Occupancy. Roots within the drip line area of preserved trees shall remain undisturbed or the tree cannot be counted as a required tree. Planted trees shall be a species listed on Appendix "A" Canopy or Understory Tree Species Lists of this ordinance.

b. Street Trees

This option must be chosen prior to the recording of a Final Plat only in subdivisions with underground utilities. Street tree requirements are as follows:

1. Street trees shall be at least 3 inches in diameter. The quantity of trees shall be at least one (1) tree per each 50 linear feet of street (both sides of the

street). Trees shall be planted in the street right-of-way. Trees shall be located at least 3 feet from the back of curb unless a modification is granted by the director. Street trees listed in Appendix "A" A.2 Parking Lot & Street Tree Species List, shall be selected, planted and maintained.

2. Developers shall enter into a performance surety agreement with the department guaranteeing tree planting within 2 years of the date of recording of the Final Plat. The director is authorized to grant a modification from the time limit. The performance surety shall be provided at the time of recording the Final Plat. In addition, a Street Tree Planting Plan shall be submitted to and approved by the department prior to planting by the developer. Street tree planting shall be delayed from June through August.
3. Street trees shall be maintained and cared for by the property owner adjacent to the tree except in subdivisions in which the property owners association provides maintenance and care. Maintenance shall include replacement and trimming as necessary. A maintenance responsibility statement shall be provided on the Final Plat.

c. Tree Protection Areas

Prior to the issuance of a Development Permit, a Tree Preservation Plan shall be prepared and approved for residential subdivisions indicating compliance with the Tree Density Standard of 16 Tree Density Units per acre. Preserved trees shall be grouped together in Tree Protection Areas (including driplines) consisting of at least three (3) trees. Preserved individual 12 inch or greater diameter trees may also receive credit provided they are protected by a Tree Protection Area (including dripline).

Section 5.3 Tree Density Requirements

Section 5.3.1 Tree Density Standard

On each property for which a Tree Preservation and/or Replacement Plan is required, existing trees shall be retained and/or new trees shall be planted such that the property shall attain or exceed a Tree Density Standard of 16 Tree Density Units per acre, exclusive of any acreage within a zoning buffer and any trees required to be preserved or planted within a zoning buffer and except any other land area allowed to be excluded by this article. Trees, both existing and new, shall be reasonably distributed throughout the site, with emphasis on tree groupings to achieve aesthetic results following professional landscaping standards. Trees may be retained or planted for credit within a public street right-of-way if granted authorization by the Department of Transportation.

Section 5.3.2 Tree Density Standard Calculation

The Tree Density Standard shall be calculated by summing the following credits and dividing by the total acreage of the project included within the limits of the permit application (but excluding any acreage included within a zoning buffer and other land area allowed to be excluded by this article).

- a. Credit for existing trees proposed to be preserved on the site shall be calculated by multiplying the number of trees (by diameter) times the units assigned in TABLE B, CREDIT FOR EXISTING TREES. Credit shall be given all trees preserved on a property having a diameter of 3" or more, except trees located in a zoning buffer.
- b. Credit for new trees proposed to be replaced on the site shall be calculated by multiplying the number of trees (by diameter) times the units assigned in TABLE C, CREDIT FOR REPLACEMENT TREES. Credit shall be given for all new trees replaced on a property except for trees less than 1 inch in diameter and new trees planted in a required zoning buffer. Multi-trunked trees shall only be given credit by measuring the single largest trunk and not the cumulative total of the various trunks. Tree-form shrubs shall not be given credit for satisfying the required Tree Density Standard.
- c. Additional credits shall be granted under the following circumstances:
 - (1) A total tree density credit not to exceed four (4) times the units shown on Table B, shall be granted by the department for existing 12 inch diameter or greater trees to be preserved.
 - (2) Existing trees to be preserved within a minimum yard area (as required by the applicable zoning district) or within a 100-year flood plain shall be granted a bonus credit of 50 percent of the units assigned in Table B unless the tree is located within a required zoning buffer.

TABLE B - CREDIT FOR EXISTING TREES							
CONVERSION FROM TREE DIAMETER IN INCHES TO TREE DENSITY UNITS FOR TREES REMAINING ON SITE							
DIA.	UNITS	DIA.	UNITS	DIA.	UNITS	DIA.	UNITS
3	.05	15	1.2	27	4.0	39	8.3
4	.1	16	1.4	28	4.3	40	8.7
5	.15	17	1.6	29	4.6	41	9.2
6	.2	18	1.8	30	4.9	42	9.6
7	.3	19	2.0	31	5.2	43	10.1
8	.4	20	2.2	32	5.6	44	10.6
9	.5	21	2.4	33	5.9	45	11.0
10	.6	22	2.6	34	6.3	46	11.5
11	.7	23	2.9	35	6.7	47	12.0
12	.8	24	3.1	36	7.1	48	12.6
13	.9	25	3.4	37	7.5	49	13.1
14	1.1	26	3.7	38	7.9	50	13.6

Note: Tree diameter for existing trees is measured at 4.5 feet above the ground.

Note: Tree diameter fractions may be "rounded up" if 0.5 inches or greater or "rounded down" if less than 0.5 inches.

TABLE C - CREDIT FOR REPLACEMENT TREES			
CONVERSION FROM TREE DIAMETER IN INCHES TO TREE DENSITY UNITS FOR PROPOSED REPLACEMENT TREES			
Diameter	Units	Diameter	Units
1	.4	8	1.3
2	.5	9	1.5
3	.6	10	1.7
4	.7	11	1.9
5	.9	12	2.1
6	1.0	13	2.3
7	1.2	14	2.5

Note: Tree diameter for new replacement trees is measured at 6 inches above the ground.

Note: Tree diameter fractions may be "rounded up" if 0.5 inches or greater or "rounded down" if less than 0.5 inches.

Note: Multi-trunked trees shall be given credit by measuring the single largest trunk only. Tree-form shrubs shall not be given credit.

Section 5.4 Tree Preservation and Replacement Requirements

Section 5.4.1 The following guidelines and standards shall apply to trees proposed to be preserved for credit toward meeting the minimum required Tree Density Standard on a property:

a. Tree Protection Areas

The root system within the dripline is generally considered to be the critical root zone. To protect these critical root zones, a Tree Protection Area shall be established around each tree or group of trees to be retained.

- (1) The Tree Protection Area shall include no less than the total area beneath the tree canopy as defined by the dripline of the tree or group of trees collectively.
- (2) Layout of the project site utility and grading plans shall avoid disturbance of the Tree Protection Area.
- (3) Construction site activities such as parking, materials storage, concrete washout, burnhole placement, etc., shall be arranged so as to prevent disturbances within Tree Protection Areas.

b. Protective Barriers

- (1) Protective tree fencing shall be installed between buffers and Tree Protection Areas and areas proposed to be cleared, graded, or otherwise disturbed on the site, prior to any land disturbance.
- (2) All Tree Protection Areas are recommended to be designated as such with "tree save area signs" posted in addition to the required protective fencing. Signs requesting subcontractor cooperation and compliance with tree protection standards are recommended for site entrances.
- (3) All Tree Protection Areas must be protected from soil sedimentation intrusion through the use of silt screens or other acceptable measures placed up-slope from the tree protection area.
- (4) All protective tree fencing and all erosion control barriers must be installed prior to and maintained throughout the land disturbing and construction process, and should not be removed until final landscaping is installed.

c. Encroachment

If encroachment into a Tree Protection Area occurs which causes irreparable damage to the trees, the Tree Preservation and/or Replacement Plan shall be revised to

compensate for the loss. Under no circumstances shall the developer be relieved of responsibility for compliance with the provisions of this ordinance, nor shall plan revision activities stop the department from instituting action for violation of this ordinance.

Section 5.4.2 Replacement trees proposed to be planted for credit toward meeting the minimum required Tree Density Standard on a property shall comply with the following:

- a. The spacing of replacement trees must be compatible with spatial site limitations and with responsible consideration towards species size when mature.
- b. Trees selected for planting shall be a species listed on Appendix "A" Canopy or Understory Species List of this ordinance. Standards for transplanting shall be in keeping with those established by the International Society of Arboriculture, as included in the "Tree and Shrub Transplanting Manual," latest edition, or similar publications. Refer to the American Association of Nurserymen publication "American Standard for Nursery Stock" (ANSI Z60, 1973) for plant material quality specifications. Refer to the "Manual of Woody Landscape Plants" (Michael Dirr, 1983, Castle Books) or similar publications for information on tree species site requirements.
- c. Trees selected for planting must be free from injury, pests, disease, nutritional disorders or root defects, and must be of good vigor, so as to assure a reasonable expectation of survivability.

Section 5.5. Tree Species Lists

Tree species lists are found in Appendix "A" of this ordinance. The director is authorized to administratively add and delete species to both lists. Except as specifically approved by the director as a modification, only the trees listed shall be given credit towards meeting the requirements of this article.

Article 6 Plan and Plat Specifications

Section 6.1 Water-Efficient Design Consideration

It is the policy of Gwinnett County to encourage individuals or firms who prepare the plans and plats required by this ordinance to consider the use of water-efficient landscaping principles and techniques as one of the criterion to be used in plant selection and design.

Section 6.1.1 Principles and Techniques of Water-Efficient Landscaping (Xeriscaping)

The recommended principles and techniques to be considered are as follows:

1. Proper Location and Design - locating plants where they will naturally thrive and not require excessive water and maintenance to survive, as well as grouping plants by water needs, and limiting and concentrating high water using plants.
2. Turf Selection - limiting turf areas, and selecting turf grasses that can survive the variable rainfall conditions in this region.
3. Efficient Watering - once plants are established, avoid watering during periods of normal rainfall and during droughts, watering every week to 10 days or less depending on the drought tolerance of the plants.
4. Soil Improvements - loosening and breaking up the soil beyond the immediate planting area to allow better water absorption and to promote deep roots.
5. Mulching - using mulch to hold moisture in the soil which helps maximize the benefits of watering as well as preventing weeds.
6. Plant Selection - selecting plants native or suitable to the region according to their watering requirements and optimum locations.
1. Maintenance - maintaining the landscape to maximize water conservation such as increasing mowing heights and avoiding fertilizing during dry spells.

Section 6.2 Buffer and Landscape Plan Specifications

The following subsections and paragraphs outline the required elements of the plans and plats mentioned throughout this ordinance.

Section 6.2.1 A Buffer and Landscape Plan shall be prepared for any project wherein buffer areas or other landscaping areas or treatment are required by this ordinance, the Zoning Resolution, conditions of zoning, special use or variance approval, or other regulations of Gwinnett County, and shall be approved prior to issuance of a Development Permit. While the plan shall cover, at a minimum, the required buffer and landscape areas, the plan can be combined with a general landscaping plan for the entire project and/or a Tree Preservation and/or Replacement Plan, at the developer's option.

Section 6.2.2 The Buffer and Landscape Plan shall be shown on a Site Plan or boundary survey drawn to the same or a larger scale as the other plan

documents prepared for the Development Permit Application and shall cover the same area.

Section 6.2.3 The Buffer and Landscape Plan shall contain but need not be limited to the following:

1. Project name and Land District, Land Lot, and acreage.
2. Developer's name and telephone number.
3. The name, address, and telephone number of the Registered Landscape Architect, Urban Forester, or Arborist responsible for preparation of the plan, and the Seal or statement of professional qualifications of said person (which may be attached separately). The performance of professional services in the preparation of plans required herein shall comply with Georgia Law governing the practice of the applicable profession.
4. Boundary lines of each buffer or other landscape area, appropriately labeled.
5. Delineation of undisturbed buffer areas, and any other areas wherein trees are proposed to be retained to meet County requirements, along the driplines of the trees or groups of trees contained therein. These areas shall be treated in accordance with the Tree Protection Area requirements contained in this ordinance, and labeled as such. Protective barriers and signage as required by this ordinance shall be shown as to location and detailed.
6. General location of all proposed trees, shrubs, vines, groundcovers, mulching, and other features proposed within the buffer/landscape area. A scale sufficient to clearly indicate all details shall be used, along with a north arrow.
7. Within areas involving or adjacent to land form changes, existing and finish grade topographic lines at an interval of no more than 2 feet may be required.
8. For new plant materials to be installed, a plant material list including but not limited to:
 - a. Common and botanical names of all proposed plants.
 - b. Plant quantities.
 - c. Size and condition of plants. (Example: 1" diameter, 6 feet height, balled and burlapped).
 - d. Spacing.
 - e. Remarks as necessary to insure proper plant selection upon installation. (Example: specimen, multi-trunked).

Section 6.3 Tree Preservation and/or Replacement Plan Specifications

Section 6.3.1 Tree Preservation and/or Replacement Plans shall be prepared by a professional Landscape Architect, Urban Forester, or Arborist in accordance

with the specifications for such plans contained herein. The performance of professional services in the preparation of plans required herein shall comply with Georgia law governing the practice of the applicable profession. Other licensed professionals (e.g. architects, engineers, etc.) may be authorized by the director to prepare Tree Preservation Plans, but not Tree Replacement Plans, provided that they demonstrate, to the satisfaction of the director, competency and knowledge in the principles and practices of arboriculture.

Section 6.3.2 The Tree Preservation and/or Replacement Plan shall be shown on a copy of a Preliminary Plat, Concept Plan or Site Plan, with the exception of a permit to conduct tree thinning, as appropriate to the proposed development, drawn to the same scale as the other plan documents prepared for a Land Disturbance Permit application on the property, and shall cover the same area. The plan may be combined with a required Buffer and Landscape Plan for the project, at the option of the developer.

Section 6.3.3 The Tree Preservation and/or Replacement Plan shall provide sufficient information and detail to clearly demonstrate that all applicable requirements and standards of this ordinance will be fully satisfied.

Section 6.3.4 The Tree Preservation and/or Replacement Plan shall contain but need not be limited to the following:

1. Project name, land district, land lot, north arrow and scale.
2. Developer's name, address, and telephone number.
3. The name, address, and telephone number of the professional Landscape Architect, Urban Forester, Arborist or other authorized individual responsible for preparation of the plan, in accordance with the requirements of subsection 6.3.1, above, and the Seal or statement of professional qualifications of said person (which may be attached separately).
4. Delineation of all minimum yard areas, buffers, and landscape areas as required by the Zoning Resolution or conditions of zoning, special use or variance approval.
5. Total acreage of the site and total acreage exclusive of all zoning buffer areas.
6. Delineation of all areas located within a 100-year flood plain.
7. Existing trees to be retained in Tree Protection Areas:

Trunk location and size (to the nearest inch in diameter at 4.5 feet above the ground), of individual trees proposed to remain for credit toward meeting the minimum Tree Density Standard on the property. Groups of three (3) or more trees whose driplines combine into a single Tree Protection Area may be outlined as a group and their number, by diameter, shown in the Summary Table. If the number and size of all existing trees to remain on the site exceeds the required tree density standard for the entire site, only those trees required to meet the minimum Tree Density Standard must be shown. All Tree Protection Areas are to be outlined and labeled.

8. Tree Protection Measures:

- a. A detail or description of the protective tree fencing to be installed, and the location of such measures, which at a minimum shall follow the dripline of all trees to be retained along adjoining areas of clearing, grading, or other construction activity.
 - b. Measures to be taken to avoid soil sedimentation intrusion into Tree Protection Areas, and the location of such devices.
 - c. Proposed location of temporary construction activities such as equipment or worker parking, materials storage, burn holes, equipment washdown areas, and entrance pads.
 - d. Proposed type and location of any tree save area signs or other pertinent signage.
9. If replacement trees are proposed to be planted in order for the property to achieve the required Tree Density Standard, the replacement trees shall be shown and their spacing and diameter identified, to the extent needed to achieve the minimum requirements. Trees grouped together in tree planting areas may be listed on the Summary Table by total number in the grouping, by size.
10. A Summary Table of the number of existing trees to remain and new trees to be planted, by diameter to the nearest inch at 4.5 feet above the ground for preserved trees and at 6 inches above the ground for replaced trees, shall be shown along with calculations showing the tree density achieved for the site. Additional credits shall be noted where applicable (see Subsection 5.3.2, paragraph c.). Groupings of trees in Tree Protection Areas and areas for new tree planting may be keyed to the Summary Table by area rather than having each tree individually labeled on the plan.

Section 6.3.5 The plan sheet which shows the grading plan, including existing and proposed contour lines, shall indicate the dripline location of all Tree Protection Areas through the use of shading on the plans. The exact location of each tree is not desired to be shown, only the limits of the Tree Protection Area and any other areas which are not to be disturbed.

Article 7 Compliance

Section 7.1 Artificial Materials Prohibited

All artificial plants, trees, shrubs, grass or other vegetation shall be prohibited from fulfilling the requirements of this ordinance.

Section 7.2 Warranty or Maintenance Surety

Upon final installation of new trees, shrubs or other landscape material planted to meet the requirements of this ordinance, and following acceptance by the department in accordance with the procedures set forth in the Development Regulations, the owner shall either provide proof of warranty or post a Maintenance Bond or other acceptable surety, warranting the new trees, shrubs or landscape material for a period of no less than one (1) year. This section shall not apply to individual residential lot trees.

Section 7.3 Inspection

Section 7.3.1 The department shall perform an inspection of the plantings and landscape materials required by this ordinance prior to expiration of the one (1) year warranty or maintenance period. The owner shall be notified of any replacements or restoration that must be made to maintain compliance with this ordinance or conditions of zoning, special use or variance approval.

Section 7.3.2 Required landscape material found to be dead or near death shall be replaced prior to release by the department of the warranty or maintenance surety. In no case shall replacement be delayed greater than 30 days from notification unless a performance bond is posted with the department.

Section 7.4 Performance Surety

Section 7.4.1 Compliance Prior to Certificate of Occupancy or Final Plat Approval

In the event that new trees proposed to be planted to achieve the Tree Density Standard as set forth in the Tree Regulations contained herein, or other trees or landscape material required to be planted as set forth in the Buffer Regulations or Landscape Regulations contained herein, are not installed upon application for a Certificate of Occupancy or Final Plat approval as appropriate to the project, then a Performance Bond or other acceptable surety in an amount equal to 110% of the value of the new trees or landscape material and their installation shall be posted with the department in accordance with the performance bonding requirements and provisions of the Development Regulations.

Section 7.4.2 Compliance upon Permit Completion or Expiration

Properties where a permit is issued to conduct land disturbing activities that do not require the issuance of a Certificate of Occupancy or the approval of a Final Plat, or said activities as authorized are completed or the permit expires, shall comply with the Tree Density Standard of this ordinance as follows:

1. Clearing, Clearing and Grubbing, or Grading Only Permits

Replacement trees proposed to be planted to achieve the Tree Density Standard of this ordinance which are not planted upon completion or prior to expiration of a Clearing, Clearing and Grubbing, or Grading Permit, shall be planted within 30 days of the completion or expiration of said permit unless a performance bond is posted with the department.

2. Development Permits

Replacement trees proposed to be planted to achieve the Tree Density Standard of this ordinance which are not planted upon expiration, as opposed to completion, of a Development Permit shall be planted within 30 days of expiration of said permit unless a performance bond is posted with the department.

Section 7.5 Continuing Maintenance

Section 7.5.1 The owner, occupant, tenant, and respective agent of each, if any, shall be jointly and severally responsible for the perpetual maintenance and protection of buffers, trees and landscape plantings required by this ordinance. Homeowners are exempt from this maintenance requirement for the Individual Lot Tree or Tree Protection Area option of Article 5 unless these trees are protected by a conservation easement.

Section 7.5.2 The department is hereby authorized to order diseased, infested, dying, dead or damaged landscaping required herein to be replaced.

Section 7.5.3 Buffers that, over a period of time, lose their screening ability shall be replanted to meet the requirements of this ordinance.

Section 7.5.4 Replacement trees and landscaping shall be in accordance with the applicable provisions of this ordinance.

Article 8 Enforcement, Violation and Appeals

Section 8.1 Enforcement

It shall be the responsibility of the director to enforce this ordinance. The director shall have the authority to revoke, suspend, or void any Clearing, Clearing and Grubbing, Grading, Development or Building Permit or to withhold issuance of a Certificate of Occupancy or approval of a Final Plat, and shall have the authority to suspend all work on a site or any portion thereof, where tree removal or damage occurs in violation of this ordinance or the provisions of the approved Tree Preservation and/or Replacement Plan for the site.

Section 8.2 Violation and Penalty

Any person violating a provision of this ordinance shall be guilty of violating a duly adopted ordinance of Gwinnett County, and upon conviction by a court of competent jurisdiction, may be punished either by a fine not less than \$100 per day and not to exceed \$1,000 per day, or confinement in the County jail not to exceed 60 days, or both. The Court shall have the power and authority to place any person found guilty of a violation of this ordinance on probation and to suspend or modify any fine or sentence. As a condition of said suspension, the Court may require payment of restitution or impose other punishment allowed by law which may include mandatory attendance at an educational program regarding tree preservation. The owner of any property wherein a violation exists, and any builder, contractor, or agent who may have assisted in the commission of any such violation, shall be guilty of a separate offense.

Section 8.3 Appeals, Modifications and Waivers

Section 8.3.1 Variance from the Zoning Resolution

The preservation of trees may be considered as a condition peculiar to a piece of property in support of a request for a variance from the literal application of the provisions of the Zoning Resolution, under the procedures and requirements contained therein.

Section 8.3.2 Appeals

Appeals of the interpretation of the requirements of this ordinance by the director shall be filed and processed in accordance with the appeal procedures as set forth in the Development Regulations.

Section 8.3.3 Waivers

Waiver requests of the requirements of this ordinance shall be filed and processed in accordance with the waiver procedures as set forth in the Development Regulations.

Section 8.3.4 Modifications

Modification requests, where this ordinance specifically authorizes their granting, shall be filed and processed in accordance with the modification procedures established by the Development Regulations.

Article 9 Adoption and Amendment

Section 9.1 Repeal Clause

The provisions of any ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are repealed, save and except such ordinances or resolutions, or parts of ordinances or resolutions, which provide stricter standards than those provided herein.

Section 9.2 Severability

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

Section 9.3 Amendment

This ordinance may be amended from time-to-time by resolution of the Board of Commissioners of Gwinnett County. Such amendments shall be effective as specified in the adopting resolution.

Section 9.3.1 Lots of record for which a building permit shall have been issued prior to the effective date of an amendment to this ordinance shall be considered "grandfathered" and may proceed to completion under the terms of the permit and regulations in place prior to the amendment.

Section 9.3.2 Subdivisions or projects for which a Development Permit shall have been issued prior to the effective date of an amendment to this ordinance shall be considered "grandfathered" and may proceed to completion under the terms of the permit and regulations in place prior to the amendment.

Section 9.3.3 Subdivisions or projects for which only a Clearing, Clearing and Grubbing, or Grading permit shall have been issued prior to the effective date of an amendment to this ordinance shall be made to comply with the requirements of the amendment prior to the issuance of a Development Permit.

Section 9.3.4 Subdivisions or projects for which a valid and complete application for a Development Permit shall have been received prior to the effective date of an amendment to this ordinance shall be considered "grandfathered" and may proceed to completion under the regulations in place prior to the amendment provided that a Development Permit is obtained within 90 calendar days of the effective date and subject to the time limitations of the permit.

Appendix "A" Tree Species Lists

A.1. Canopy Tree Species List (40 to 100 feet in height at maturity)

Botanical Name	Common Name	Native Tree	Drought Tolerant	Ozone Remover
<i>Acer rubrum</i> cultivars	Red Maple	•	•	•
<i>Acer saccharum</i> cultivars	Sugar Maple		•	•
<i>Betula nigra</i>	River Birch	•	•	•
<i>Carya</i> species	Hickory Species			•
<i>Fagus grandifolia</i>	American Beech	•		•
<i>Fraxinus pennsylvanica</i>	Green Ash		•	•
<i>Ginkgo biloba</i>	Ginkgo (Male Only)		•	•
<i>Gleditsia tricanthus</i>	Honey Locust	•		
<i>Juniperus virginiana</i>	Eastern Red Cedar		•	
<i>Liquidambar styraciflua</i>	Sweetgum	•		
<i>Liriodendron tulipifera</i>	Yellow Poplar			•
<i>Magnolia acuminata</i>	Cucumber Magnolia	•		
<i>Magnolia grandiflora</i>	Southern Magnolia	•		
<i>Metasequoia glyptostroboides</i>	Dawn Redwood			•
<i>Nyssa aquatica</i>	Swamp Tupelo	•		
<i>Nyssa sylvatica</i>	Black Gum	•		
<i>Oxydendrum aboreum</i>	Sourwood	•		•
<i>Pinus taeda</i>	Loblolly Pine	•	•	
<i>Platanus acerifolia</i>	London Planetree	•	•	
<i>Platanus occidentalis</i>	American Sycamore	•	•	
<i>Quercus acutissima</i>	Sawtooth Oak		•	
<i>Quercus alba</i>	White Oak	•		
<i>Quercus bicolor</i>	Swamp White Oak			
<i>Quercus coccinea</i>	Scarlet Oak	•	•	
<i>Quercus falcata</i>	Southern Red Oak	•	•	
<i>Quercus laurifolia</i>	Laurel Oak	•	•	
<i>Quercus lyrata</i>	Overcup Oak	•	•	
<i>Quercus nutallii</i>	Nuttal Oak	•	•	
<i>Quercus phellos</i>	Willow Oak	•	•	
<i>Quercus palustris</i>	Pin Oak	•		
<i>Quercus prinus</i>	Chestnut Oak	•	•	
<i>Quercus shumardi</i>	Shumard Oak	•	•	
<i>Taxodium disticum</i>	Bald Cypress	•		
<i>Ulmus parvifolia</i>	Lace Bark Elm		•	•
<i>Zelkova serrata</i>	Japanese Zelkova			•

A.2. Parking Lot & Street Tree Species List

Botanical Name	Common Name	Native Tree	Drought Tolerant	Ozone Remover
<i>Acer barbatum</i>	Southern Sugar Maple	•		•
<i>Acer buergeranum</i>	Trident Maple		•	
<i>Acer rubrum</i> cultivars	Red Maple	•	•	•
<i>Acer saccharum</i> cultivars	Sugar Maple	•	•	•
<i>Carya</i> species	Hickory Species			•
<i>Carpinus betulus fastigiata</i>	European Hornbeam			
<i>Fraxinus pennsylvanica</i>	Green Ash	•	•	
<i>Ginkgo biloba</i>	Ginkgo (Male Only)		•	•
<i>Juniperus virginiana</i>	Eastern Red Cedar		•	
<i>Nyssa sylvatica</i>	Black Gum	•		
<i>Pistacia chinensis</i>	Chinese Pistache		•	•
<i>Platanus acerifolia</i>	London Planetree	•	•	
<i>Quercus coccinea</i>	Scarlet Oak	•	•	
<i>Quercus falcata</i>	Southern Red Oak	•	•	
<i>Quercus hemisphaerica</i>	Darlington Oak		•	
<i>Quercus laurifolia</i>	Laurel Oak	•	•	
<i>Quercus lyrata</i>	Overcup Oak	•	•	
<i>Quercus nutallii</i>	Nuttal Oak	•	•	
<i>Quercus phellos</i>	Willow Oak	•	•	
<i>Quercus palustris</i>	Pin Oak	•		
<i>Quercus prinus</i>	Chestnut Oak	•	•	
<i>Quercus shumardi</i>	Shumard Oak	•	•	
<i>Tilia cordata</i>	Littleleaf Linden		•	
<i>Ulmus alata</i>	Winged Elm	•	•	
<i>Ulmus parvifolia</i>	Lace Bark Elm		•	•
<i>Ulmus rubra</i>	Slippery Elm	•	•	
<i>Zelkova serrata</i>	Japanese Zelkova			•

A.3. Understory Tree Species List (10 to 40 feet in height at maturity)

Botanical Name	Common Name	Native Tree	Drought Tolerant	Ozone Remover
<i>Acer barbatum</i>	Southern Sugar Maple	•		
<i>Acer buergeranum</i>	Trident Maple		•	
<i>Acer leucoderme</i>	Chalk Maple	•		
<i>Acer palmatum</i>	Japanese Maple		•	
<i>Amelanchier arborea</i>	Servicberry	•		•
<i>Carpinus caroliniana</i>	American Hornbeam	•		•
<i>Cercis canadensis</i>	Eastern Redbud	•	•	•
<i>Cercis chinensis</i>	Chinese Red Bud		•	
<i>Chamaecyparis thyoides</i>	Atlantic Whitecedar	•		
<i>Cladrastis lutea</i>	American Yellowwood	•		
<i>Chionanthus virginicus</i>	Fringe Tree, Grancy Graybeard	•		
<i>Cornus alternifolia</i>	Alternate Leaf Dogwood	•		
<i>Cornus florida</i>	Flowering Dogwood	•		•
<i>Cornus kousa</i>	Chinese Dogwood			
<i>Continue obovatus</i>	American Smoketree			
<i>Cryptomeria japonica</i>	Cryptomeria		•	
<i>Cupressocyparis leylandii</i>	Leyland Cypress		•	
<i>Halesia carolinia</i>	Silverbell			
<i>Hamamelis virginiana</i>	Witch-hazel			
<i>Ilex x attenuata</i>	Foster/Savannah Holly			
<i>Ilex latifolia</i>	Lusterleaf Holly			
<i>Ilex x Nellie R. Stevens</i>	Nellie R. Stevens Holly			
<i>Ilex opaca</i>	American Holly			•
<i>Ilex verticellata</i>	Winterberry			
<i>Ilex vomitoria</i>	Yaupon Holly		•	
<i>Juniperus virginia</i>	Red Cedar	•	•	
<i>Koelreuteria paniculata</i>	Golden Raintree			
<i>Lagerstroemia x fauriei</i>	Crape Myrtle		•	•
<i>Maclura pomifera</i>	Osage Orange		•	
<i>Magnolia x soulangiana</i>	Saucer Magnolia			•
<i>Magnolia stellata</i>	Star Magnolia			
<i>Magnolia virginiana</i>	Sweetbay Magnolia			
<i>Malus floribunda</i>	Japanese Flowering Crabapple			•
<i>Myrica cerifera</i>	Wax Myrtle			
<i>Ostrya virginica</i>	Ironwood	•		
<i>Oxydendron arboreum</i>	Sourwood	•		•
<i>Parrotia persica</i>	Persian Parrotia		•	
<i>Pinus virginiana</i>	Virginia Pine	•	•	
<i>Pistacia chinensis</i>	Chinese Pistache			
<i>Prunus caroliniana</i>	Carolina Laurel Cherry	•		
<i>Prunus serrulata</i>	Japanese Flowering Cherry			•
<i>Prunus subhirtella</i> 'Atumnalis'	Autumn Cherry			•
<i>Prunus x yedoensis</i>	Yoshino Flowering Cherry			•
<i>Rhus species</i>	Sumac	•		

Botanical Name	Common Name	Native Tree	Drought Tolerant	Ozone Remover
Sassafras albidum	Sassafras	•	•	•
Thuja plicata	Western Arborvitea			
Vitex agnus-castus	Chastetree		•	

Board of Commissioners
Gwinnett County
Lawrenceville, Georgia

A Resolution to Amend the Buffer, Landscape & Tree Ordinance

BLTA2003-001

Date of Reading & Adoption: August 26, 2003

At the regular meeting of the Gwinnett County Board of Commissioners held at the Gwinnett Justice and Administration Center, 75 Langley Drive, Lawrenceville, Georgia:

<u>Commission Members</u>	<u>Present</u>	<u>Vote</u>
Wayne Hill, Chairman	Yes	Aye
Marcia Neaton, District 1	Yes	Aye
Albert Nasuti, District 2	Yes	Aye
John Dunn, District 3	Yes	Aye
Kevin Kenerly, District 4	Yes	Aye

On motion of Commissioner Hill, seconded by Commissioner Dunn, which carried 5-0, the following resolution was adopted:

BLTA2003-001

A Resolution to Amend the Buffer, Landscape & Tree Ordinance

WHEREAS, a Tree Protection Ordinance was adopted by the Board of Commissioners on June 23, 1987; and,

WHEREAS, the Tree Protection Ordinance was amended and renamed as the Buffer, Landscape & Tree Ordinance by the Board of Commissioners on September 22, 1992; and,

WHEREAS, the Buffer, Landscape & Tree Ordinance was last amended on May 22, 2001; and,

WHEREAS, the Code of Ordinances of Gwinnett County provides for amendments thereto by resolution of the Board of Commissioners; and,

WHEREAS, the Board of Commissioners finds that it is in the public interest to amend said ordinance in order to provide for the public health, safety, convenience, order, prosperity and the general welfare of the present and future inhabitants of Gwinnett County;

NOW, THEREFORE BE IT RESOLVED by the Gwinnett County Board of Commissioners, this 26th day of August, 2003, that the Buffer,

Landscape & Tree Ordinance is hereby amended as follows: delete Paragraph "b." of Section 4.3 of Article 4 and substitute in lieu thereof a new Paragraph "b;" delete Subparagraph "1" of Paragraph "b" of Subsection 5.2.4 of Section 5.2 of Article 5 and substitute in lieu thereof a new Subparagraph "1;" and, delete Appendix "A" and substitute in lieu thereof a new Appendix "A."

4.3. Off-Street Surface Parking Lot Planting Requirements.

- b. Deciduous trees shall be at least 2 inches in diameter and evergreen trees shall be at least 6 feet in height. Canopy trees listed in Appendix "A," A.2. Parking Lot & Street Tree Species List, shall be selected, planted, and maintained. Any plantings beyond the minimum requirements may come from any of the species lists. In addition, no more than 33 percent of a single genus of canopy or other trees shall be authorized.

5.2.4. Residential Lots and Subdivisions.

b. Street Trees.

- 1. Street trees shall be at least 3 inches in diameter. The quantity of trees shall be at least one (1) tree per each 50 linear feet of street (both sides of street). Trees shall be planted in the street right-of-way. Trees shall be located at least 3 feet from the back of curb unless a modification is granted by the director. Street trees listed in Appendix "A," A.2 Parking Lot & Street Tree Species List, shall be selected, planted and maintained.

Appendix "A" Tree Species Lists.

A.1. Canopy Tree Species List (40 to 100 feet in height at maturity).

Botanical Name	Common Name	Native Tree	Drought Tolerant	Ozone Remover
<i>Acer rubrum</i> cultivars	Red Maple	•	•	•
<i>Acer saccharum</i> cultivars	Sugar Maple		•	•
<i>Betula nigra</i>	River Birch	•	•	•
<i>Carya</i> species	Hickory Species			•
<i>Fagus grandifolia</i>	American Beech	•		•
<i>Fraxinus pennsylvanica</i>	Green Ash		•	•
<i>Ginkgo biloba</i>	Ginkgo (Male Only)		•	•
<i>Gleditsia tricanthus</i>	Honey Locust	•		
<i>Juniperus virginiana</i>	Eastern Red Cedar		•	
<i>Liquidambar styraciflua</i>	Sweetgum	•		
<i>Liriodendron tulipifera</i>	Yellow Poplar			•
<i>Magnolia acuminata</i>	Cucumber Magnolia	•		
<i>Magnolia grandiflora</i>	Southern Magnolia	•		
<i>Metasequoia glyptostroboides</i>	Dawn Redwood			•
<i>Nyssa aquatica</i>	Swamp Tupelo	•		
<i>Nyssa sylvatica</i>	Black Gum	•		
<i>Oxydendrum aboreum</i>	Sourwood	•		•
<i>Pinus taeda</i>	Loblolly Pine	•	•	
<i>Platanus acerifolia</i>	London Planetree	•	•	
<i>Platanus occidentalis</i>	American Sycamore	•	•	
<i>Quercus acutissima</i>	Sawtooth Oak		•	
<i>Quercus alba</i>	White Oak	•		
<i>Quercus bicolor</i>	Swamp White Oak			
<i>Quercus coccinea</i>	Scarlet Oak	•	•	
<i>Quercus falcata</i>	Southern Red Oak	•	•	
<i>Quercus laurifolia</i>	Laurel Oak	•	•	
<i>Quercus lyrata</i>	Overcup Oak	•	•	
<i>Quercus nutallii</i>	Nuttal Oak	•	•	
<i>Quercus phellos</i>	Willow Oak	•	•	
<i>Quercus palustris</i>	Pin Oak	•		
<i>Quercus prinus</i>	Chestnut Oak	•	•	
<i>Quercus shumardi</i>	Shumard Oak	•	•	
<i>Taxodium disticum</i>	Bald Cypress	•		
<i>Ulmus parvifolia</i>	Lace Bark Elm		•	•
<i>Zelkova serrata</i>	Japanese Zelkova			•

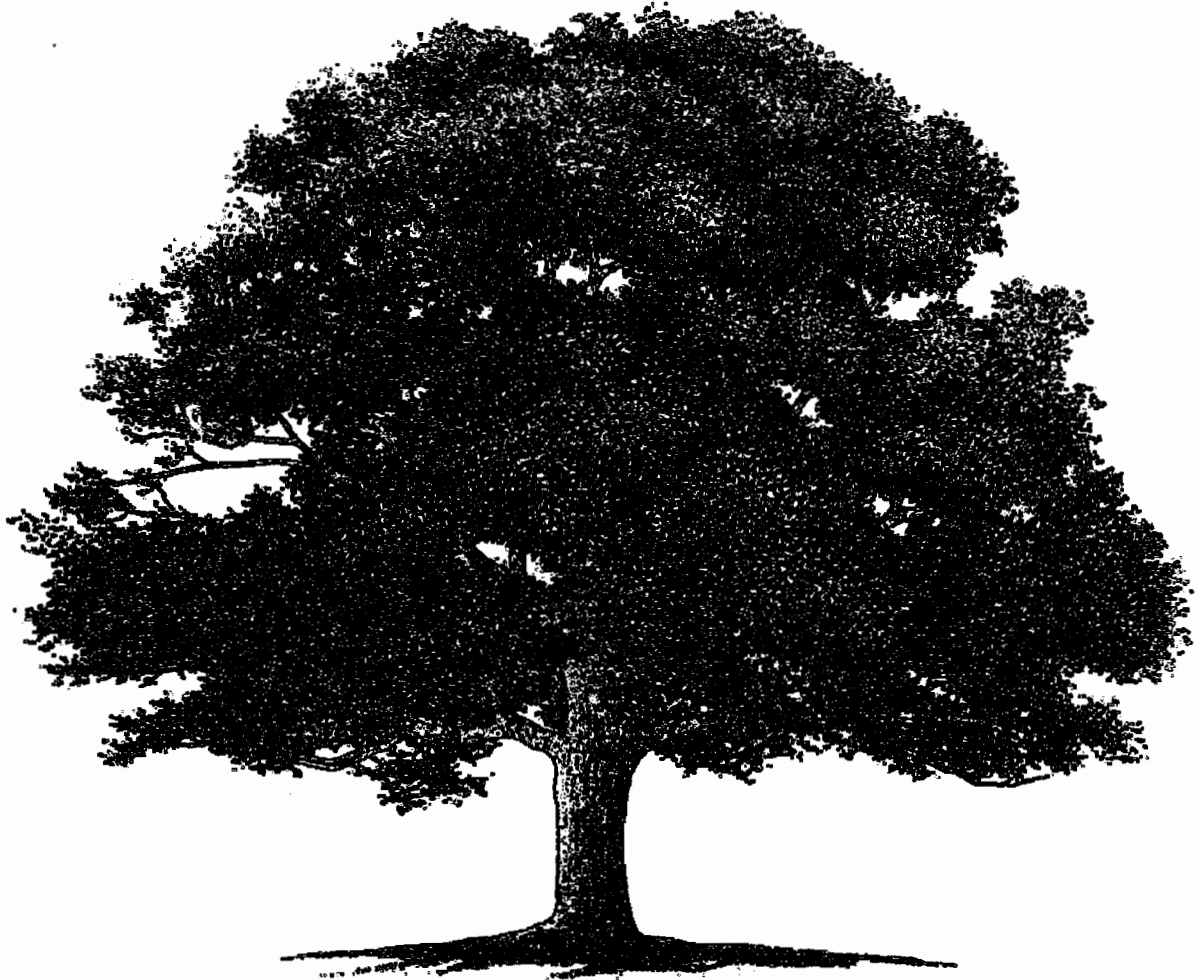
A.2. Parking Lot & Street Tree Species List.

Botanical Name	Common Name	Native Tree	Drought Tolerant	Ozone Remover
Acer barbatum	Southern Sugar Maple	•		•
Acer buergeranum	Trident Maple		•	
Acer rubrum cultivars	Red Maple	•	•	•
Acer saccharum cultivars	Sugar Maple	•	•	•
Carya species	Hickory Species			•
Carpinus betulus Fastigiata	European Hornbeam			
Fraxinus pennsylvanica	Green Ash	•	•	
Ginkgo biloba	Ginkgo (Male Only)		•	•
Juniperus virginiana	Eastern Red Cedar		•	
Nyssa sylvatica	Black Gum	•		
Pistacia chinensis	Chinese Pistache		•	•
Platanus acerifolia	London Planetree	•	•	
Quercus coccinea	Scarlet Oak	•	•	
Quercus falcata	Southern Red Oak	•	•	
Quercus hemisphaerica	Darlington Oak		•	
Quercus laurifolia	Laurel Oak	•	•	
Quercus lyrata	Overcup Oak	•	•	
Quercus nutallii	Nuttal Oak	•	•	
Quercus phellos	Willow Oak	•	•	
Quercus palustris	Pin Oak	•		
Quercus prinus	Chestnut Oak	•	•	
Quercus shumardi	Shumard Oak	•	•	
Tilia cordata	Littleleaf Linden		•	
Ulmus Alata	Winged Elm	•	•	
Ulmus parvifolia	Lace Bark Elm		•	•
Ulmus rubra	Slippery Elm	•	•	
Zelkova serrata	Japanese Zelkova			•

A.3. Understory Tree Species List (10 to 40 feet in height at maturity)

Botanical Name	Common Name	Native Tree	Drought Tolerant	Ozone Remover
Acer barbatum	Southern Sugar Maple	•		
Acer buergeranum	Trident Maple		•	
Acer leucoderme	Chalk Maple	•		
Acer palmatum	Japanese Maple		•	
Amelanchier arborea	Serviceberry	•		•
Carpinus caroliniana	American Hornbeam	•		•
Cercis canadensis	Eastern Redbud	•	•	•
Cercis chinensis	Chinese Red Bud		•	
Chamaecyparis thyoides	Atlantic Whitecedar	•		
Cladrastis lutea	American Yellowwood	•		
Chionanthus virginicus	Fringe Tree, Grancy Graybeard	•		
Cornus alternifolia	Alternate Leaf Dogwood	•		
Cornus florida	Flowering Dogwood	•		•
Cornus kousa	Chinese Dogwood			
Continue obovatus	American Smoketree			
Cryptomeria Japonica	Cryptomeria		•	
Cupressocyparis leylandii	Leyland Cypress		•	
Halesia carolinia	Silverbell			
Hamamelis virginiana	Witch-hazel			
Ilex x attenuata	Foster/Savannah Holly			
Ilex latifolia	Lusterleaf Holly			
Ilex x Nellie R. Stevens	Nellie R. Stevens Holly			
Ilex opaca	American Holly			•
Ilex verticellata	Winterberry			
Ilex vomitoria	Yaupon Holly		•	
Juniperus virginia	Red Cedar	•	•	
Koelreuteria paniculata	Golden Raintree			
Lagerstroemia x fauriei	Crape Myrtle		•	•
Maclura pomifera	Osage Orange		•	
Magnolia x soulangiana	Saucer Magnolia			•
Magnolia stellata	Star Magnolia			
Magnolia virginiana	Sweetbay Magnolia			
Malus floribunda	Japanese Flowering Crabapple			•
Myrica cerifera	Wax Myrtle			
Ostrya virginica	Ironwood	•		
Oxydendron arboreum	Sourwood	•		•
Parrotia persica	Persian Parrotia		•	
Pinus virginiana	Virginia Pine	•	•	
Pistacia chinensis	Chinese Pistache			
Prunus caroliniana	Carolina Laurel Cherry	•		
Prunus serrulata	Japanese Flowering Cherry			•
Prunus Subhirtella 'Atumnalis'	Autumn Cherry			•
Prunus x yedoensis	Yoshino Flowering Cherry			•
Rhus species	Sumac	•		
Sassafras albidum	Sassafras	•	•	•

*Gwinnett County
Buffer, Landscape and Tree
Ordinance & Handbook*



Gwinnett County, Georgia
Department of Planning & Development
446 West Crogan Street Lawrenceville, GA 30045
678-518-6000
www.gwinnettcounty.com

Revised August 2003

2004 Award Recipient from the Georgia Urban Forest Council



Gwinnett County Buffer, Landscape and Tree Ordinance & Guidelines

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Gwinnett County Buffer, Landscape and Tree Ordinance & Guidelines

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Summary of Buffer, Landscape, and Tree Ordinance

Introduction

Planning & Development staff prepared this document to assist with the administration of this ordinance. Its purpose is to provide the user with the legal interpretative language in a plain, easy to understand comparative format. The legal text is found on the left side of each page and the interpretive text is found on the right side. We hope that you find this document helpful. The staff appreciates any comments or suggestions you may have concerning this document. Comments can be forwarded to staff at 678.518.6000.

One and Two-Family Residence Zoning Districts

In the one and two-family residence zoning districts (RA-200, R-140, R-100, R-100M, R-75, R-75M, R-60, R-TH, R-ZT, and RMD), there are three (3) options. However, street trees are required in the Conservation Subdivision Overlay (CSO) District. One of the three options must be selected prior to approval of a final plat. Trees may be either preserved or planted. Preserved trees are measured at 4.5 feet from the ground. Newly planted trees are measured 6 inches from the ground.

Option 1. Two Trees Per Each Lot

- Minimum size – 2 inches in diameter.
- Located anywhere on lot.
- Planted trees must be selected from Tree Species List. (Appendix A).
- Preserved trees must have protective fencing at the dripline.

Option 2. Street Trees

- Trees must be 3 inches in diameter (measured at 6 inches from ground level).
- Plan required which indicates species, placement, size, and number of trees.
- Trees planted three (3) feet from curb and within right-of-way.
- One tree is required for every 50 feet of street frontage. Twice the length of street in feet calculates number of required trees, but trees can be spaced differently for best placement.
- Planting required along both sides of new streets.
- Developer/subdivider plants trees and provides warranty for one (1) year.
- Planting done when construction is complete.
- Property owners association responsible for care & maintenance.
- Street trees must be selected from Parking Lot and Street Tree list.(A.2)

Option 3. 16 Tree Density Units (TDU) per acre

- Tree Preservation and Replacement Plan (TPRP) required.
- Planted trees must be selected from Tree Species List.
- Preserved trees must be in groups of three (3) or more to obtain credit.
- Individual trees, 12 inches or larger in diameter, may obtain extra credit.

Multifamily and Non-Residential Developments

Office, commercial, industrial, multifamily, and other non-residential developments (such as churches) have landscaping requirements as follows:

Overall Site

- Tree Preservation and Replacement Plan (TPRP) required.
- Sixteen (16) Tree Density Units per acre.
(Exception: Activity Center/Corridor Overlay District requires 20 Tree Density Units per acre).
- Irrigation is not required but recommended.
- A ten (10) foot wide landscape strip is required along road frontage(s). Ratio is one (1) Tree per 25 feet and one (1) shrub per 25 feet of strip length.
- Where required, 5-foot wide landscape strips required with one (1) tree and one (1) shrub for each 50 linear feet.
- Plants in landscape strips may be grouped or clustered.
- Compliance with Tree Preservation and Replacement Plan (TPRP) prior to obtaining a Certificate of Occupancy (CO). Land Disturbance Permits (LDP) for clearing, clearing and grubbing, and grading only also requires compliance with the TPRP.

Parking Lots

- One (1) tree per every 7 parking spaces.
- Every parking space within 60 feet of the trunk of a tree.
- For canopy trees, the planting island size is at least 200 square feet. If shared with other trees, 80 square feet for each additional tree is required.
- For understory trees, planting island size is at least 100 square feet. If shared with other trees, 40 square feet for each additional tree is required.
- Planted trees must be selected from Tree species list. (A-2)
- Minimum sizes:
 - Deciduous trees-2 inch diameter. (Deciduous trees lose their leaves each fall.)
 - Evergreen trees-6 feet high.
 - Trees are measured:
 - 6 inches from ground for newly planted trees.
 - 4.5 feet for existing trees.
- Painted or striped islands larger than 50 square feet not allowed.
- Areas within islands must have vegetated or mulched ground covers.
- Trees must be selected from Parking Lot and Street Tree list. (A-2)

Article 1

Intent, Purpose and Title

1.1. Intent.

1.1.1. This ordinance shall apply to all properties or portions thereof located within the unincorporated areas of Gwinnett County, Georgia, to the extent of the provisions contained herein. The Board of Commissioners hereby finds that the protection and preservation of trees, the planting of new trees and other landscape material, and the provision of buffers between dissimilar uses as part of the land development process is a public purpose and provides for the public health and general welfare.

1.2. Purpose.

1.2.1. The purpose of this ordinance is to preserve and enhance the County's natural environment. This is accomplished through the preservation, protection and planting of trees and other landscape material, particularly those trees recognized herein as canopy and understory trees, and the provision of natural and/or planted buffers between dissimilar uses as part of the land development process. The ordinance is intended to further the County's policy that all development sites where trees are most commonly removed will achieve upon project completion a uniform standard related to tree coverage, landscaping and buffers. In addition, trees are recognized for their importance in shading and cooling, noise and wind reduction, prevention of soil erosion, production of oxygen, dust filtration, fostering air quality through carbon dioxide absorption, providing wildlife habitat, and contributing to the aesthetic and economic value of real property.

1.2.2. This ordinance is also intended to further the County's policy of encouraging all individuals or firms who propose to develop land, and which are required to meet the requirements of this ordinance, to consider the use of water-efficient landscaping principles and techniques (xeriscaping).

Tree Ordinance Guidelines

Gwinnett County, Georgia



What is the purpose of the Buffer, Landscape, & Tree Ordinance?

This ordinance is to preserve, protect and provide for preservation and replanting of trees, buffers, and landscaping for properties in the unincorporated areas of Gwinnett County.

Why should I plant trees?

Trees:

- Shade and cool our atmosphere,
- Reduce noise and wind;
- Control soil erosion;
- Reduce stormwater run-off;
- Produce oxygen;
- Filter dust and other particulate matter from the air
- Improve air quality through carbon dioxide absorption;
- Provide wildlife habitat; and,
- Contribute to the aesthetic and economic value of real property.



1.3. Title.

1.3.1. This ordinance shall be known as "The Buffer, Landscape, and Tree Ordinance of Gwinnett County, Georgia" and may be referred to generally as "The Buffer Ordinance," or "The Landscape Ordinance," or "The Tree Ordinance," or, as used herein, "this Ordinance."

When was it adopted?

The Tree Ordinance was first adopted by the Gwinnett County Board of Commissioners in 1987. Major revisions were made in 1991, with the latest revisions approved in 1999 and 2003. A copy was placed on the county web site in 2005.

Vision Statement:

Gwinnett County should continue to be a place where people want to work, live and play because it offers and protects the varied aspects that comprise quality of life. One of those aspects is the county's natural environment. This ordinance protects existing trees, encourages replacement and enhancement of the community's tree canopy, and promotes healthy, sustainable and desirable surroundings for current and future generations.



Article 2

Definitions

2.1. Definitions of Words and Phrases

2.1.1. In construing the provisions hereof and the meaning of each and every word, term, phrase, or part thereof, where the context will permit, the definitions of words as contained in Zoning Resolution supplemented by the following, shall apply:

Buffer: Land area used to visibly separate one use from another through screening and distance, to shield or block noise, light, glare, or visual or other conditions, to minimize physical passage to non-similar areas, or to reduce air pollution, dust, dirt, and litter.



What is a Buffer?

Buffers are intended to separate one use from another through screening and distance to block noise, light, glare or other nuisances, They also reduce air pollution, dust, dirt and litter.

Buffer widths vary depending upon the zoning district and conditions of zoning.

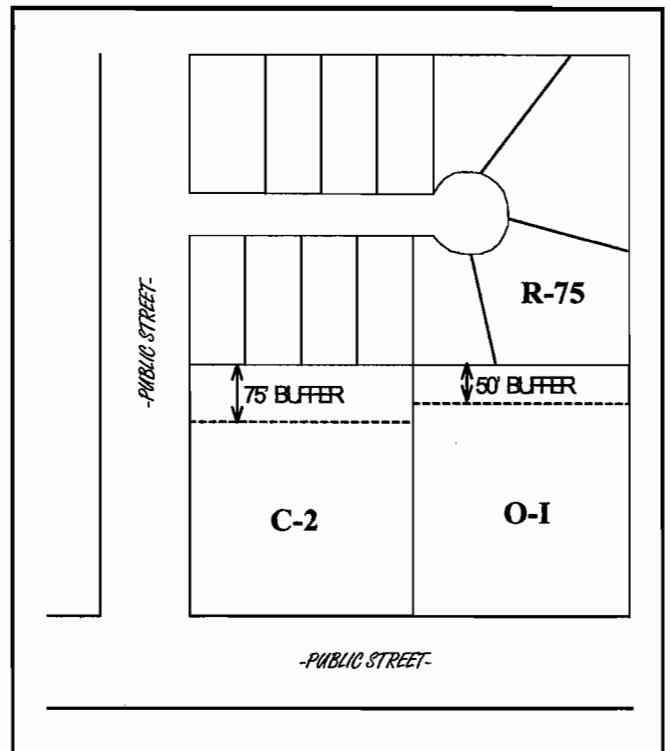


Figure 1. Buffers



Canopy Tree:

A tree that, under normal forest conditions, will compose the top layer or canopy of vegetation and generally will reach a mature height of greater than 40 feet

What is a canopy tree?

Canopy trees:

- Grow taller than 40 feet in height at maturity;
- Are typically spaced 40 feet apart, with a minimum of 25 feet between trees if planted in groups.
- Some examples include oak, hickory, pine and maple trees.

What is an understory tree?

Understory trees:

- Grow to less than 40 feet in height at maturity;
- May be planted under (or within 20 feet of) overhead power lines; and,
- Are typically spaced 30 feet apart, with a minimum of 20 feet between trees if planted in groups.
- Some examples include crape myrtle dogwood, and flowering cherry tree.

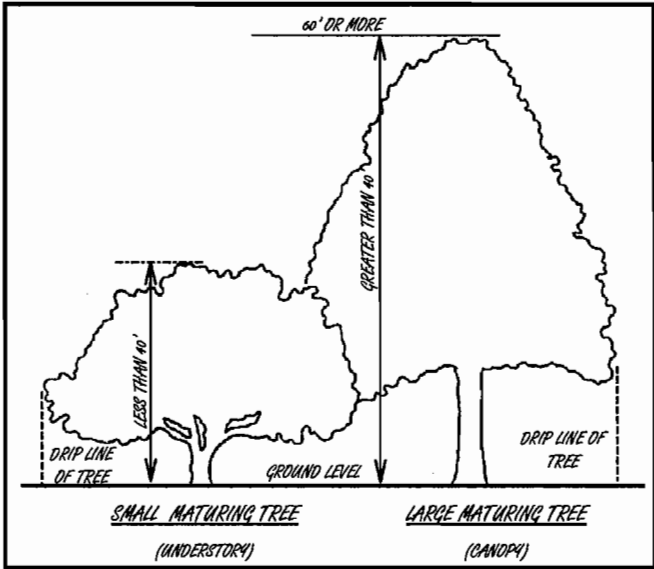


Figure 2. Tree Types



Clearing: The removal of vegetation from a property, whether by cutting or other means.

Construction Buffer: A type of buffer, which is temporary and remains in effect during the construction of a project.

County: Gwinnett County, Georgia.

Department: The Gwinnett County Department of Planning and Development, as established by the Gwinnett County Board of Commissioners, and as operated through the actions and administration of the appointed director of said department or his/her designee.

Development Regulations: The adopted regulations providing for the subdivision and development of real property within Gwinnett County, Georgia, as amended from time-to-time by the Board of Commissioners of Gwinnett County.

Diameter, Tree: The diameter of a tree measured as follows: 1) for existing preserved trees, at a point 4.5 feet above the ground; 2) for new replaced trees, at a point 6 inches above the ground.

How do I determine a tree's size?

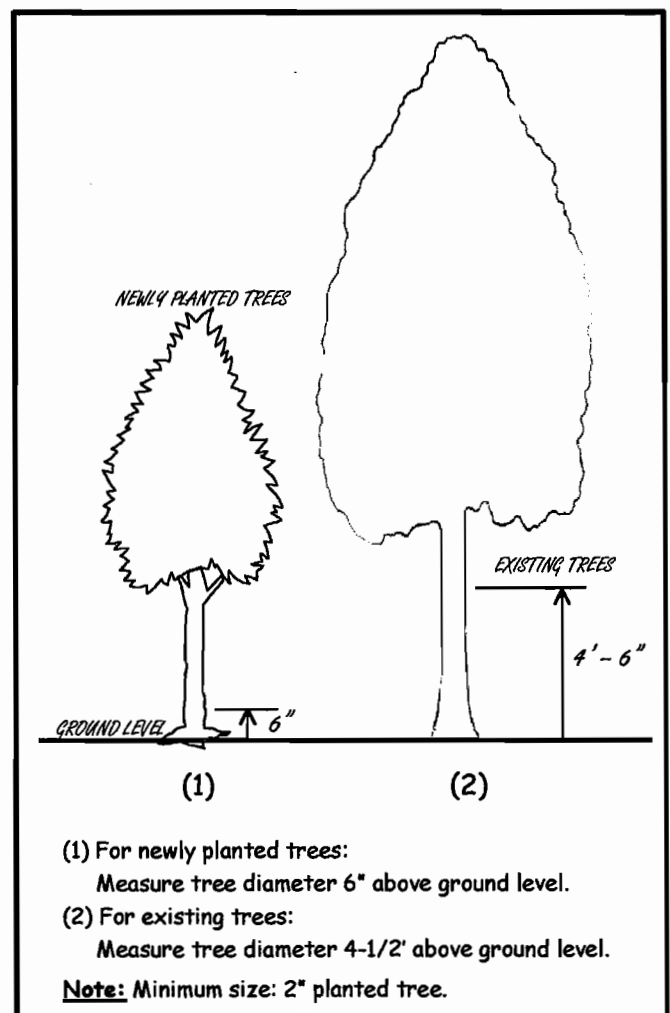


Figure 3. How to Measure a Tree



How do I measure a multi-stemmed tree?

Director: The director of the Department of Planning and Development or his/her designee.

Dripline: A line on the ground established by a vertical plane extending from a tree's outermost branch tips down to the ground; i.e., the line enclosing the area directly beneath the tree's crown from which rainfall would drip.

Floodplain, 100-Year: Those lands subject to flooding, which have at least a one percent probability of flooding occurrence in any calendar year; and specifically, the floodplain as shown on the Flood Boundary and Floodway Map as prepared by the Federal Emergency Management Agency (FEMA).

Grading: The placement, removal, or movement of earth by use of mechanical equipment on a property.

Land Disturbing Permit (LDP): Any permit other than a Building Permit issued by Gwinnett County that authorizes clearing or grading activities on a site or portion of a site. This permit may be a Clearing, Clearing and Grubbing, Grading, or Development Permit as defined and authorized by the Development Regulations of Gwinnett County.

Landscape Strip: Land area located within the boundary of a lot and required to be set aside and used for landscaping upon which only limited encroachments are authorized.

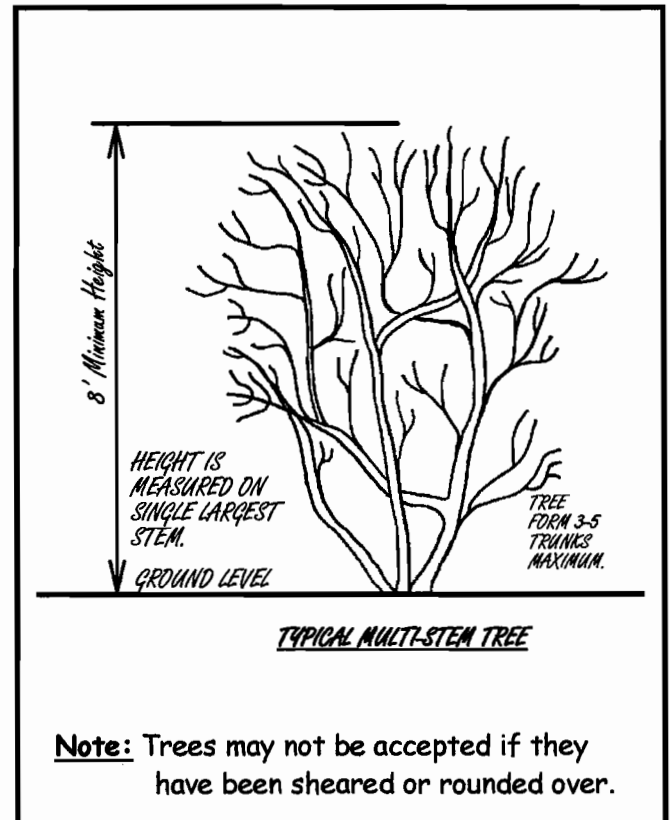


Figure 4. Multi-Stem Trees

Why are roots important?

Roots are important for survival of the tree. They provide for the uptake of water & nutrients and for physical support. If construction activity crushes or severs roots close to a tree, the tree may become unsafe to leave standing. Protecting the soil around the drip line will help protect the roots.



Modification: A type of administrative appeal that may be granted by the director only where specifically authorized in this ordinance.

Screening: A method of shielding or obscuring one abutting or nearby structure or use from another by opaque fencing, walls, berms, densely planted vegetation, or the like.

Shrub: A woody plant of relatively low height, as distinguished from a tree by having several stems rather than a single trunk.

Timber Harvesting: The felling, loading and transporting of timber products (pulpwood, etc.). The term "timber harvesting" may include both clearcutting and selective cutting of timber.

Tree Density Unit (TDU): A credit assigned to a tree, based on the diameter of the tree, in accordance with tables contained in this ordinance.

What is Open Space?

Open Space is defined in the Zoning Resolution as: *"A parcel or area of land set aside, designated, or reserved for public use or enjoyment of owners, occupants and their guests of land adjoining or neighboring such open space."*

What are TDU's?

TDU's (Tree Density Unit) are based on the tree's size. Density is achieved by retaining existing trees and/or planting new ones. Existing trees and replanted trees have different credit values. For example: a newly planted 2" diameter tree is credited with .5 TDU's while a 9" diameter existing tree receives the same credit. Credits are partly based on tree survivability potential.

The intent of the ordinance is to establish uniform tree coverage. The density standards are:

- 16 TDU's (tree density units/acre), in general; or,
- 20 TDU's for overlay districts.

Tree Density Standard (TDS): The minimum number of Tree Density Units per acre which must be achieved on a property.

Tree: Any self-supporting woody perennial plant, usually having a main stem or trunk and many branches, and at maturity normally attaining a trunk diameter greater than 3 inches at any point and a height of over 10 feet.

Tree Protection Area (TPA): Any portion of a site wherein are located existing trees which are proposed to be preserved in order to comply with the requirements of this ordinance. The Tree Protection Area shall include no less than the total area beneath the tree canopy as defined by the dripline of the tree or group of trees collectively.

Tree Preservation and/or Replacement Plan (TP/RP): A plan that identifies Tree Protection Areas where existing trees are to be preserved and where proposed replacement trees are to be planted on a property to meet minimum requirements, as well as methods of tree protection to be undertaken on the site and other pertinent information.

Tree Thinning: Selective cutting or thinning of trees only for the clear purpose of good forestry management in order to protect said forest from disease or infestation and in no way shall be construed as clearcutting.

Understory Tree: A tree that, under normal forest conditions, grows to maturity beneath overstory trees and will generally reach a mature height of at least 10 feet but less than 40 feet.

How can I meet the tree density standard?

Trees planted to fulfill the parking lot landscape and landscape strip requirements may also be credited towards fulfilling the **tree density** requirements. Alone, these trees may satisfy the **tree density standard** Or it may be necessary to provide additional trees.

What is a TPA?

A Tree Protection Area (TPA) has:

- Minimum of 3 existing trees; and,
- Tree protection devices at the dripline.

What is a TP/RP?

A Tree Preservation or Replacement Plan (TP/RP):

- Required for non-residential and multi-family projects.
- Occasionally required for one and two family subdivisions.

What is an understory tree?

Understory trees:

- Grow to less than 40 feet in height at maturity; and,
- May be planted under (or within 20 feet of) overhead power lines.

Some examples include crape myrtle dogwood, and flowering cherry trees.



Xeriscaping: A method of landscaping utilizing materials which are water-efficient (refer to Article 6 of this ordinance for principles and techniques).

Zoning Buffer: A buffer required by the Zoning Resolution or as a condition of zoning, special use or variance approval for a specific property.

Zoning Resolution: The Zoning Resolution of Gwinnett County, Georgia, as amended from time-to-time by the Board of Commissioners of Gwinnett.

Where can I find the recommended tree species?

A listing of **recommended species of both canopy and understory trees** is found in Appendix A.

How do I know which trees to choose?

Tree Selection:

- Tree types, canopy or understory, must be indicated on the landscape plan submitted for approval.
- Tree species must be selected from the tree species list found in Appendix A.
- Other species may be used if approved by the director or the director's designee.

Article 3

Buffer Regulations

3.1.1. Applicability.

3.1.1. Buffers shall be required between dissimilar districts or uses in accordance with the provisions of the Zoning Resolution or as a condition of zoning, special use or variance approval.

3.2. Standards for Permanent Buffers.

3.2.1. Width of Buffers.

Buffers shall meet the minimum width requirements contained in the Zoning Resolution, except as authorized to be reduced by the applicable buffer reduction process, as follows:

- a. As specified in the "Minimum Buffer Strip Requirement Table"; or,
- b. As specified in a residential zoning district for a permitted non-residential use (e.g. a church, temple, synagogue, etc.); or,
- c. As required by a condition of zoning, special use, or variance approval.



What is a buffer?

Why are they important?

Natural, undisturbed **buffers** are required between dissimilar zoning districts (i.e. between residential and non-residential zoning districts).

A **buffer** is intended to separate one use from another through screening and distance and to block noise, light, glare and other nuisances. It reduces air pollution, dust, dirt and litter.

County ordinances also require stream buffers. These aid erosion and storm water runoff control and are described in more detail in the Zoning Resolution.

Typically, a **buffer** is 25-75 feet in width and is located where non-residential zoning is adjacent to residential zoning. Stream buffers are located adjacent to streams.

The width of a buffer must meet:

- The minimum requirements of the Zoning Resolution; or,
- As specified in the conditions of rezoning, Special Use, or variance approval.

A **buffer** should remain natural and undisturbed unless enhancement is necessary.



3.2.2. Screening Requirements.

a. Buffers shall be natural, undisturbed, and free of encroachments except as authorized by a condition of zoning, special use or variance approval, or as authorized herein, and shall contain the existing tree cover and vegetation as well as any supplemental plantings or replantings as may be required.

b. Buffers shall be of such nature and density so as to screen activities, structures and uses on the property from view from the normal level of a first story window on an abutting lot and shall further provide a year-round effective visual screen.

c. Buffers required along side property lines shall extend to a street right-of-way line unless otherwise required by the director in order to observe the sight distance requirements contained in the Development Regulations, or as authorized by a condition of zoning, special use, or variance approval.

d. In situations where the required buffer width is partially or completely contained within an existing easement (e.g. power or natural gas transmission, etc.), the screening requirements of this Ordinance shall be met outside of the easement area.

3.2.3. Supplemental Plantings.

a. Buffers in which vegetation is non-existent or is inadequate to meet the screening requirements of this Ordinance shall be planted with supplemental plantings so as to provide a year-round effective visual screen.

b. Supplemental plantings and replantings shall consist of evergreen trees, shrubs, or combination thereof, native or adaptable to the region. All trees planted shall be a minimum of 6 feet in height at time of planting and shall be a species which will achieve a height of at least 20 feet at maturity. All shrubs planted shall be a large growing species, shall be a minimum of 3 feet in height at time of planting and shall be a species which will achieve a height of at least 10 feet at maturity.

c. All supplemental plantings shall be installed to allow for proper plant growth and maintenance.

Structures must be located no closer than 5 feet to any required **buffer**, except stream buffers. Some examples of structures are walls, parking lots, and the curb & gutter.

What if the buffer has little or no vegetation?

A buffer must be planted or replanted where sparsely vegetated to provide an effective visual screen. Typically, this requirement is satisfied by the planting a mixture of evergreen and deciduous trees and shrubs. It is recommended that no more than 33% of a single genus be used.

Requirements are for evergreens to be 6 feet high and deciduous trees to be 2 inches dbh at time of planting.

Usually, a 50-foot wide **buffer** would require four (4) rows of replanted trees.

3.2.4. Non-Vegetative Screening.

a. Non-vegetative materials utilized to satisfy the screening requirements of this Ordinance, in addition to the use of existing vegetation and/or supplemental plantings, may consist of walls, fences, earthen berms or any combination thereof.

b. If walls or fences are to be utilized, their placement and installation shall be such so as to cause minimal disturbance of existing vegetation and located so as to provide an effective visual screen.

3.2.5. Disturbance or Encroachments.

a. Ditches, swales, storm water conveyance facilities, storm water detention ponds, sanitary sewer conveyance facilities, similar facilities, and any associated easements, shall not encroach into a buffer except that necessary access and utility crossings (e.g. storm water or sanitary sewer pipes) may encroach into the buffer as near to perpendicular as practical.

b. Supplemental plantings or replantings of vegetation, or authorized non-vegetative screening devices shall be authorized to encroach into a buffer provided their is minimal disturbance of any significant existing vegetation.

c. Land disturbance is authorized in areas of a buffer that are devoid of significant vegetation provided that the final grade and replantings of vegetation meet the screening requirements contained herein.

d. 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.

3.2.6. Protection During Land Disturbing Activities.

a. During authorized land disturbing activities, buffers shall be clearly demarcated and protected prior to commencement of, and during, construction.

b. The method of demarcation and protection utilized shall be in accordance with best management practices or as required by the department.

How do buffers help with storm water management?

Buffers:

- Slow down the flow of water;
- Prevent erosion;
- Filter out particulates in the water before entering streams;
- Reduce stream temperatures;
- Provide habitat for wildlife; and,
- Help prevent pollutants from entering streams.

3.3. Standards for Construction Buffers.

3.3.1. Where Required.

Construction buffers shall only be required where specifically provided as a condition of zoning, special use or variance approval.

3.3.2. Time Constraints.

Construction buffers shall only be in effect during the construction period of a project and shall terminate upon project completion. In the case of a residential subdivision, a construction buffer shall terminate upon each individual lot with the issuance of a Certificate of Occupancy for the principal dwelling.

3.3.3. Disturbance or Encroachments.

a. Construction buffers shall be natural, undisturbed and free of encroachments except as authorized by a condition of zoning, special use or variance approval, or as authorized herein.

b. The encroachment of ditches, swales, stormwater conveyance facilities, stormwater detention ponds, sediment basins, sanitary sewer conveyance facilities, similar facilities, and any associated easements, into a construction buffer shall not be authorized except that necessary access and utility crossings (e.g. storm water or sanitary sewer pipes), and natural bottom detention ponds (sediment basins must be located outside of the construction buffer) and their appurtenant structures which require no grading and removal of trees, may encroach upon the construction buffer.

c. If the construction buffer on a residential lot is devoid of existing trees and vegetation, and a tree survey is submitted to document this situation prior to conducting land disturbing activities (including clearing) on the lot, then the department may authorize the encroachment of a building or structure into the construction buffer for a distance not to exceed 10 feet.

What is a construction buffer?

A **construction buffer** is a type of buffer that is temporary and only remains in effect during the construction of a project.

Please refer to any conditions of zoning which may apply to the project. **Construction buffers** are typically indicated on final subdivision plats.

What does a Tree Protection Area look like?

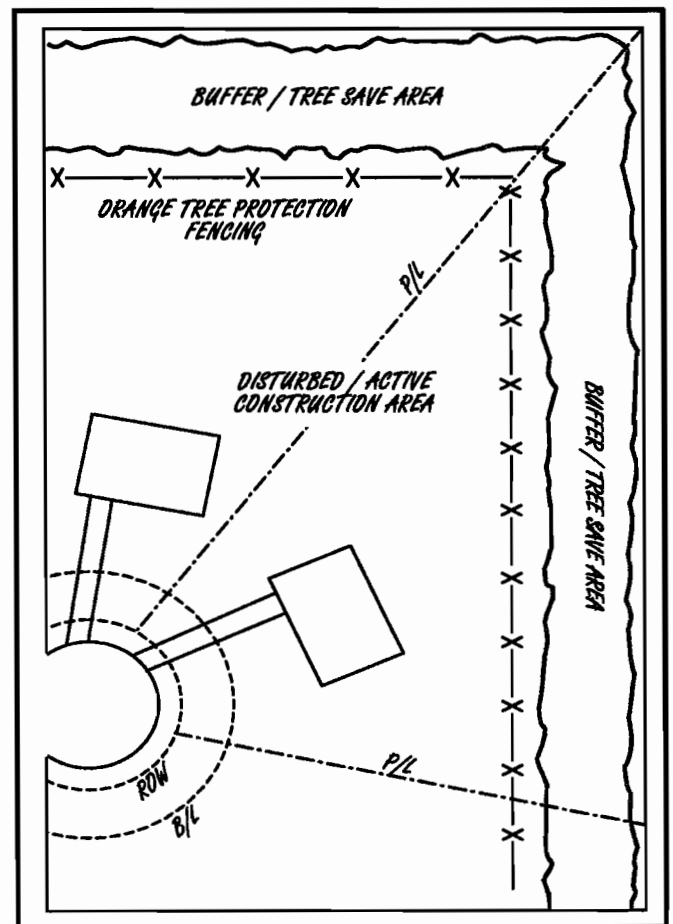


Figure 5. Tree Protection – Plan View



3.3.4. Protection During Land Disturbing Activities.

a. During authorized land disturbing activities, construction buffers shall be clearly demarcated and protected prior to commencement of, and during, construction.

The method of demarcation and protection utilized shall be in accordance with best management practices or as required by the department.

How can I protect trees during construction?

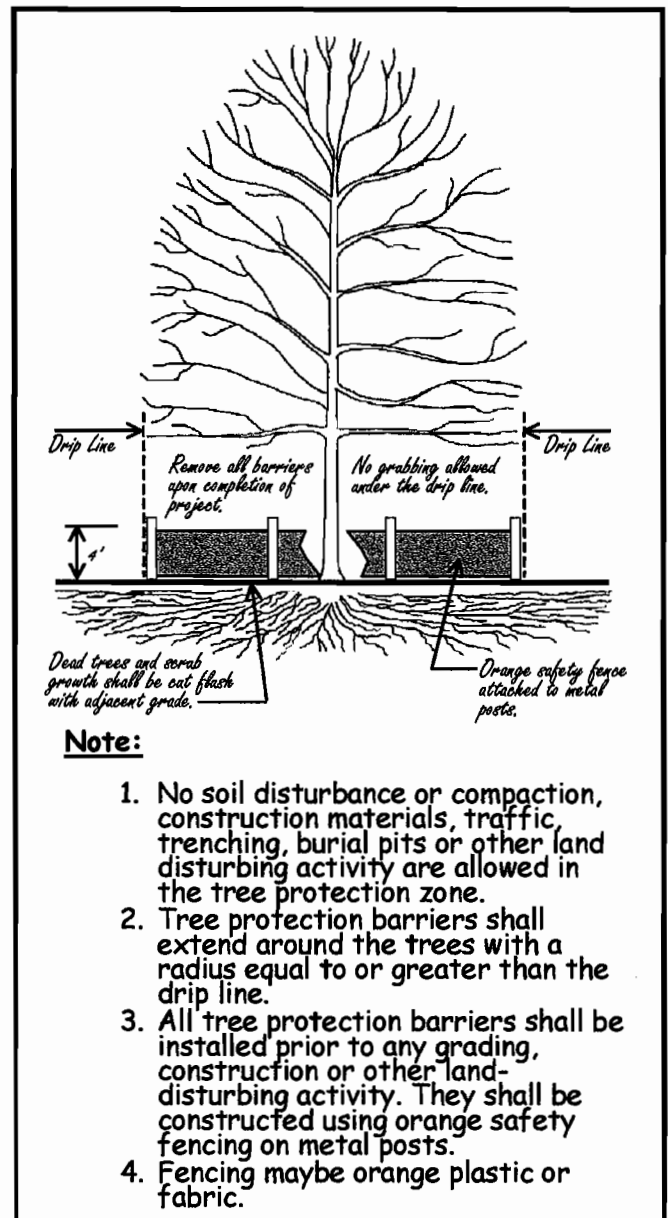


Figure 6. Tree Protection



Article 4

Landscape Regulations

4.1. Applicability.

4.1.1. Nonresidential and Multi-Family Uses.

Nonresidential and multi-family uses shall provide for and maintain landscape plantings on-site as follows:

- a. In a Landscape Strip at least 10 feet in width adjacent to any street right-of-way abutting the property and running the length of the entire property frontage; and,
- b. In areas adjacent or internal to off-street parking lots that are required by the Zoning Resolution to contain more than 5 off-street parking spaces; and,
- c. As required by a condition of zoning, special use or variance approval.
- d. The director is hereby authorized to grant a modification of up to 50% of the 10 foot landscape strip width provided the strip is not required by a condition of zoning, special use, modification, variance or waiver approval



What is a landscape strip and why is it important?

Nonresidential and multi-family developments require a 10-foot wide landscape strip adjacent to road rights-of-way and running the entire length of the property.

Landscape strips:

- Filter water runoff;
- Break up the long expanse of pavement; and,
- Enhance the beauty of the site.

Existing trees that are saved after development may be utilized to satisfy this requirement provided they are located within the boundary of the landscape strip. Existing trees may also be counted toward the requirement provided they are protected as shown in Figure 6.

4.1.2. Residential Subdivisions

Residential subdivisions shall provide for and maintain landscape plantings on-site as set forth in Section 4.4 in the following circumstances:

- a. In no-access easements that are by the Development Regulations along the line of double frontage lots abutting upon a major thoroughfare; and,
- b. As required by a condition of zoning, special use, modification, variance or waiver approval.

4.2. Landscape Strip Planting Requirements.

4.2.1. Ten (10) Foot Wide Landscape Strips.

Landscape Strips which are required to be 10 feet in width shall contain landscaping and plantings within or adjacent to the strip as follows:

- a. One (1) tree for each 25 linear feet of strip length shall be provided. Deciduous trees shall be at least 2 inches in diameter and evergreens trees shall be 6 feet in height at time of planting. Trees shall be a species native or suitable to this region.
- b. One (1) shrub for each 25 linear feet of strip length shall be provide. Each shrub shall be a species native or suitable to this region.
- c. Trees and shrubs required herein may be planted and spaced singly or in groups as authorized by the Director so long as the total number of plantings is achieved.
- d. The remaining ground area shall be sodded, seeded or hydroseeded with grass, and / or planted with groundcover species and / or provided with other landscaping material, or any combination thereof.

In one and two-family residential developments, a landscape strip may be required as a condition of zoning or within a no-access easement along double frontage lots. This is primarily to prevent vehicular access from the collector street directly to the property.

How many plants are required in a 10-foot wide landscape strip?

The number of trees is determined by the amount of road frontage. Within the landscape strip, one tree per 25 linear feet of property frontage is required. These trees may be grouped or clustered; they do not need to be spaced 25 feet on center.

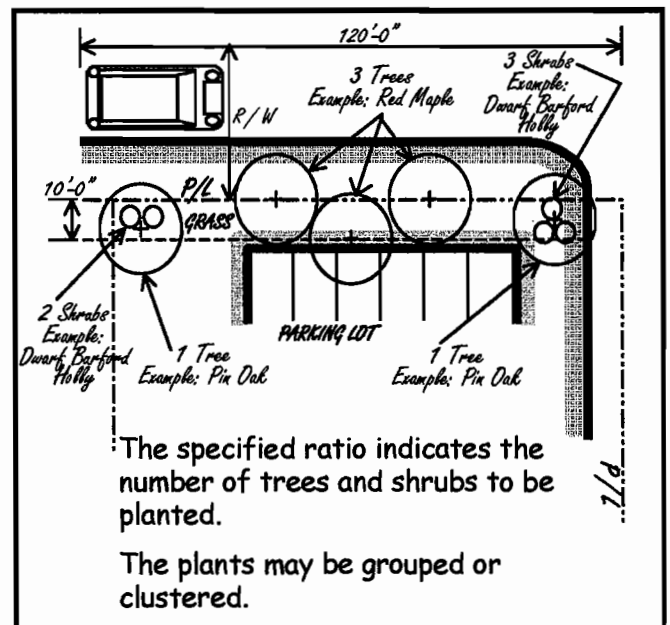


Figure 7. 10-Foot wide Planting Strip



4.2.2 Five (5) Foot Wide Landscape Strips.

Landscape Strips which are required to be 5 feet in width shall contain landscaping and plantings within or adjacent to the strip as follows:

- a. One (1) tree for each 50 linear feet of strip length shall be provided. Deciduous trees shall be at least 2 inches in diameter and evergreen trees shall be at least 6 feet in height at time of planting. Trees shall be a species native or suitable to this region.
- b. One (1) shrub for each 50 linear feet of strip length shall be provided. Each shrub shall be a species native or suitable to this region.
- c. Trees and shrubs required herein may be planted and spaced singly or in groups as authorized by the Director so long as the total number of required plantings is achieved.
- d. The remaining ground area shall be sodded, seeded or hydroseeded with grass, and / or provided with other landscaping material, or any combination thereof.

How many plants are required in a five-foot wide landscape strip?

The number of trees is determined by the amount of landscape strip length the entire length of the property line. Within the 5-foot wide landscape strip, one tree per 50 linear feet of landscape strip length is required. These trees may be grouped or clustered; they do not need to be spaced 50 feet on center.

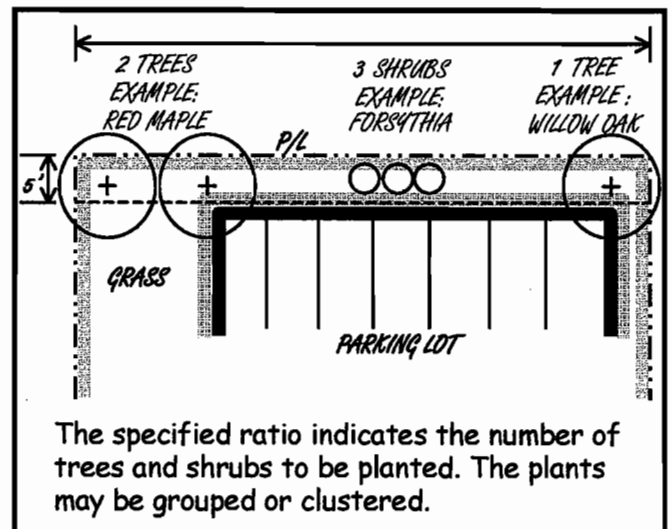


Figure 8. Five-Foot Wide Planting Strip

4.2.3. Landscape Strips Wider than 10 Feet.

Tree and shrub quantities in landscape strips that are required to be wider than 10 feet by a condition of zoning, special use, variance or waiver approval shall be proportional to their width (e.g. a 20 foot wide landscape strip would require two (2) trees and two (2) shrubs for each 25 linear feet of strip length).

Additional landscape strips of varying widths may be required as a condition of approval by any board or administrative action. Unless planting details are specifically described by the conditions, these strips shall 4.2.4.



Required Landscaped Strips shall not be encroached upon by parking spaces, driveway surfaces or storm water detention facilities except that driveway crossings may traverse such strip as near to a perpendicular alignment as practical. Signs may also be located in such strip.

4.3. Off-Street Surface Parking Lot Planting Requirements.

4.3.1. Quantity, Spacing and Planting Standards.

Off-street surface parking lots which are required to contain more than 5 parking spaces shall contain landscaping and plantings as follows:

a. Trees shall be provided and maintained adjacent to, and in the interior portions of, parking lots in a ratio of one (1) tree for each seven (7) parking spaces. In addition, every parking space shall be within 60 feet of the trunk of a tree.

b. Deciduous trees shall be at 2 inches in diameter and evergreen trees shall be at least 6 feet in height. Canopy trees listed in Appendix "A", Parking Lot & Street Trees Species List shall be selected, planted, and maintained. Any plantings beyond the minimum requirements may come from any of the species lists. In addition, no more than 33 percent of a single genus of canopy or other trees shall be authorized.

Why do we need trees in a parking lot?

Parking lot landscaping:

- Increases shade and cools the parking area
- Reduces stormwater run-off and pollutants; and,
- Lessens evaporative emissions from parked cars.

What are the requirements?

Trees are planted within **parking lots** at a ratio of 1 tree for every 7 parking spaces. It is not specified that an island must be provided but requires a minimum number of trees to be planted. Trees must be selected from the Parking Lot and Street Trees Species list. (A.2)

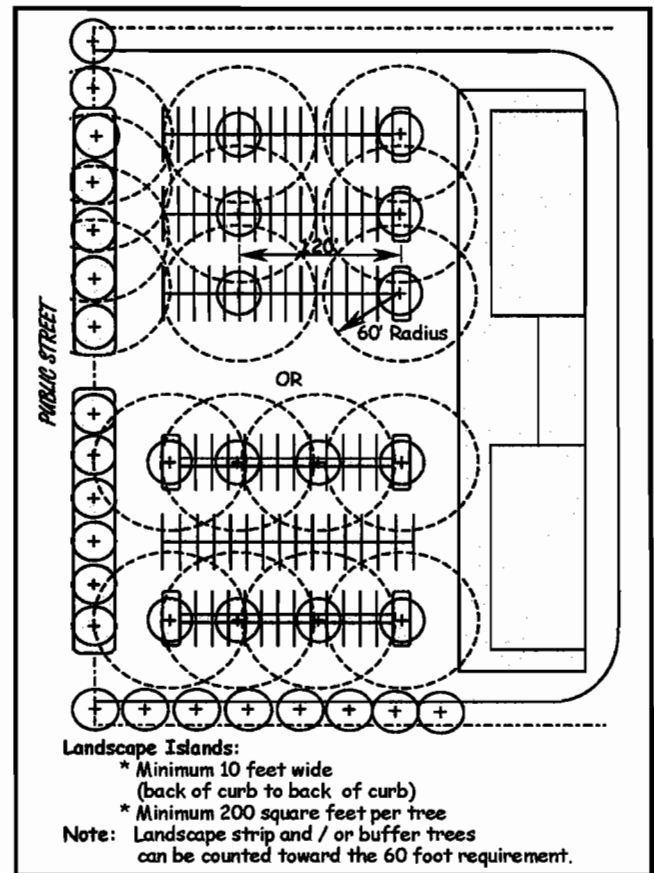


Figure 9. Parking Lot Planting Requirements



h. Trees removed or having had their tops cut after compliance with this section shall be replaced with the equivalent inches of removed trees. However, trees removed due to disease or insect infestation upon the written advice and findings of the County Extension Service or the Georgia Forestry Commission shall be replaced in accordance with the minimum standards contained in the ordinance.

4.4. No-Access Easement Screening Requirements.

4.4.1. No-access easements which are required by the Development Regulations, or as a condition of zoning, special use or variance approval, shall be screened as follows:

- a. Planted with a single line of evergreen trees at least 6 feet in height and spaced no greater than 10 apart; or,
- b. Contain a solid or decorative fence at least 4 feet in height; or,
- c. Contain such other landscaping treatments or grade changes that will produce a partial screening effect as authorized by the director.

Where are trees planted in parking lots?

Trees must be planted within the interior area so that each **parking space** is within 60 feet or less from the trunk of a tree. The intent of the ordinance is to have some part of each **parking space** within 60 feet of a tree.

Internal landscape space and trees are required as follows:

- Minimum planting area for each canopy tree is at least 200 square feet. If shared with other trees, 80 square feet per tree is added.
- Minimum planting area for each understory tree is at least 100 square feet and if shared with other trees, 40 square feet per tree is added.

Planting area must be at least 4 feet in width in any direction.

Article 5

Tree Preservation and Replacement Regulations

5.1. Applicability and Exemptions.

5.1.1. This article shall apply to any activity on real property which requires the issuance of a Land Disturbing except as excluded in this section. Table A: Summary of Applicability and Exemptions, at the end of this section, summarizes those activities which are exempt from the provisions of this ordinance and those for which a Tree Preservation and/or Replacement Plan must be approved prior to issuance of a Land Disturbing Permit.

5.1.2. Grandfathered Projects.

a. This article shall not apply to any portion of a property included within the limits of a valid Land Disturbing Permit issued prior to the effective date of this ordinance, provided that all time constraints relating to the permit issued shall be observed. In no event shall any grandfathered project be extended for a greater time period than 24 months from the date of enactment of this ordinance.

b. Projects which were included within the limits of a Land Disturbing Permit issued prior to June 23, 1987, which was the effective date of the Tree Ordinance, shall be grandfathered from the requirements of this article to the extent of the time constraints imposed upon said permit by the Development Regulations.

c. The requirements of this article may be waived by the department for a Land Disturbing Permit which is to proceed with development of a larger project, at least 75% of the land area of which has already received a permit or permits initiating clearing or grading activities prior to June 23, 1987 which was the effective date of the Tree Ordinance.

5.1.3. Horticultural or Agricultural Operations.

a. All plant or tree nurseries and botanical gardens shall be exempt from the terms and provisions of this ordinance in relation to those trees which are being grown for relocation and continued growth in the ordinary course of business, or for some public purpose.

b. All orchards of trees in active commercial operation shall be exempt from the terms and provisions of this ordinance for bona fide agricultural purposes only.



When is this ordinance applicable?

- All new or redeveloped residential construction; and,
- All new or redeveloped non-residential construction.

What are "Grandfathered" projects?

The ordinance has **grandfathering** provisions to help minimize difficulties with projects already underway or partially developed.



c. Land clearing or clearing and grubbing activities for clearly agricultural purposes in the RA-200 zoning district shall be exempt from the provisions of this ordinance.

d. Timber harvesting (selective cutting or clear-cutting) for pulpwood or sawtimber shall be exempt within the RA-200 zoning district. In other zoning districts, such activities shall be authorized only in accordance with the issuance of a Land Disturbing Permit under the requirements of this ordinance.

5.1.4. Removal of Disease or Insect Infestation.

Upon the written advice of the County Extension Service or the Georgia Forestry Commission in accordance with commonly accepted forestry practices and a finding of disease or insect infestation, the director may authorize the removal of trees to prevent the transmission of disease or infestation, to prevent the danger of these trees falling, or to prevent potential injury to life and property. The owner/developer, prior to the removal of these trees, shall notify the director, identifying the location of the infested property, and shall submit to the director the written finding of the County Extension Service or Georgia Forestry Commission.

5.1.5. Tree Thinning.

Upon the written advice and findings of the County Extension Service or Georgia Forestry Commission, the thinning of trees (selective cutting only) in zoning districts other than RA-200, solely for the purpose of good forestry management, may be permitted upon authorization by the Director and shall require the submittal and approval of a Tree Preservation and/or Replacement Plan. Permits authorizing tree thinning shall be limited to the following:

a. The property shall have been initiated for rezoning by Gwinnett County, rather than the property owner, from RA-200 to its present zoning classification.

b. The property shall not have been subdivided. The property shall have the same configuration since June 9, 1970 when the comprehensive Zoning Tax Maps were adopted.

c. A 75 foot undisturbed buffer (not a zoning 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.

d. The property shall be required to meet a Tree Density Standard of 24 units per acre upon completion of authorized land disturbing activities.

5.1.6. Zoning Buffer Exclusion.

Existing trees proposed to be retained preserved, and new trees proposed to be planted, in order to meet the buffer requirements of the Zoning Resolution or conditions of zoning, special use or variance approval shall not be considered in fulfilling the requirements of this ordinance.

5.1.7. Easement Exclusion.

Properties possessing natural gas, petroleum or electric power transmission easements, or major sanitary sewer main (greater than 8 inches in diameter) or water main (greater than 16 inches in diameter) distribution easements, may exclude the land area contained in the easement from the total acreage of the property in fulfilling the Tree Density Standard provided that no improvements (e.g. parking lots, tennis courts, driveways, storm water detention facilities, etc.) are proposed within the easement. If any improvements are proposed within the easement, then the land area so utilized within the easement for the improvements, plus an additional 10-feet of land area surrounding the improvements, shall be used to fulfill the Tree Density Standard.

5.1.8. Lake and Pond Exclusion.

Properties with a lake or pond greater than one (1) acre in size may exclude the land area contained in the lake or pond from the total acreage of the property in fulfilling the Tree Density Standard.

If my site contains an easement, how do I determine the number of trees required?

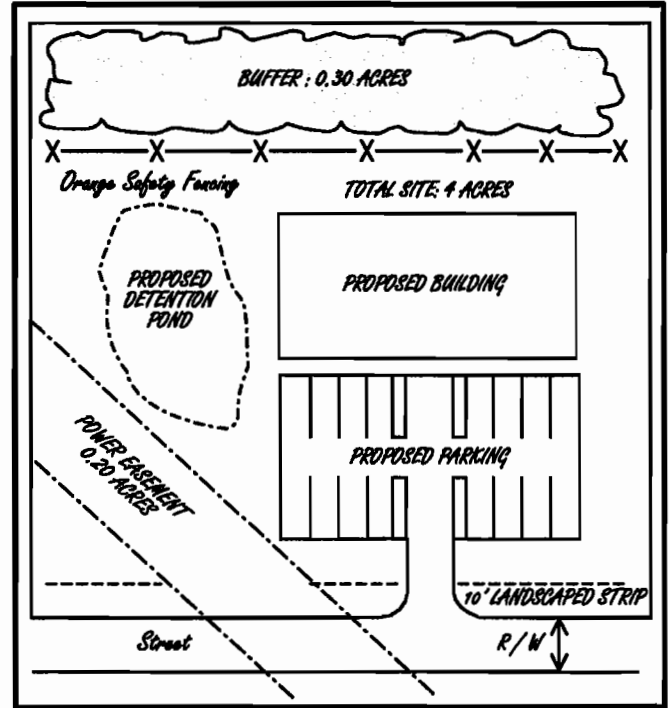


Figure 10. Easement Exclusion

Tree Density Requirements

Four (4) acres - .30 acres buffer -
.2 acres power line easement

$$4 - (.3 + .2) = 3.5 \text{ acres}$$

$$3.5 \text{ acres} \times 16 \text{ TDU/acre} = 56 \text{ TDU}$$

Easement that contains improvements must have an additional 10 foot of land are surrounding improvements.

(See Section 5.1.7)



5.2. Permits.

5.2.1. Land Disturbing Permit Required.

Land disturbing activities shall not commence until such activities have been authorized by issuance of an appropriate Land Disturbing Permit under the provisions of the Development Regulations. Once a Final Plat has been recorded, land disturbing activities on residential lots shall not occur until a Building Permit has been obtained.

5.2.2. Tree Preservation and/or Replacement Plan Required.

For projects not exempt from the provisions of this ordinance, and not included under subsection 5.2.3. or 5.2.4. below, a Tree Preservation and/or Replacement Plan shall be submitted along with the other documents required by the Development Regulations for the issuance of a Clearing, Clearing and Grubbing, Grading, or Development Permit.

a. Tree Preservation and/or Replacement Plans and related documentation shall be reviewed by the department for conformance to the provisions of this ordinance along with and at the same time as all other plans required for a requested Land Disturbing Permit under the provisions of the Development Regulations.

b. Clearing, grading and development activities shall conform in all respects with the approved Tree Preservation and/or Replacement Plan. Any revisions to the proposed development of a property, and any changes reflected in a subsequently submitted permit application, shall be shown on a revised Tree Preservation and/or Replacement Plan and be approved as part of the new or revised permit prior to the commencement of such changed activities.

5.2.3. Limited Land Disturbing Projects.

Projects which propose only limited development activities may be issued a Land Disturbing Permit without a Tree Preservation and/or Replacement Plan under the following circumstances:

a. Nonresidential subdivisions shall not be required to submit a Tree Preservation and/or Replacement Plan if the proposed land disturbing activities are strictly limited to those directly related to the provision of the streets and storm water drainage and detention facilities, placement of required soil erosion and sedimentation controls, the installation of public or private utilities, and other required improvements expressly required by the county or by a condition of zoning, special use, modification, waiver or variance approval.

A. Land Disturbance Permit

Clearing, Clearing & Grubbing, or Grading

(Green Background)

B. Development Permit

(Orange Background)

C. Building Permit

(Yellow Background) Residential

Figure 11. Examples of Permit Cards



b. Residential recreation areas, and individual multi-family residential and nonresidential projects (not involving the subdivision of the property) may be allowed to undertake activities limited to clearing or clearing and grubbing only, without approval of a Tree Preservation and/or Replacement Plan, if the proposed land disturbing activities are limited to those portions of the property outside of all minimum yard areas required by the zoning district, all buffer areas required by the Zoning Resolution or conditions of zoning, special use, modification, waiver or variance approval, and any area within the 100-year floodplain, except for curb cut access into the property and for the placement of required soil erosion and sedimentation controls. Additional areas may be designated by the department to remain undisturbed as may be reasonably required with consideration given to the proposed use of the property, as well as adjacent properties, in accordance with the County's Land Use Plan. The limits of clearing or clearing and grubbing shall be established no closer to the boundaries of all said undisturbed areas than the driplines of the trees that are located within said areas.

For any property for which a Tree Preservation and/or Replacement Plan was not required prior to issuance of a Land Disturbing Permit under the provisions of this section, all areas required to be undisturbed shall be provided with protective tree fencing along the limits of clearing or grading which adjoin existing trees in accordance with the provisions found in subsection 5.4.1. These measures shall be in place prior to beginning clearing or grading activities, and shall be maintained throughout the land disturbing period.

5.2.4. Residential Lots and Subdivisions. Owners and/or developers of residential lots and subdivisions shall comply with this article by choosing at least one of the following options:

a. Individual Lot Trees. A minimum of two (2) trees, at least 2 inches in diameter, shall be planted or preserved on each individual lot prior to the issuance of a Certificate of Occupancy. Roots within the drip line area of preserved trees shall remain undisturbed or the tree cannot be counted as a required tree. Planted trees shall be a species listed on Appendix "A" Canopy or Understory Tree Species Lists of this ordinance.

What are the options for trees in single family residential areas?

- Two trees per lot (preserved or planted);
- Street tree program; or,
- 16 Tree Density Units (TDU) per acre.

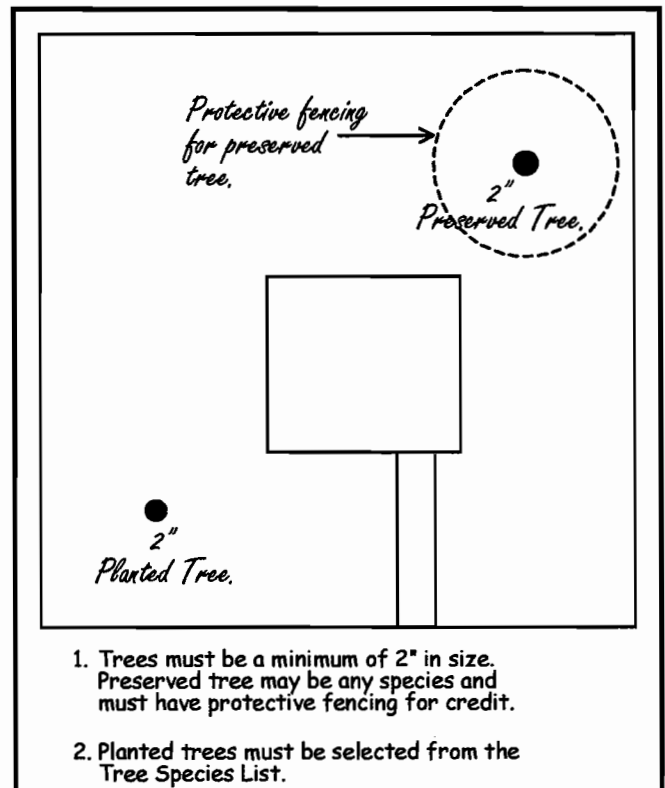


Figure 12. Individual Lot Tree Planting



b. Street Trees.

This option must be chosen prior to the recording of a Final Plat only in subdivisions with underground utilities. Street tree requirements are as follows:

1. Street trees shall be at least 3 inches in diameter. The quantity of trees shall be one (1) tree per each 50 linear feet of street (both sides). Trees shall be planted in the street right-of-way. Trees shall be located at least 3 feet from the back of curb unless a modification is granted by the director. Street trees listed on Appendix "A" A.2 Parking Lot & Street Tree Species List shall be selected, planted and maintained.

2. Developers shall enter into a performance surety agreement with the department guaranteeing tree planting within 2 years of the date of recording of the Final Plat. The director is authorized to grant a modification from the time limit. The performance surety shall be provided at the time of recording the Final Plat. In addition, a Street Tree Planting Plan shall be submitted to and approved by the department prior to planting by the developer. Street tree planting shall be delayed from June through August.

3. Street trees shall be maintained and cared for by the property owner adjacent to the tree except in subdivisions in which the property owners association provides maintenance and care. Maintenance shall include replacement and trimming as necessary. A maintenance responsibility statement shall be provided on the Final Plat.

c. Tree Protection Areas.

Prior to the issuance of a Development Permit, a Tree Preservation Plan shall be prepared and approved for residential subdivisions indicating compliance with the Tree Density Standard of 16 Tree Density Units per acre. Preserved trees shall be grouped together in Tree Protection Areas (including driplines) consisting of at least three (3) trees. Preserved individual 12 inch or greater diameter trees may also receive credit provided they are protected by a Tree Protection Area (including dripline).

5.3. Tree Density Requirements.

5.3.1. Tree Density Standard

On each property for which a Tree Preservation and/or Replacement Plan is required, existing trees shall be retained and/or new trees shall be planted such that the property shall attain or exceed a Tree Density Standard of 16 Tree Density Units per acre, exclusive

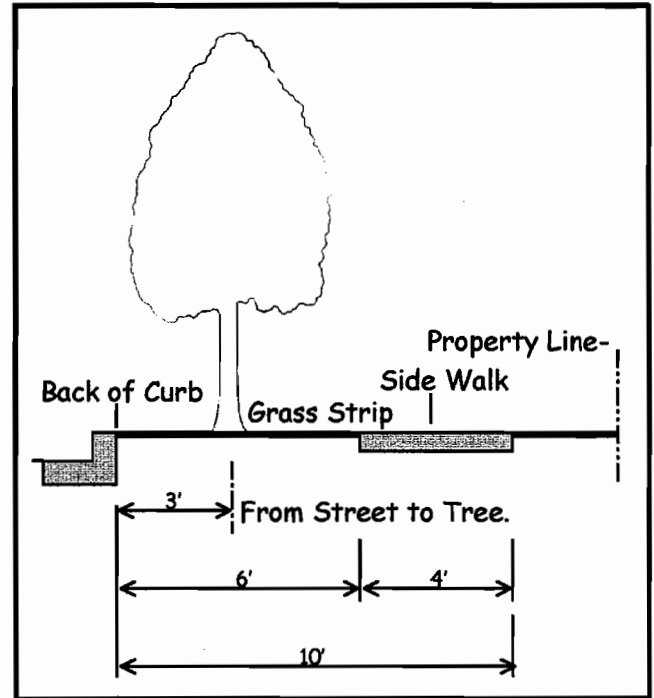


Figure 13. Street Trees

What is the Street Tree Program ?

- Trees must be 3 inches in diameter (measured at 6 inches from ground level);
- Trees are planted 3 feet from curb within right-of-way;
- Planting required along both sides of new streets;
- Number of trees is determined by linear feet of street (1 per 50 feet) on each side of the street;
- Plan is required that indicates species, placement, size, and number of trees; and,
- Trees can be spaced for best placement.
- Trees must be selected from Parking Lot and Street Trees Species list.

Planted trees must be nursery stock,
Not dug up from the wild.



of any acreage within a zoning buffer and any trees required to except any other land area allowed to be excluded by this article. Trees, both existing and new, shall be reasonably distributed throughout the site, with emphasis on tree groupings to achieve aesthetic results following professional landscaping standards. Trees may be retained or planted for credit within a public street right-of-way if granted authorization by the Department of Transportation.

5.3.2. Tree Density Standard Calculation.

The Tree Density Standard shall be calculated by summing the following credits and dividing by the total acreage of the project included within the limits of the permit application (but excluding any acreage included within a zoning buffer and other land area allowed to be excluded by this article).

a. Credit for existing trees proposed to be preserved on the site shall be calculated by multiplying the number of trees (by diameter) times the units assigned in TABLE B, CREDIT FOR EXISTING TREES. Credit shall be given all trees preserved on a property having a diameter of 3" or more, except trees located in a zoning buffer.

b. Credit for new trees proposed to be replaced on the site shall be calculated by multiplying the number of trees (by diameter) times the units assigned in TABLE C, CREDIT FOR REPLACEMENT TREES. Credit shall be given for all new trees replaced on a property except for trees less than 1 inch in diameter and new trees planted in a required zoning buffer. Multi-trunked trees shall only be given credit by measuring the single largest trunk and not the cumulative total of the various trunks. Tree-form shrubs shall not be given credit for satisfying the required Tree Density Standard.

c. Additional credits shall be granted under the following circumstances:

(1) A total tree density credit not to exceed four (4) times the units shown on Table B, shall be granted by the department for existing 12 inch diameter or greater trees to be preserved.

(2) Existing trees to be preserved within a minimum yard area (as required by the applicable zoning district) or within a 100-year flood plain shall be granted a bonus credit of 50 percent of the units assigned in Table B unless the tree is located within a required zoning buffer.

How do I correctly plant a tree?

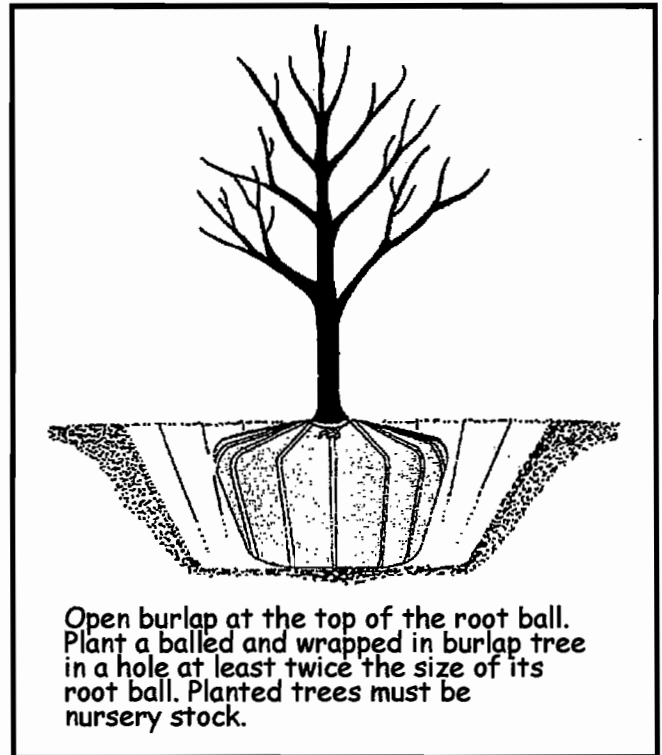


Figure 14. Correct Planting Method

Note: Proper planning will assure adequate supply of trees. Contact nursery wholesaler in advance of beginning project.



5.4. Tree Preservation and Replacement Requirements.

5.4.1. The following guidelines and standards shall apply to trees proposed to be preserved for credit toward meeting the minimum required Tree Density Standard on a property.

a. Tree Protection Areas.

The root system within the dripline is generally considered to be the critical root zone. To protect these critical root zones, a Tree Protection Area shall be established around each tree or group of trees to be retained.

(1) The Tree Protection Area shall include no less than the total area beneath the tree canopy as defined by the dripline of the tree or group of trees collectively.

(2) Layout of the project site utility and grading plans shall avoid disturbance of the Tree Protection Area.

(3) Construction site activities such as parking, materials storage, concrete washout, burnhole placement, etc., shall be arranged so as to prevent disturbances within Tree Protection Areas.

b. Protective Barriers.

(1) Protective tree fencing shall be installed between buffers and Tree Protection Areas and areas proposed to be cleared, graded, or otherwise disturbed on the site, prior to any land disturbance.

(2) All Tree Protection Areas are recommended to be designated as such with "tree save area signs" posted in addition to the required protective fencing. Signs requesting subcontractor cooperation and compliance with tree protection standards are recommended for site entrances.

(3) All Tree Protection Areas must be protected from soil sedimentation intrusion through the use of silt screens or other acceptable measures placed up-slope from the tree protection area.

(4) All protective tree fencing and all erosion control barriers must be installed prior to and maintained throughout the land disturbing and construction process, and should not be removed until final landscaping is installed.

Why is the root zone so important?

Most of the tree's roots lie in the top 12 inches of soil. Roots of a plant absorb water, gases, and nutrients from the soil and atmosphere. Roots also provide stability and support the tree.

On a construction site, under-ground damage to the roots is not easily noticed. Depending on the type of damage and species of tree, the damage may not be obvious for 2-3 years, and death of a tree may not occur for as long as 7 years.

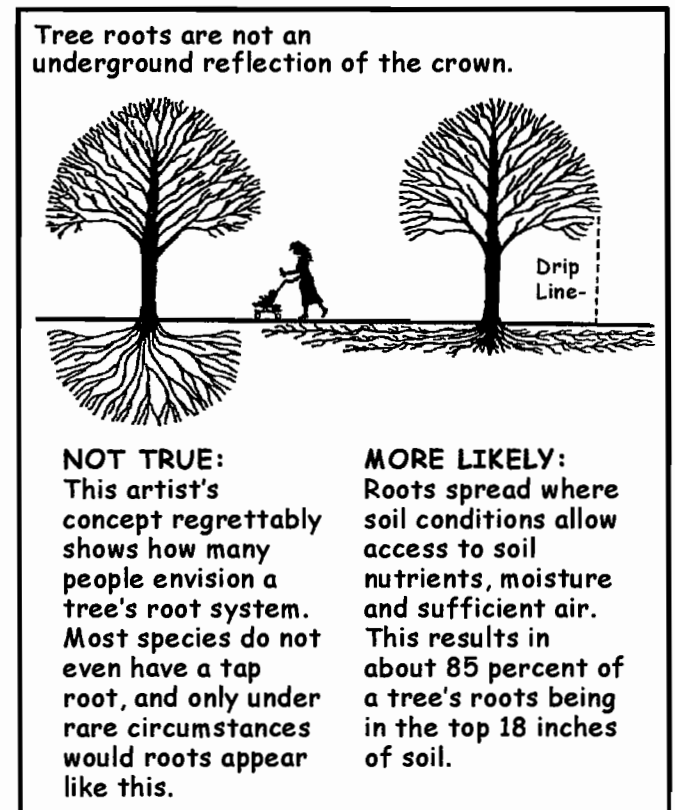


Figure 15. Tree Roots



C Encroachment

If encroachment into a Tree Protection Area occurs which causes irreparable damage to the trees, the Tree Preservation and/or Replacement Plan shall be revised to compensate for the loss. Under no circumstances shall the developer be relieved of responsibility for compliance with the provisions of this ordinance, nor shall plan revision activities stop the department from instituting action for violation of this ordinance.

5.4.2. Replacement trees proposed to be planted for credit toward meeting the minimum required Tree Density Standard on a property shall comply with the following:

a. The spacing of replacement trees must be compatible with spatial site limitations and with responsible consideration towards species size when mature.

b. Trees selected for planting shall be a species listed on Appendix "A" Canopy or Understory Species List of this ordinance. Standards for transplanting shall be in keeping with those established by the International Society of Arboriculture, as included in the "Tree and Shrub Transplanting Manual," latest edition, or similar publications. Refer to the American Association of Nurserymen publication "American Standard for Nursery Stock" (ANSI Z60, 1973) for plant material quality specifications. Refer to the "Manual of Woody Landscape Plants" (Michael Dirr, 1983, Castle Books) or similar publications for information on tree species site requirements.

c. Trees selected for planting must be free from injury, pests, disease, nutritional disorders or root defects, and must be of good vigor, so as to assure a reasonable expectation of survivability.

5.5. Tree Species Lists.

Tree species lists are found in Appendix "A" of this ordinance. The director is authorized to administratively add and delete species to both lists. Except as specifically approved by the director as a modification, only the trees listed shall be given credit towards meeting the requirements of this article.

Why Tunneling Saves Trees

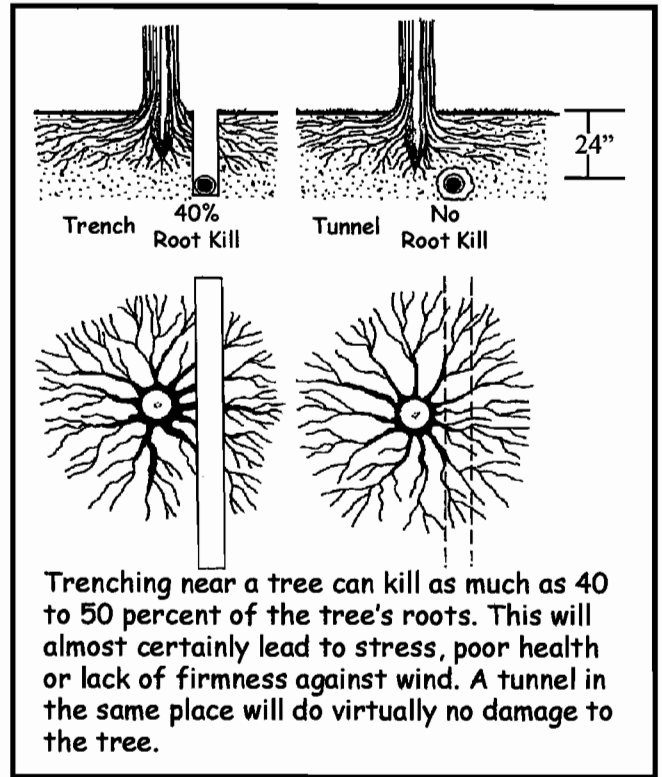


Figure 16

Where can I find more information?

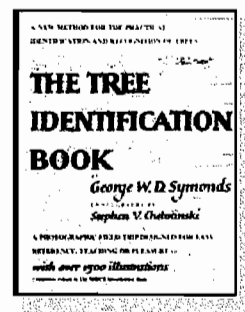


Figure 17

(And the Gwinnett County Cooperative Extension Service)

Tree species lists for canopy and understory trees are located in the Appendix. The director or the director's designee can add or delete species from both lists.



Article 6

Plan and Plat Specifications

6.1. Water-Efficient Design Consideration.

It is the policy of Gwinnett County to encourage individuals or firms who prepare the plans and plats required by this ordinance to consider the use of water-efficient landscaping principles and techniques as one of the criterion to be used in plant selection and design.

6.1.1. Principles and Techniques of Water-Efficient Landscaping (Xeriscaping).

The recommended principles and techniques to be considered are as follows:

a. Proper Location and Design - locating plants where they will naturally thrive and not require excessive water and maintenance to survive, as well as grouping plants by water needs, and limiting and concentrating high water using plants.

b. Turf Selection - limiting turf areas, and selecting turf grasses that can survive the variable rainfall conditions in this region.

c. Efficient Watering -once plants are established, avoid watering during periods of normal rainfall and during droughts, watering every week to 10 days or less depending on the drought tolerance of the plants.

d. Soil Improvements - loosening and breaking up the soil beyond the immediate planting area to allow better water absorption and to promote deep roots.

e. Mulching - using mulch to hold moisture in the soil which helps maximize the benefits of watering as well as preventing weeds.

f. Plant Selection - selecting plants native or suitable to the region according to their watering requirements and optimum locations.

g. Maintenance - maintaining the landscape to maximize water conservation such as increasing mowing heights and avoiding fertilizing during dry spells.

What is Xeriscaping?

Xeriscaping is a style of landscape design, construction, and maintenance focused on minimizing the need for supplemental irrigation.

How is it implemented?

Xeriscaping is implemented by:

- Selecting native plants or ones suitable to the area;
- Limiting high water-using plants;
- Limiting turf areas;
- Efficient watering;
- Soil improvement to promote rooting;
- Using mulch; and,
- Maintenance techniques for water conservation.

Why is mulch important?

Mulch is a material placed on the soil surface to reduce moisture evaporation and improve soil conditions. **Mulch** can provide numerous benefits to the soil and trees including:

- Reduction of water evaporation from the soil;
- Minimization of weed competition;
- Reduction of soil erosion;
- Improvement of soil aeration;
- Protects trees from lawnmower damage; and,
- Keeps soil cooler in summer and warmer in winter.



6.2. Buffer and Landscape Plan Specifications.

The following subsections and paragraphs outline the required elements of the plans and plats mentioned throughout this ordinance.

6.2.1. A Buffer and Landscape Plan shall be prepared for any project wherein buffer areas or other landscaping areas or treatment are required by this ordinance, the Zoning Resolution, conditions of zoning, special use or variance approval, or other regulations of Gwinnett County, and shall be approved prior to issuance of a Development Permit. While the plan shall cover, at a minimum, the required buffer and landscape areas, the plan can be combined with a general landscaping plan for the entire project and/or a Tree Preservation and/or Replacement Plan, at the developer's option.

6.2.2. The Buffer and Landscape Plan shall be shown on a Site Plan or boundary survey drawn to the same or a larger scale as the other plan documents prepared for the Development Permit Application and shall cover the same area.

6.2.3. The Buffer and Landscape Plan shall contain but need not be limited to the following:

- a. Project name and Land District, Land Lot, and acreage.
- b. Developer's name and telephone number.
- c. The name, address, and telephone number of the Registered Landscape Architect, Urban Forester, or Arborist responsible for preparation of the plan, and the Seal or statement of professional qualifications of said person (which may be attached separately). The performance of professional services in the preparation of plans required herein shall comply with Georgia Law governing the practice of the applicable profession.
- d. Boundary lines of each buffer or other landscape area, appropriately labeled.
- e. Delineation of undisturbed buffer areas, and any other areas wherein trees are proposed to be retained to meet County requirements, along the driplines of the trees or groups of trees contained therein. These areas shall be treated in accordance with the Tree Protection Area requirements contained in this ordinance, and labeled as such. Protective barriers and signage as required by this ordinance shall be shown as to location and detailed.

A list of tree species can be found in the Appendix.

What does the Plan require?

Plan Requirements Checklist

- ❑ Developer's name and telephone number;
- ❑ Name, address, and telephone number of responsible party for the plan;
- ❑ Responsible party shall be Registered landscape architect, Urban Forester, or Arborist and shall attach seal or statement of qualifications;
- ❑ Boundary lines of each buffer or landscape area;
- ❑ Delineation of undisturbed buffers;
- ❑ General location of all proposed plant materials, mulch, and other features within landscaped area;
- ❑ Scale and north arrow; and,
- ❑ Topographic contours.

f. General location of all proposed trees, shrubs, vines, groundcovers, mulching, and other features proposed within the buffer/landscape area. A scale sufficient to clearly indicate all details shall be used, along with a north arrow. g. Within areas involving or adjacent to land form changes, existing and finish grade topographic lines at an interval of no more than 2 feet may be required.

h. For new plant materials to be installed, a plant material list including but not limited to:

- (1) Common and botanical names of all proposed plants.
- (2) Plant quantities.
- (3) Size and condition of plants. (Example: 1" diameter, 6 feet height, balled and burlapped).
- (4) Spacing.
- (5) Remarks as necessary to insure proper plant selection upon installation. (Example: specimen, multi-trunked).

6.3. Tree Preservation and / or Replacement Plan Specifications.

6.3.1. Tree Preservation and/or Replacement Plans shall be prepared by a professional Landscape Architect, Urban Forester, or Arborist in accordance with the specifications for such plans contained herein. The performance of professional services in the preparation of plans required herein shall comply with Georgia law governing the practice of the applicable profession. Other licensed professionals (e.g. architects, engineers, etc.) may be authorized by the director to prepare Tree Preservation Plans, but not Tree Replacement Plans, provided that they demonstrate, to the satisfaction of the director, competency and knowledge in the principles and practices of arboriculture.

6.3.2. The Tree Preservation and / or Replacement Plan shall be shown on a copy of a Preliminary Plat, Concept Plan or Site Plan, with the exception of a permit to conduct tree thinning, as appropriate to the proposed development, drawn to the same scale as the other plan documents prepared for a Land Disturbance Permit application on the property, and shall cover the same area. The plan may be combined with a required Buffer and Landscape Plan for the project, at the option of the developer.

Where should trees be placed?

The proper placement of trees must be considered in sign design or directing sightlines. Prior to planting, choose the proper tree type. For example, a columnar shaped variety for framing or a small growing species under a tall sign.

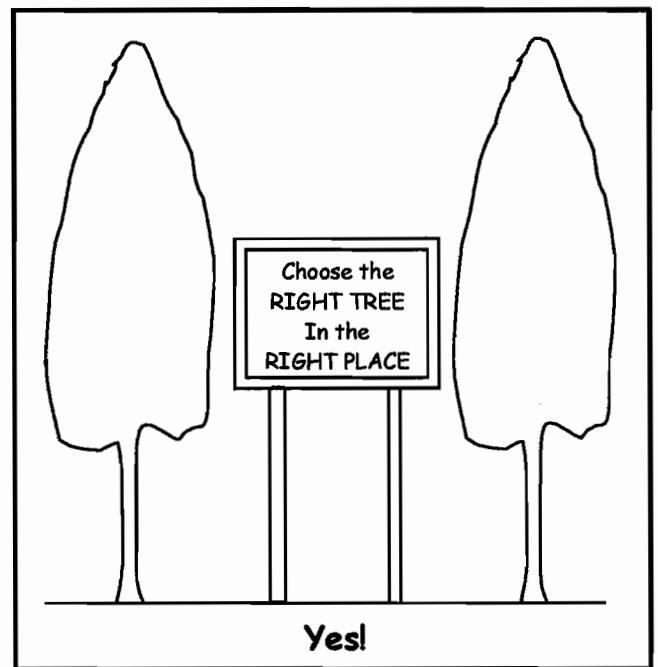


Figure 18. Avoid Tree / Sign Conflicts

The below ground portion of the tree, the root zone, is very important. Most of a tree's roots lie in the top 12 inches of soil.



6.3.3. The Tree Preservation and/or Replacement Plan shall provide sufficient information and detail to clearly demonstrate that all applicable requirements and standards of this ordinance will be fully satisfied.

6.3.4. The Tree Preservation and/or Replacement Plan shall contain but need not be limited to the following:

- a. Project name, land district, land lot, north arrow and scale.
- b. Developer's name, address, and telephone number.
- c. The name, address, and telephone number of the professional Landscape Architect, Urban Forester, Arborist or other authorized individual responsible for preparation of the plan, in accordance with the requirements of subsection 6.3.1, above, and the Seal or statement of professional qualifications of said person (which may be attached separately).
- d. Delineation of all minimum yard areas, buffers, and landscape areas as required by the Zoning Resolution or conditions of zoning, special use or variance approval.
- e. Total acreage of the site and total acreage exclusive of all zoning buffer areas.
- f. Delineation of all areas located within a 100-year flood plain.
- g. Existing trees to be retained in Tree Protection Areas:

Trunk location and size (to the nearest inch in diameter at 4.5 feet above the ground), of individual trees proposed to remain for credit toward meeting the minimum Tree Density Standard on the property. Groups of three (3) or more trees whose driplines combine into a single Tree Protection Area may be outlined as a group and their number, by diameter, shown in the Summary Table. If the number and size of all existing trees to remain on the site exceeds the required tree density standard for the entire site, only those trees required to meet the minimum Tree Density Standard must be shown. All Tree Protection Areas are to be outlined and labeled.

h. Tree Protection Measures:

- (1) A detail or description of the protective tree fencing to be installed, and the location of such measures, which at a minimum shall follow the dripline of all trees to be retained along adjoining areas of clearing, grading, or other construction activity.

What is a dripline? What is the root zone?

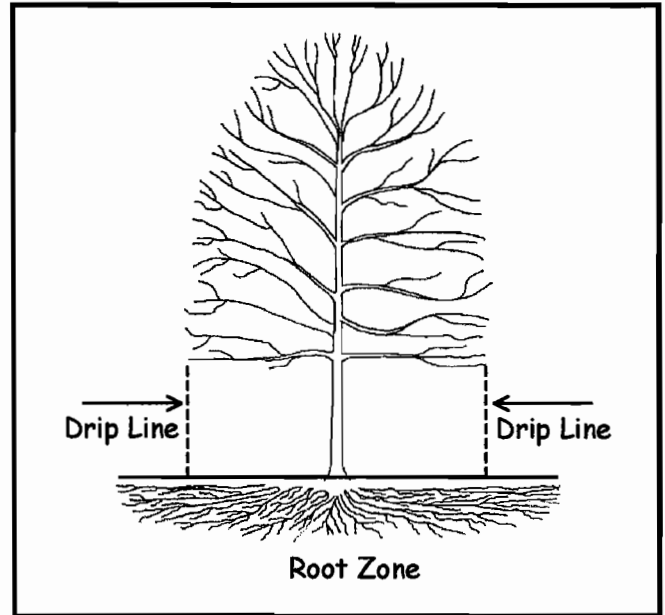


Figure 19. Dripline and Root Zone

Why is the root zone so important?

Roots of a plant absorb water, gases, and nutrients from the soil and atmosphere, as well as, provide stability and support the tree, Most tree damage that occurs above-ground is obvious. However, underground damage is not as easily noticed and is more common, especially on a construction site. Depending on the type of damage and species of tree, the damage may not be obvious for 2-3 years, and death of a tree may occur up to 7 years later.



(2) Measures to be taken to avoid soil sedimentation intrusion into Tree Protection Areas, and the location of such devices. (3) Proposed location of temporary construction activities such as equipment or worker parking, materials storage, burn holes, equipment washdown areas, and entrance pads.

(4) Proposed type and location of any tree save area signs or other pertinent signage.

i. If replacement trees are proposed to be planted in order for the property to achieve the required Tree Density Standard, the replacement trees shall be shown and their spacing and diameter identified, to the extent needed to achieve the minimum requirements. Trees grouped together in tree planting areas may be listed on the Summary Table by total number in the grouping, by size.

j. A Summary Table of the number of existing trees to remain and new trees to be planted, by diameter to the nearest inch at 4.5 feet above the ground for preserved trees and at 6 inches above the ground for replaced trees, shall be shown along with calculations showing the tree density achieved for the site. Additional credits shall be noted where applicable (see Subsection 5.3.2, paragraph c.). Groupings of trees in Tree Protection Areas and areas for new tree planting may be keyed to the Summary Table by area rather than having each tree individually labeled on the plan.

6.3.5. The plan sheet which shows the grading plan, including existing and proposed contour lines, shall indicate the dripline location of all Tree Protection Areas through the use of shading on the plans. The exact location of each tree is not desired to be shown, only the limits of the Tree Protection Area and any other areas which are not to be disturbed.

***If I use existing trees,
how do I show this on the Plan?***

- Indicate trunk location and size of individual trees proposed to remain for credit;
- Groups of 3 or more trees whose driplines combine into a single Tree Protection area may be outlined as a group;
- If the number and size of all existing trees to remain on the site exceeds the required number, only those trees required to meet the minimum Tree Density standard must be shown.
- Orange protective fencing must be in place in order to receive credit for the trees.

A Summary Table of the number of existing trees to be saved and new trees to be planted is included with the tree density calculations showing the tree density for the site.



Article 7

Compliance

7.1. Artificial Materials Prohibited.

All artificial plants, trees, shrubs, grass or other vegetation shall be prohibited from fulfilling the requirements of this ordinance.

7.2. Warranty or Maintenance Surety.

Upon final installation of new trees, shrubs or other landscape material planted to meet the requirements of this ordinance, and following acceptance by the department in accordance with the procedures set forth in the Development Regulations, the owner shall either provide proof of warranty or post a Maintenance Bond or other acceptable surety, warranting the new trees, shrubs or landscape material for a period of no less than one (1) year. This section shall not apply to individual residential lot trees.

7.3. Inspection.

7.3.1. The department shall perform an inspection of the plantings and landscape materials required by this ordinance prior to expiration of the one (1) year warranty or maintenance period. The owner shall be notified of any replacements or restoration that must be made to maintain compliance with this ordinance or conditions of zoning, special use or variance approval.

7.3.2. Required landscape material found to be dead or near death shall be replaced prior to release by the department of the warranty or maintenance surety. In no case shall replacement be delayed greater than 30 days from notification unless a performance bond is posted with the department.

7.4. Performance Surety.

7.4.1. Compliance Prior to Certificate of Occupancy or Final Plat Approval.

In the event that new trees proposed to be planted to achieve the Tree Density Standard as set forth in the Tree Regulations contained herein, or other trees or landscape material required to be planted as set forth in the Buffer Regulations or Landscape Regulations contained herein, are not installed upon application for a Certificate of Occupancy or Final Plat approval as appropriate to the project, then a Performance Bond or other acceptable surety in an amount equal to 110% of the value of the new trees or landscape material and their installation shall be posted with the department in accordance with the performance bonding requirements and provisions of the Development Regulations.



No artificial plants
No artificial trees
No artificial turf

How long are plants warranted?

All plants are warranted for one year.
Sites are inspected prior to the release of the one year warranty.

When are sites inspected?

Sites will be periodically inspected to assure conformance with the ordinance. Sites may be inspected by staff before, during and after grading and / or construction.

What will the inspector be looking for?

Inspection of tree protection includes but is not limited to:

- Insuring that protective fencing has been maintained throughout site construction.
- Noting causes of any construction damage to the trees.
- Insuring land disturbance activities do not encroach into tree protection area.
- Insuring proper tree care and pruning have been provided.

7.4.2. Compliance upon Permit Completion or Expiration.

Properties where a permit is issued to conduct land disturbing activities that do not require the issuance of a Certificate of Occupancy or the approval of a Final Plat, or said activities as authorized are completed or the permit expires, shall comply with the Tree Density Standard of this ordinance as follows:

a. Clearing, Clearing and Grubbing, or Grading Only Permits.

Replacement trees proposed to be planted to achieve the Tree Density Standard of this ordinance which are not planted upon completion or prior to expiration of a Clearing, Clearing and Grubbing, or Grading Permit, shall be planted within 30 days of the completion or expiration of said permit unless a performance bond is posted with the department.

b. Development Permits.

Replacement trees proposed to be planted to achieve the Tree Density Standard of this ordinance which are not planted upon expiration, as opposed to completion, of a Development Permit shall be planted within 30 days of expiration of said permit unless a performance bond is posted with the department.

7.5. Continuing Maintenance.

7.5.1. The owner, occupant, tenant, and respective agent of each, if any, shall be jointly and severally responsible for the perpetual maintenance and protection of buffers, trees and landscape plantings required by this ordinance. Homeowners are exempt from this maintenance requirement for the Individual Lot Tree or Tree Protection Area option of Article 5 unless these trees are protected by a conservation easement.

7.5.2. The department is hereby authorized to order diseased, infested, dying, dead or damaged landscaping required herein to be replaced.

What is included in the inspection?

Inspection of newly planted trees includes but is not limited to insuring that:

- Tree size and form meet minimum standards
- Tree types and locations match the approved plans
- Planting areas meet minimum size requirements, match dimensions shown on plans and contain uncompacted topsoil free of construction debris.
- Tree and planting areas are protected by wheel stops or other devices.

7.5.3. Buffers that, over a period of time, lose their screening ability shall be replanted to meet the requirements of this ordinance.

7.5.4. Replacement trees and landscaping shall be in accordance with the applicable provisions of this ordinance.



What is required for continuing maintenance?

Re-inspection for continuing compliance includes, in addition to the above:

- Any trunk wrap, guy wired, lines and/or ropes have been removed.
- Tree form is maintained and trees are allowed to their natural height and form, and Trees are present and healthy.



Article 8

Enforcement, Violation and Appeals

8.1. Enforcement.

It shall be the responsibility of the director to enforce this ordinance. The director shall have the authority to revoke, suspend, or void any Clearing, Clearing and Grubbing, Grading, Development or Building Permit or to withhold issuance of a Certificate of Occupancy or approval of a Final Plat, and shall have the authority to suspend all work on a site or any portion thereof, where tree removal or damage occurs in violation of this ordinance or the provisions of the approved Tree Preservation and/or Replacement Plan for the site.

8.2. Violation and Penalty.

Any person violating a provision of this ordinance shall be guilty of violating a duly adopted ordinance of Gwinnett County, and upon conviction by a court of competent jurisdiction, may be punished either by a fine not less than \$100 per day and not to exceed \$1,000 per day, or confinement in the County jail not to exceed 60 days, or both. The Court shall have the power and authority to place any person found guilty of a violation of this ordinance on probation and to suspend or modify any fine or sentence. As a condition of said suspension, the Court may require payment of restitution or impose other punishment allowed by law which may include mandatory attendance at an educational program regarding tree preservation. The owner of any property wherein a violation exists, and any builder, contractor, or agent who may have assisted in the commission of any such violation, shall be guilty of a separate offense.

8.3. Appeals, Modifications and Waivers.

8.3.1. Variance from the Zoning Resolution.

The preservation of trees may be considered as a condition peculiar to a piece of property in support of a request for a variance from the literal application of the provisions of the Zoning Resolution, under the procedures and requirements contained therein.

8.3.2. Appeals.

Appeals of the interpretation of the requirements of this ordinance by the director shall be filed and processed in accordance with the appeal procedures as set forth in the Development Regulations.



County of Gwinnett
State of Georgia

NO. P- _____ Date _____, 19____

GWINNETT COUNTY PLANNING AND DEVELOPMENT
CITATION, SUMMONS, ACCUSATION

TO: _____
 ADDRESS: _____
 CITY: _____ ZIP: _____
 ZC CASE NO. _____
 BUSINESS LIC. NO. _____
 PROJECT NAME / NO. _____
 LOCATION OF VIOLATION _____

SUMMONS - YOU ARE COMMANDED to appear at the RE _____ COURT OF GWINNETT COUNTY to be held in La _____, Georgia at _____

Gwinnett Justice and Administration Building,
75 Langley Drive

At _____ o'clock AM PM on the _____ day of _____, 19____ to answer a charge that on or about the _____ day of _____, 20____

You did: _____

Inspection / Enforcement Officer

Title _____ Division _____

COURT COPY

Figure 20. Summons





What happens if I don't comply?

- Notice of Violation (NOV)
- Summons/ticket to appear in the Environmental Division of Recorder's Court.
- Possible fine of up to \$1000 per day and/or 60 days in jail.
- Minimum fine is \$100.

8.3.3. Waivers.

Waiver requests of the requirements of this ordinance shall be filed and processed in accordance with the waiver procedures as set forth in the Development Regulations.

8.3.4. Modifications.

Modification requests, where this ordinance specifically authorizes their granting, shall be filed and processed in accordance with the modification procedures established by the Development Regulations.



Article 9

Adoption and Amendment

9.1.1. Repeal Clause.

The provisions of any ordinances or resolutions or parts of ordinances or resolutions in conflict herewith are repealed, save and except such ordinances or resolutions, or parts of ordinances or resolutions, which provide stricter standards than those provided herein.

9.2. Severability.

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

9.3. Amendment.

This ordinance may be amended from time-to-time by resolution of the Board of Commissioners of Gwinnett County. Such amendments shall be effective as specified in the adopting resolution.

9.3.1. Lots of record for which a building permit shall have been issued prior to the effective date of an amendment to this ordinance shall be considered "grandfathered" and may proceed to completion under the terms of the permit and regulations in place prior to the amendment.

9.3.2. Subdivisions or projects for which a Development Permit shall have been issued prior to the effective date of an amendment to this ordinance shall be considered "grandfathered" and may proceed to completion under the terms of the permit and regulations in place prior to the amendment.

9.3.3. Subdivisions or projects for which only a Clearing, Clearing and Grubbing, or Grading permit shall have been issued prior to the effective date of an amendment to this ordinance shall be made to comply with the requirements of the amendment prior to the issuance of a Development Permit.



How is the ordinance amended?

Most **amendments** to the ordinance would be reviewed & considered by the Development Advisory Committee and by the Tree Advisory Committee before consideration by the Board of Commissioners.

When was the ordinance last amended?

The ordinance was last amended by the Board of Commissioners on October 26, 1999 and on August 26, 2003.



9.3.4. Subdivisions or projects for which a valid and complete application for a Development Permit shall have been received prior to the effective date of an amendment to this ordinance shall be considered “grandfathered” and may proceed to completion under the regulations in place prior to the amendment provided that a Development Permit is obtained within 90 calendar days of the effective date and subject to the time limitations of the permit.

What are the Tree Advisory Committee responsibilities?

The Tree Advisory Committee:

- **Reviews proposed amendments to the Buffer, Landscape, & Tree Ordinance and assists the department in the interpretation and implementation of the ordinance;**
- **Advises the Board of Commissioners and the department about issues and matters of concern regarding the preservation and replacement of trees;**
- **Establishes education and other programs to encourage proper management and maintenance of trees; and,**
- **Carries out studies regarding trees and the land development process as requested by the Board of Commissioners.**

What is the Development Advisory Committee and what are its responsibilities?

The Development Advisory Committee:

- **Advises the Board of Commissioners and on issues and matters of concern with regard to land development activities and regulations;**
- **Reviews new land development regulations and advises the department on their impact;**
- **Assists the department in the interpretation of land development regulations; and**
- **Carries out studies regarding the land development regulatory process as may be requested by the Board of Commissioners.**



APPENDIX

**Appendix "A" Tree Species Lists.
A.1. Canopy Tree Species List (40 to 100 feet in height at maturity).**

<i>Botanical Name</i>	<i>Common Name</i>	Native Tree	Drought Tolerant	Ozone Remover
Acer rubrum cultivars	Red Maple	•	•	•
Acer saccharum cultivars	Sugar Maple		•	•
Betula nigra	River Birch	•	•	•
Carya species	Hickory Species			•
Carpinus betulus fastigiata	European Hornbeam			
Fagus grandifolia	Green Ash		•	•
Fraxinus pennsylvanica	Green Ash		•	•
Ginkgo biloba	Ginkgo (Male Only)		•	•
Gleditsia tricanthus	Honey Locust	•		
Juniperus virginiana	Eastern Red Cedar		•	
Liquidamber styraciflua	Sweetgum	•		
Liriodendron tulipifera	Yellow Poplar			•
Magnolia acuminata	Cucumber Magnolia	•		
Magnolia grandiflora	Southern Magnolia	•		
Metasequoia glyptostroboides	Dawn Redwood			•
Nyssa aquatica	Swamp Tupelo	•		
Nyssa sylvatica	Black Gum	•		
Oxydendrum aboreum	Sourwood	•		•
Pinus taeda	Loblolly Pine	•	•	
Platanus acerifolia	London Planetree	•	•	
Platanus occidentalis	American Sycamore	•	•	
Quercus acutissima	Sawtooth Oak		•	
Quercus alba	White Oak	•		
Quercus bicolor	Swamp White Oak			
Quercus coccinea	Scarlet Oak	•	•	
Quercus falcata	Southern Red Oak	•	•	
Quercus hemisphaerica	Darlington Oak		•	
Quercus laurifolia	Laurel Oak	•	•	
Quercus lyrata	Overcup Oak	•	•	
Quercus nutallii	Nuttal Oak	•	•	
Quercus phellos	Willow Oak	•	•	
Quercus palustris	Pin Oak	•		
Quercus prinus	Chestnut Oak	•	•	
Quercus shumardi	Shumard Oak	•	•	
Taxodium disticum	Bald Cypress	•		
Tilia cordata	Littleleaf Linden		•	
Ulmus alata	Winged Elm	•	•	
Ulmus parvifolia	Lace Bark Elm		•	
Ulmus rubra	Slippery Elm	•	•	
Zelkova serrata	Japanese Zelkova			•

A.2. Parking Lot & Street Tree Species List.

<i>Botanical Name</i>	<i>Common Name</i>	Native Tree	Drought Tolerant	Ozone Remover
<i>Acer barbatum</i>	Southern Sugar Maple	•		•
<i>Acer buergeranum</i>	Trident Maple		•	
<i>Acer rubrum</i> cultivars	Red Maple	•	•	•
<i>Acer saccharum</i> cultivars	Sugar Maple	•	•	•
<i>Carya</i> species	Hickory Species			•
<i>Carpinus betulus fastigiata</i>	European Hornbeam			
<i>Fraxinus pennsylvanica</i>	Green Ash	•	•	
<i>Ginkgo biloba</i>	Ginkgo (Male Only)		•	•
<i>Juniperus virginiana</i>	Eastern Red Cedar		•	
<i>Nyssa sylvatica</i>	Black Gum	•		
<i>Pistacia chinensis</i>	Chinese Pistache		•	•
<i>Platanus acerifolia</i>	London Planetree	•	•	
<i>Quercus coccinea</i>	Scarlet Oak	•	•	
<i>Quercus falcata</i>	Southern Red Oak	•	•	
<i>Quercus hemisphaerica</i>	Darlington Oak		•	
<i>Quercus laurifolia</i>	Laurel Oak	•	•	
<i>Quercus lyrata</i>	Overcup Oak	•	•	
<i>Quercus nutallii</i>	Nuttal Oak	•	•	
<i>Quercus phellos</i>	Willow Oak	•	•	
<i>Quercus palustris</i>	Pin Oak	•		
<i>Quercus prinus</i>	Chestnut Oak	•	•	
<i>Quercus shumardi</i>	Shumard Oak	•	•	
<i>Tilia cordata</i>	Litleleaf Linden		•	
<i>Ulmus alata</i>	Winged Elm	•	•	
<i>Ulmus parvifolia</i>	Lace Bark Elm		•	•
<i>Ulmus rubra</i>	Slippery Elm	•	•	
<i>Zelkova serrata</i>	Japanese Zelkova			•

A.3. Understory Tree Species List (10 to 40 feet in height at maturity).

<i>Botanical Name</i>	<i>Common Name</i>	Native Tree	Drought Tolerant	Ozone Remover
<i>Acer barbatum</i>	Southern Sugar Maple	•		
<i>Acer buergeranum</i>	Trident Maple		•	
<i>Acer leucoderme</i>	Chalk Maple	•		
<i>Acer palmatum</i>	Japanese Maple		•	
<i>Amelanchier arborea</i>	Serviceberry	•		•
<i>Carpinus caroliniana</i>	American Hornbeam	•		•
<i>Cercis canadensis</i>	Eastern Redbud	•	•	•
<i>Cercis chinensis</i>	Chinese Red Bud		•	
<i>Chamaecyparis thyodies</i>	Atlantic Whitecedar	•		
<i>Cladrastis lutea</i>	American Yellowwood	•		
<i>Chionanthus virginicus</i>	Fringe Tree, Grancy Graybeard	•		
<i>Cornus alternifolia</i>	Alternate Leaf Dogwood	•		
<i>Cornus florida</i>	Flowering Dogwood	•		•
<i>Cornus kousa</i>	Chinese Dogwood			
<i>Continue obovatus</i>	American Smoketree			
<i>Cryptomeria japonica</i>	Cryptomeria		•	
<i>Cupressocyparis leylandii</i>	Leyland Cypress		•	
<i>Halesia carolinia</i>	Silverbell			
<i>Hamamelis virginiana</i>	Witch-hazel			
<i>Ilex x attenuata</i>	Foster/Savannah Holly			
<i>Ilex latifolia</i>	Lusterleaf Holly			
<i>Ilex x Nellie R. Stevens</i>	Nellie R. Stevens Holly			
<i>Ilex opaca</i>	American Holly			•
<i>Ilex verticellata</i>	Winterberry			
<i>Ilex vomitoria</i>	Yaupon Holly		•	
<i>Juniperus virginia</i>	Red Cedar	•	•	
<i>Koelreuteria paniculata</i>	Golden Raintree			
<i>Lagerstroemia x fauriei</i>	Crape Myrtle		•	•
<i>Maclura pomifera</i>	Osage Orange		•	
<i>Magnolia x soulangiana</i>	Saucer Magnolia			•
<i>Magnolia stellata</i>	Star Magnolia			
<i>Magnolia virginiana</i>	Sweetbay Magnolia			
<i>Malus floribunda</i>	Japanese Flowering Crabapple			•
<i>Myrica cerifera</i>	Wax Myrtle			
<i>Ostrya virginica</i>	Ironwood	•		
<i>Oxydendron arboreum</i>	Sourwood	•		•
<i>Parrotia persica</i>	Persian Parrotia		•	
<i>Pinus virginiana</i>	Virginia Pine	•	•	
<i>Pistacia chinensis</i>	Chinese Pistache			

<i>Botanical Name</i>	<i>Common Name</i>	Native Tree	Drought Tolerant	Ozone Remover
Prunus caroliniana	Carolina Laurel Cherry	•		
Prunus serrulata	Japanese Flowering Cherry			•
Prunus subhirtella 'Atumnalis'	Autumn Cherry			•
Prunus x yedoensis	Yoshino Flowering Cherry			•
Rhus species	Sumac	•		
Sassafras albidum	Sassafras	•	•	•
Thuja plicata	Western Arborvitea			
Vitex agnus-castus	Chastetree		•	

**A.3. Understory Tree Species List
Cont.**

TABLE 'A'
SUMMARY OF APPLICABILITY AND EXEMPTIONS

PROJECT TYPE	TYPE OF CONSTRUCTION	APPLICABILITY
Grandfathered Projects	Any property included within the limits of a LDP approved prior to the effective date of this Ordinance, and remaining portion of a project where 75% of area has already been included in LDP's approved prior to June 23, 1987 which was the effective date of the Tree Ordinance.	Exempt (See 5.1.2.)
Horticultural or Agricultural Operations	Land clearing for clearly agricultural purposes, including timber harvesting, in RA-200 zoning district; Plant or Tree Nurseries; Orchards.	Exempt (See 5.1.3.)
Diseased or Insect Infested Trees	Removal upon advice and written finding of County Extension Service or Georgia Forestry Commission.	Exempt (See 5.1.5.)
Tree Thinning	Thinning of trees (selective cutting) in zoning districts other than RA-200 solely for the purpose of good forestry management, utilizing recommended BMP's of the Georgia Forestry Commission, upon the advice and written findings of the County Extension Service or Georgia Forestry Commission.	TP / RP Required (See 5.1.5.)
Residential Lots or Subdivisions	Clearing, Clearing & Grubbing, Grading, Development or Building Permit.	Two trees per lot <u>or</u>, street trees <u>or</u>, TP / RP meeting 16 TDU's with TPA's protected by conservation easement. * (See 5.2.4.)

* **Limits of buffers and Tree Protection Areas shall be designated with protective tree fencing prior to, or concurrent with commencement of activities, consistent with exemption allowances.**

** **Additional areas may be designated by the department to remain undisturbed based on Land Use Plan.**

TABLE 'A'
Cont.
SUMMARY OF APPLICABILITY AND EXEMPTIONS

PROJECT TYPE	TYPE OF CONSTRUCTION	APPLICABILITY
Nonresidential and Multi-Family Subdivisions	Land disturbance limited to areas needed for streets, drainage and utilities.	TP / RP Not Required * (See 5.2.3.a.)
	Land disturbance beyond areas need for streets, drainage, and utilities.	TP / RP Required (See 5.2.2.)
Residential Recreation Areas, Multi-Family and Nonresidential Individual Sites	Clearing or clearing and grubbing only, limited to areas outside of all minimum yards, buffers, and 100 year flood plain.	TP / RP Required * ** (See 5.2.3.b.)
	Clearing or clearing and grubbing only, proposing disturbance within a minimum yard or 100 year flood plain.	TP / RP Required (See 5.2.2.)
	Grading or Development Permit.	TP / RP Required (See 5.2.2.)
	Building Permit.	Covered By TP / RP As approved by LDP (See 5.2.2.)

* **Limits of buffers and Tree Protection Areas shall be designated with protective tree fencing prior to, or concurrent with commencement of activities, consistent with exemption allowances.**

** **Additional areas may be designated by the department to remain undisturbed based on Land Use Plan.**

TABLE 'B'
CREDIT FOR EXISTING TREES

CONVERSION FROM TREE DIAMETER IN INCHES TO TREE DENSITY UNITS FOR TREES REMAINING ON SITE.							
DIA.	UNITS	DIA.	UNITS	DIA.	UNITS	DIA.	UNITS
3	.05	15	1.2	27	4.0	39	8.3
4	.1	16	1.4	28	4.3	40	8.7
5	.15	17	1.6	29	4.6	41	9.2
6	.2	18	1.8	30	4.9	42	9.6
7	.3	19	2.0	31	5.2	43	10.1
8	.4	20	2.2	32	5.6	44	10.6
9	.5	21	2.4	33	5.9	45	11.0
10	.6	22	2.6	34	6.3	46	11.5
11	.7	23	2.9	35	6.7	47	12.0
12	.8	24	3.1	36	7.1	48	12.6
13	.9	25	3.4	37	7.5	49	13.1
14	1.1	26	3.7	38	7.9	50	13.6

Note: Tree diameter for existing trees is measured at 4.5 feet above the ground.

Note: Tree diameter fractions may be “rounded up” if 0.5 inches or greater,
or “rounded down” if less than 0.5 inches.

**TABLE 'C'
CREDIT FOR REPLACEMENT TREES**

CONVERSION FROM TREE DIAMETER IN INCHES TO TREEDENSITY UNITS FOR PROPOSED REPLACEMENT TREES.			
DIA.	UNITS	DIA.	UNITS
1	.4	8	1.3
2	.5	9	1.5
3	.6	10	1.7
4	.7	11	1.9
5	.9	12	2.1
6	1.0	13	2.3
7	1.2	14	2.5

Note: Tree diameter for new replacement trees is measured at 6 inches above the ground.

Note: Tree diameter fractions may be “rounded up” if 0.5 inches or greater, or “rounded down” if less than 0.5 inches.

Note: Multi-trunked trees shall be given credit by measuring the single largest trunk only. Tree form shrubs shall not be given credit. (See graphic reference on pages 6 and A-11.)

Buffers

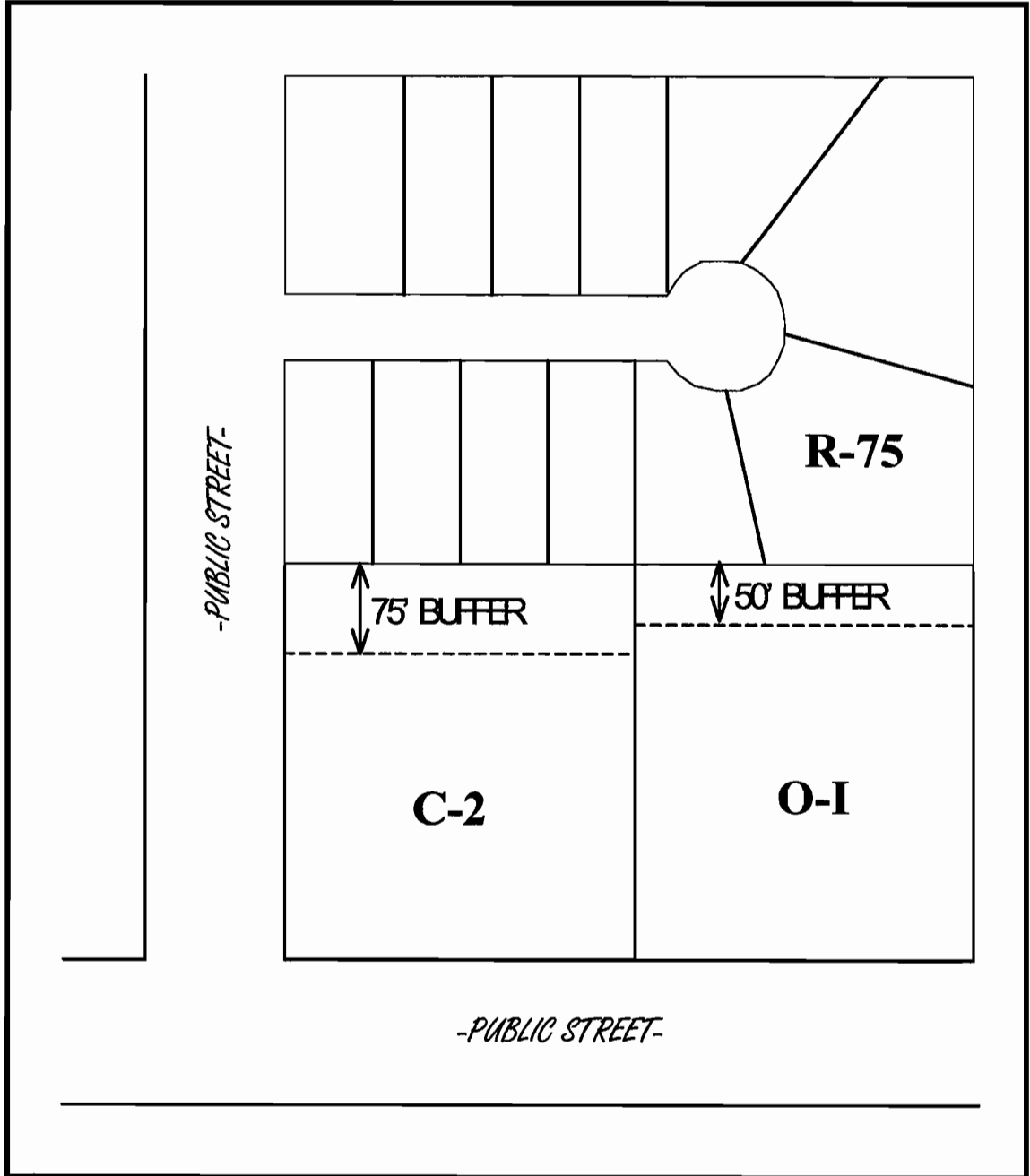


Figure 1, Page 3

Tree Types

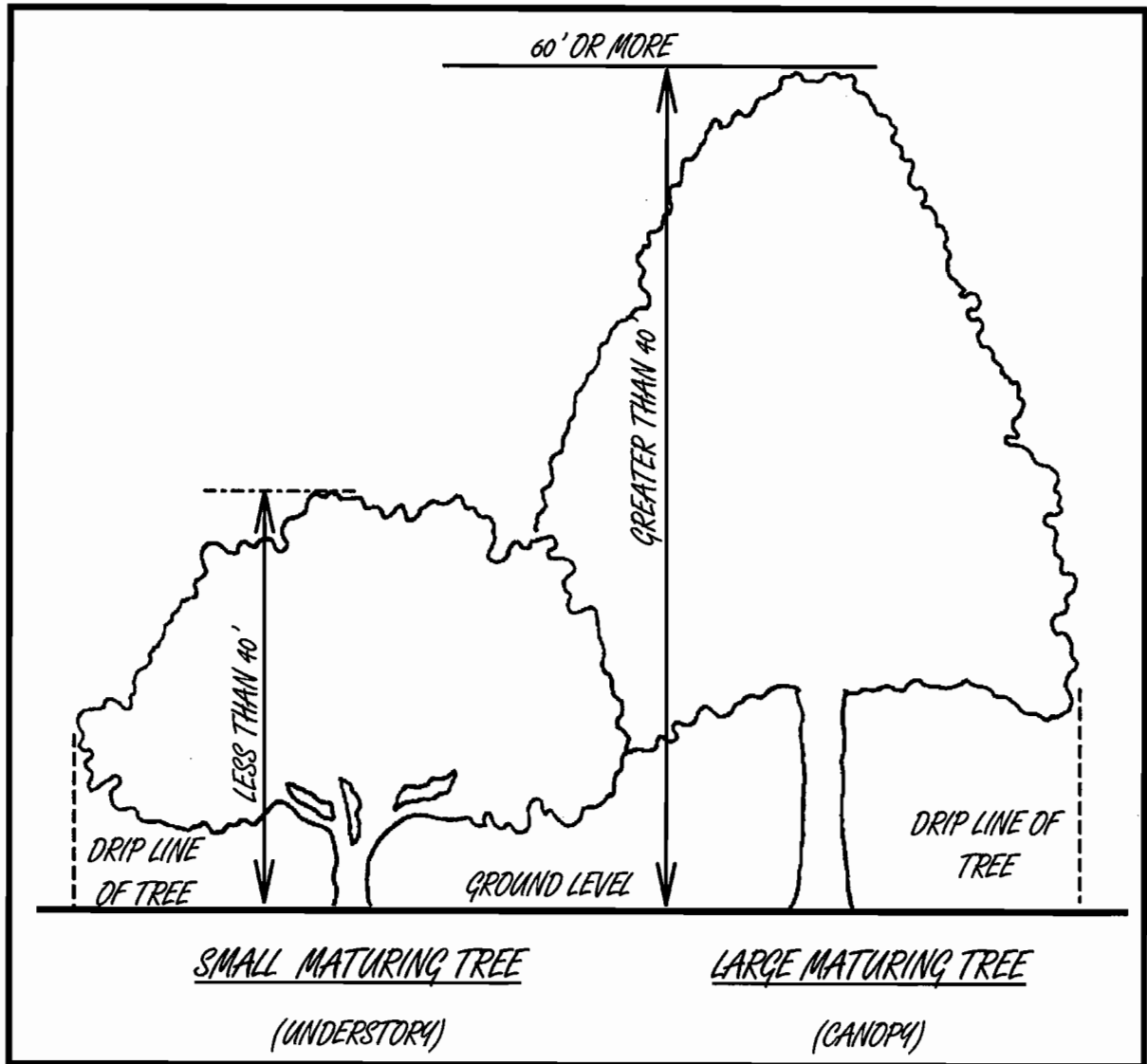
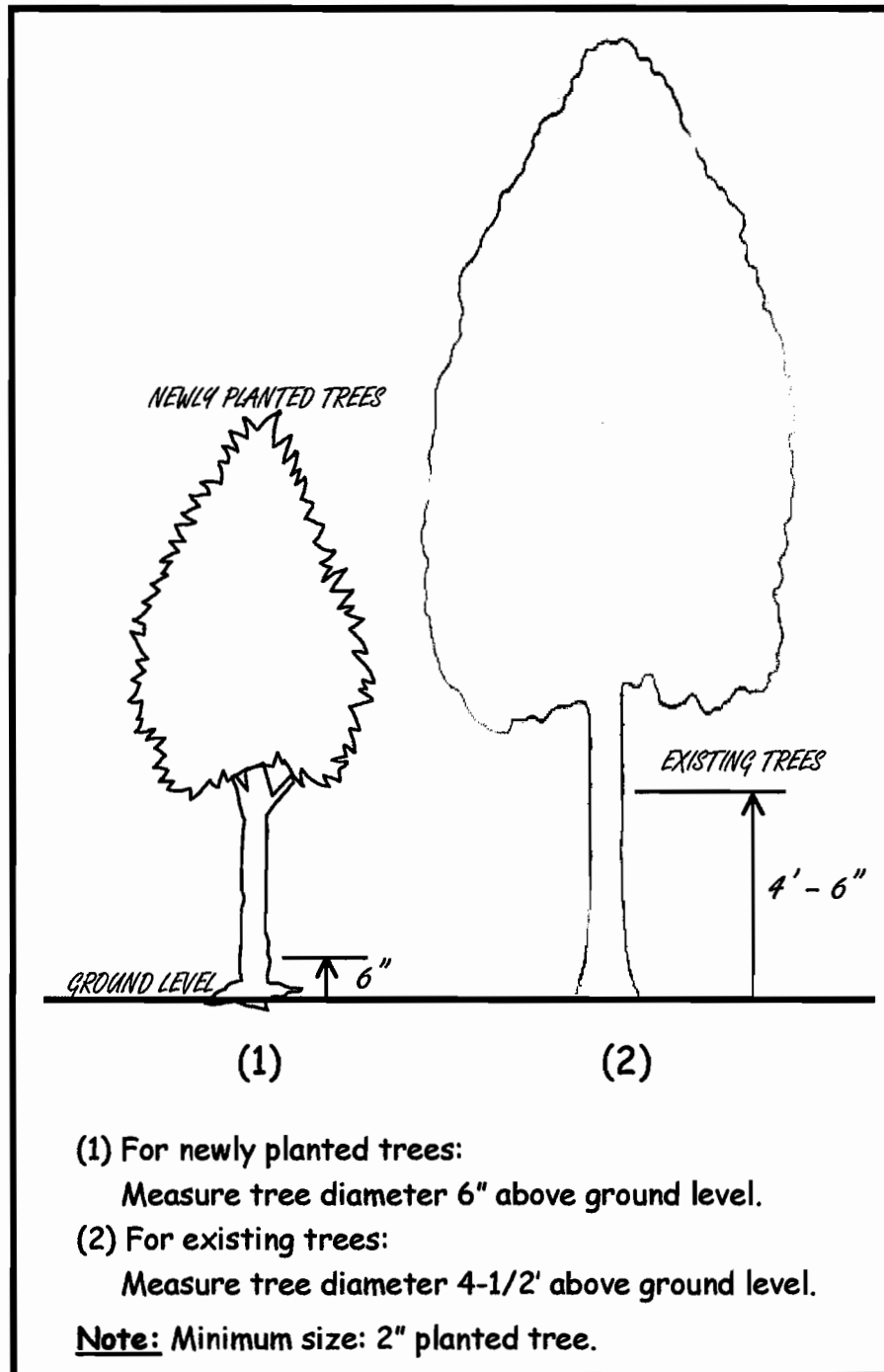
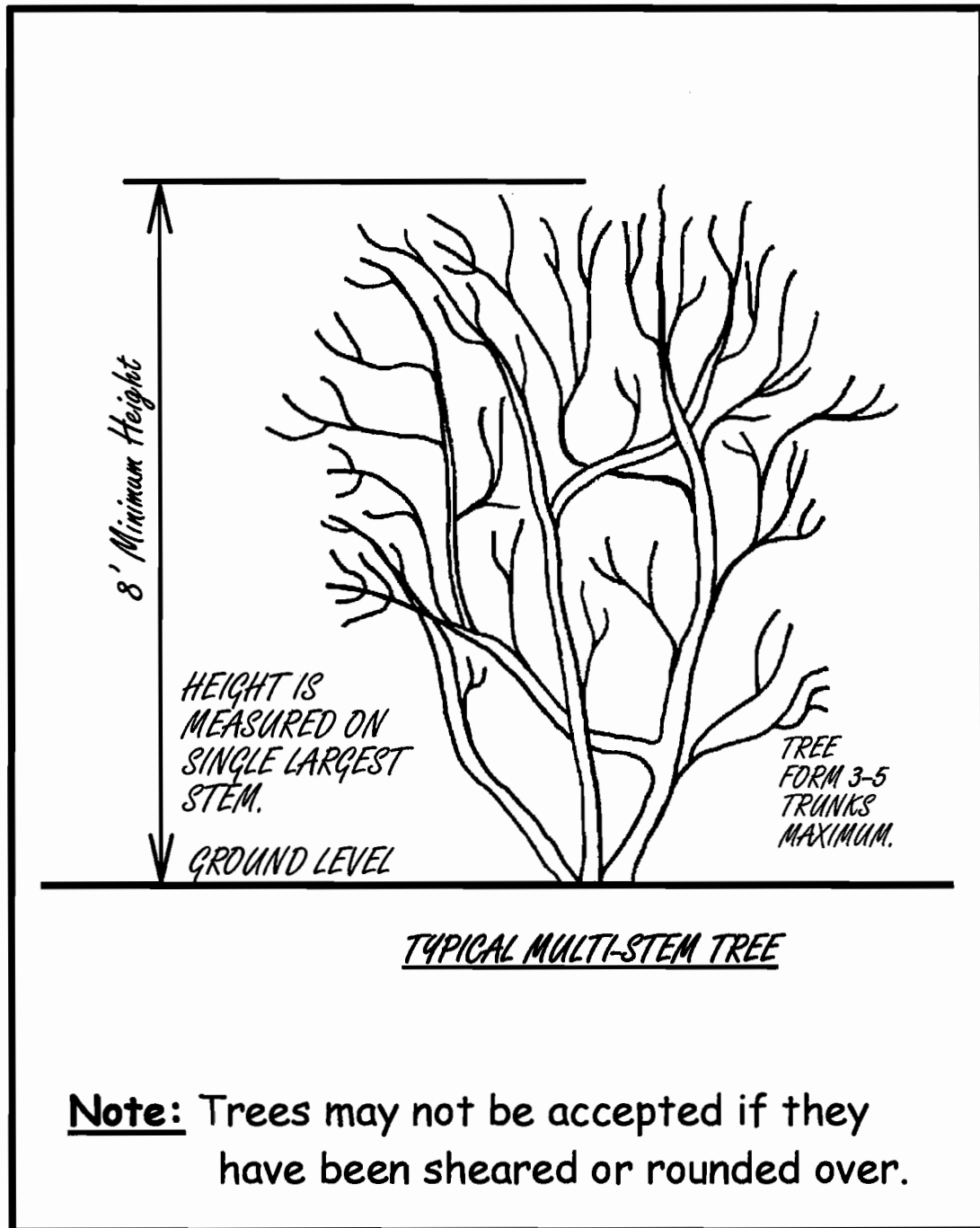


Figure 2, Page 4

How to Measure a Tree



Muti-Stem Trees



Note: Trees may not be accepted if they have been sheared or rounded over.

Tree Protection- Plan View

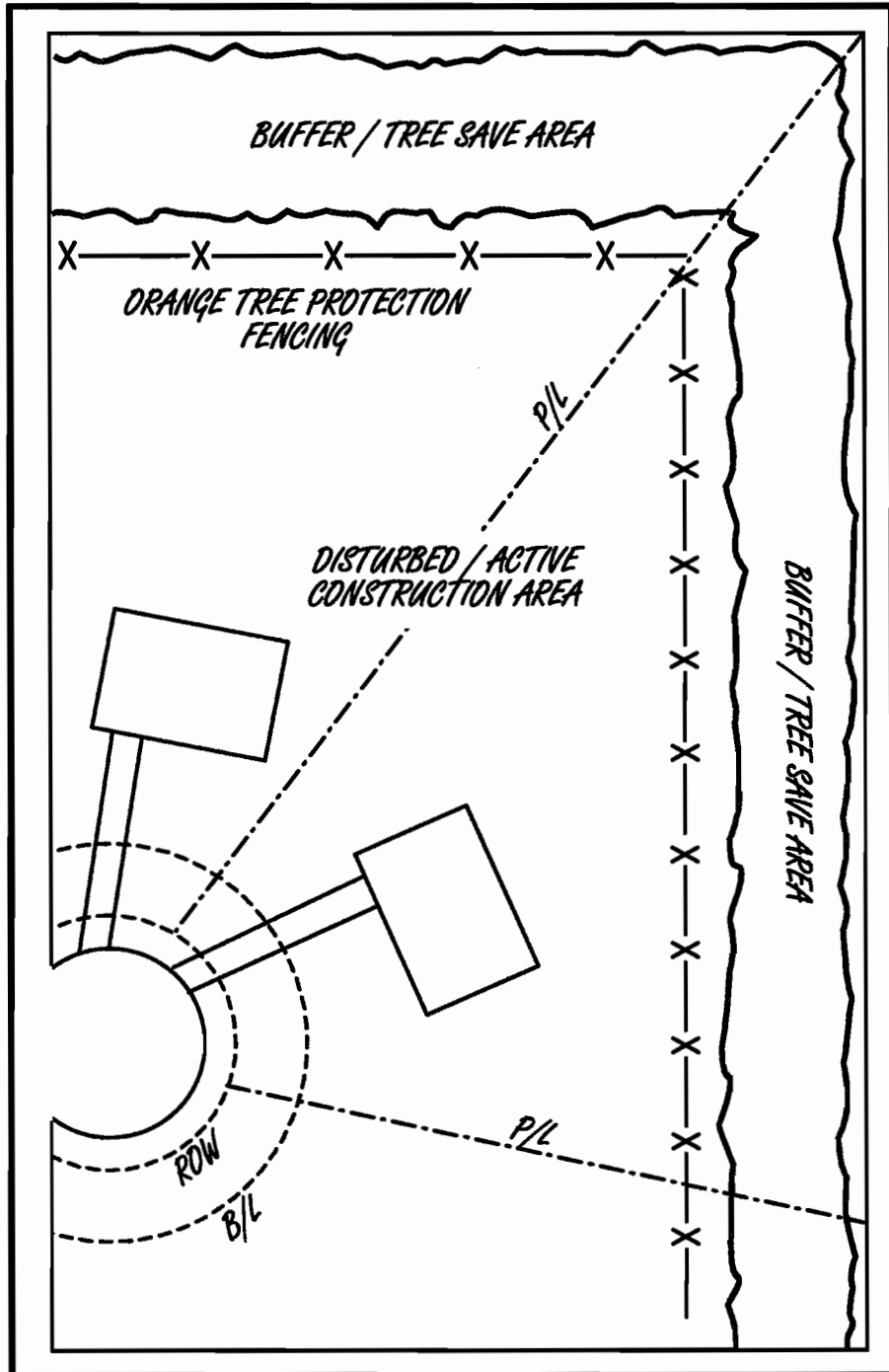


Figure 5, Page 13

Tree Protection

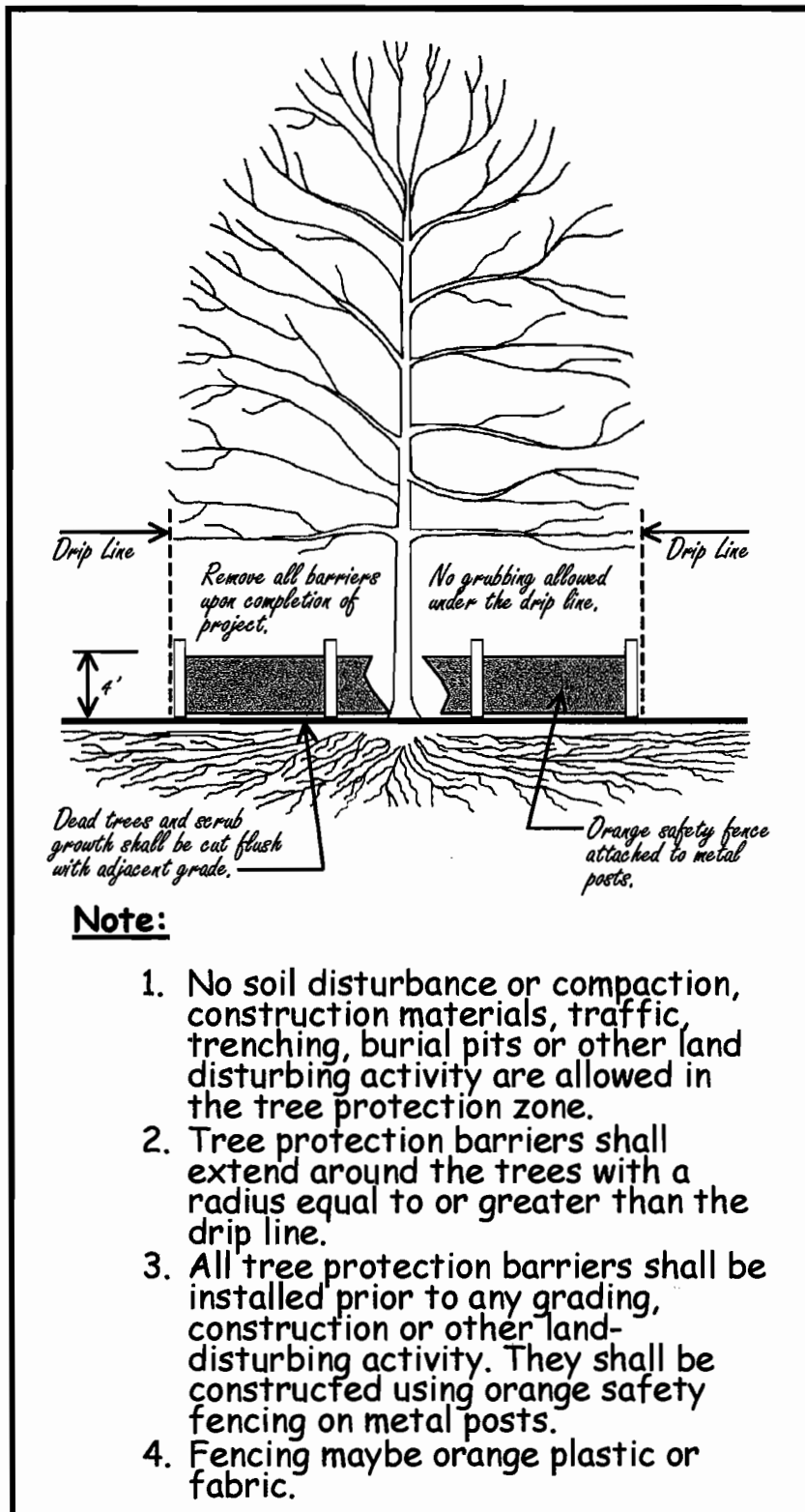


Figure 6, Page 14

10 Foot Planting Strip

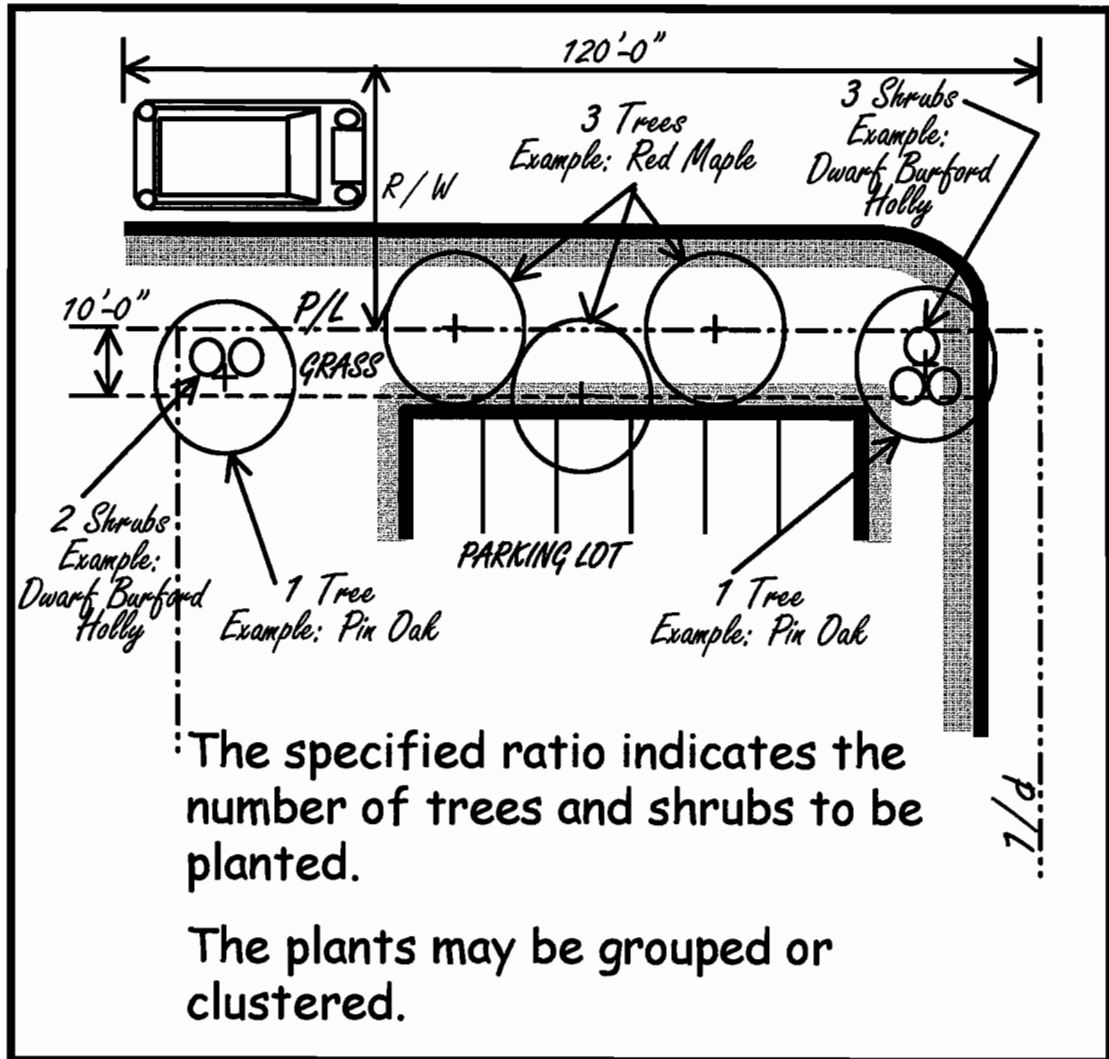
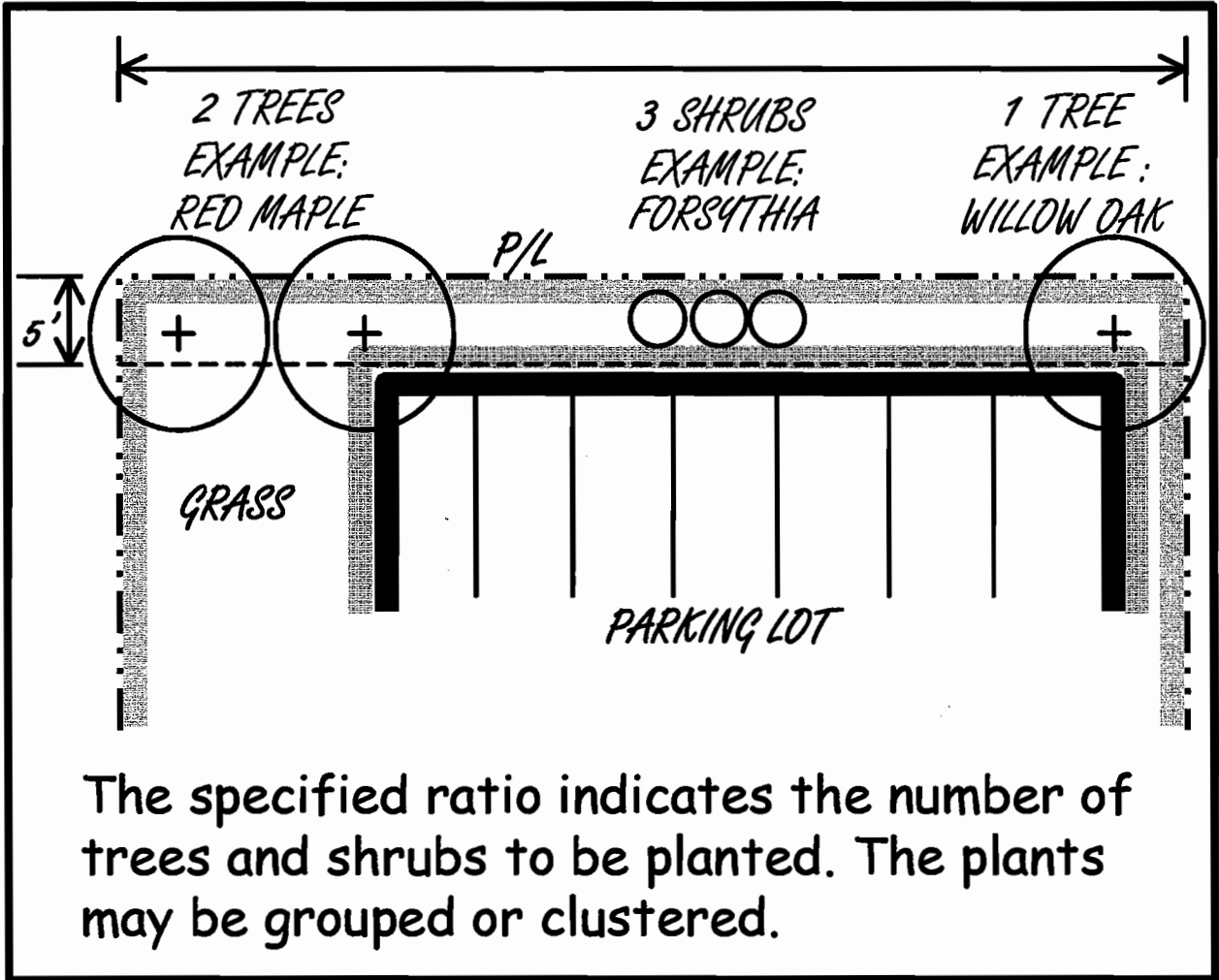


Figure 7, Page 16

5 Foot Planting Strip



Easement Exclusion

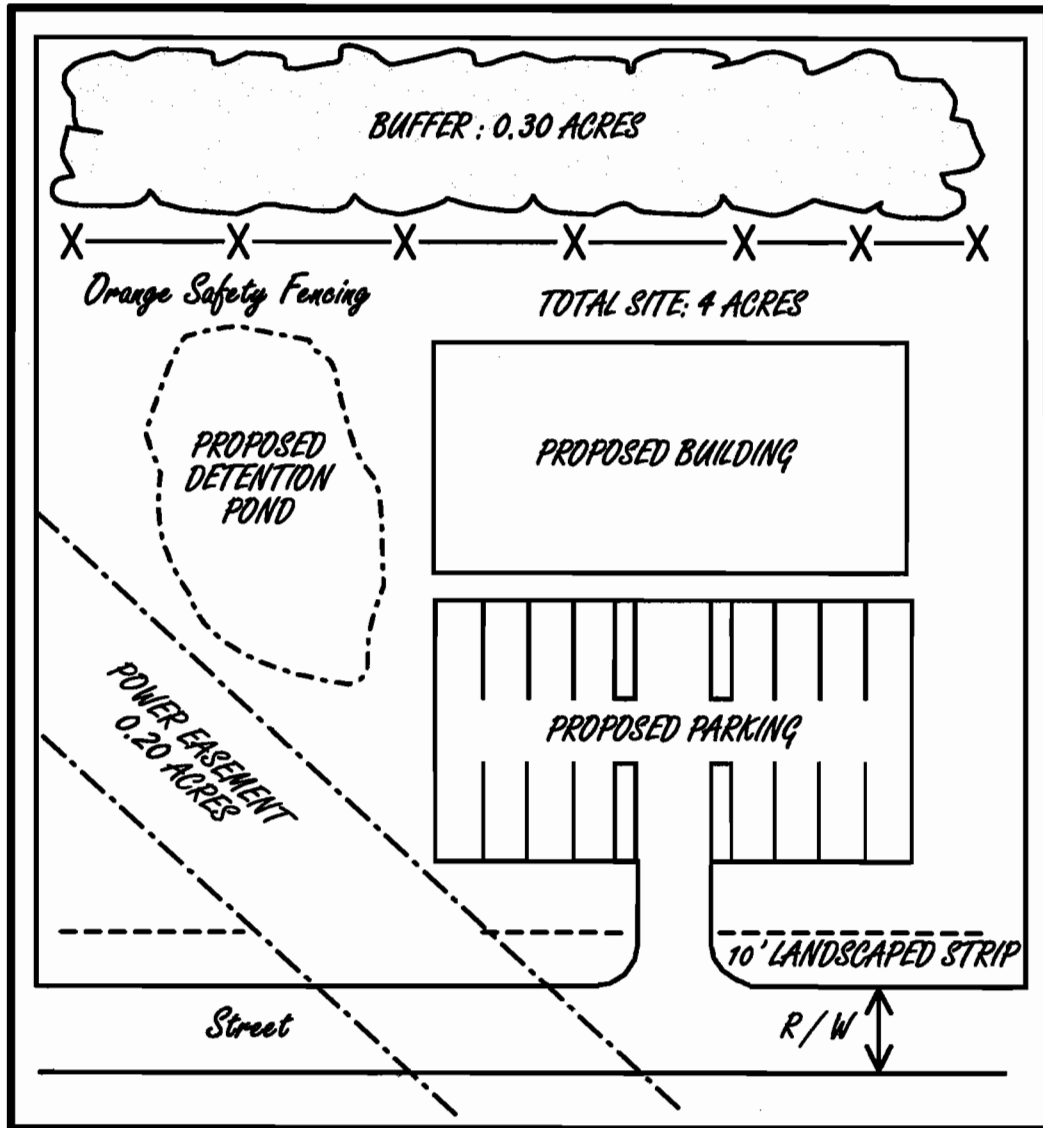


Figure 10, Page 22

Gwinnett County Buffer, Landscape & Tree Ordinance
Index of Illustrations

Examples of Permit Cards

**GWINNETT COUNTY
LAND DISTURBANCE PERMIT**

DEPARTMENT OF PLANNING & DEVELOPMENT
 500 LAWRENCE SQUARE
 LAWRENCEVILLE, GA 30045
 770-622-7500

PERMIT NUMBER: _____

ISSUE DATE: _____

PROJECT NAME: _____

OWNER'S DESCRIPTION: _____

DESIGNER'S NAME: _____

Clearing Clearing & Grubbing Grubbing

Other (If applicable): _____

For inspection reports or information, call the Department's permit section at 770-622-7500, extension 720, or visit us on-line.

All work shall be done in accordance with the plans and documents approved by the Department of Planning & Development. The permit shall expire unless the holder notifies the Department in writing of an extension of the permit. The holder shall be liable for any and all damages or injuries to persons or property caused by the permit holder or anyone acting under the permit holder's direction.

ISSUE DATE: 01/15/2014 10:00 AM

A. Land Disturbance Permit

Clearing, Clearing & Grubbing, or Grubbing
 (Green Background)

B. Development Permit

**GWINNETT COUNTY
DEVELOPMENT PERMIT**

DEPARTMENT OF PLANNING & DEVELOPMENT
 500 LAWRENCE SQUARE
 LAWRENCEVILLE, GA 30045
 770-622-7500

PERMIT NUMBER: _____

ISSUE DATE: _____

PROJECT NAME: _____

For inspection reports or information, call the Department's permit section at 770-622-7500, extension 720, or visit us on-line.

All work shall be done in accordance with the plans and documents approved by the Department of Planning & Development. The permit shall expire unless the holder notifies the Department in writing of an extension of the permit. The holder shall be liable for any and all damages or injuries to persons or property caused by the permit holder or anyone acting under the permit holder's direction.

ISSUE DATE: 01/15/2014 10:00 AM

(Orange Background)

C. Building Permit

**GWINNETT COUNTY
BUILDING PERMIT**

DEPARTMENT OF PLANNING & DEVELOPMENT
 500 LAWRENCE SQUARE
 LAWRENCEVILLE, GA 30045
 770-622-7500

BLD

PERMIT NUMBER: _____

ISSUE DATE: _____

PROJECT NAME: _____

OWNER'S DESCRIPTION: _____

DESIGNER'S NAME: _____

Residential Commercial Industrial

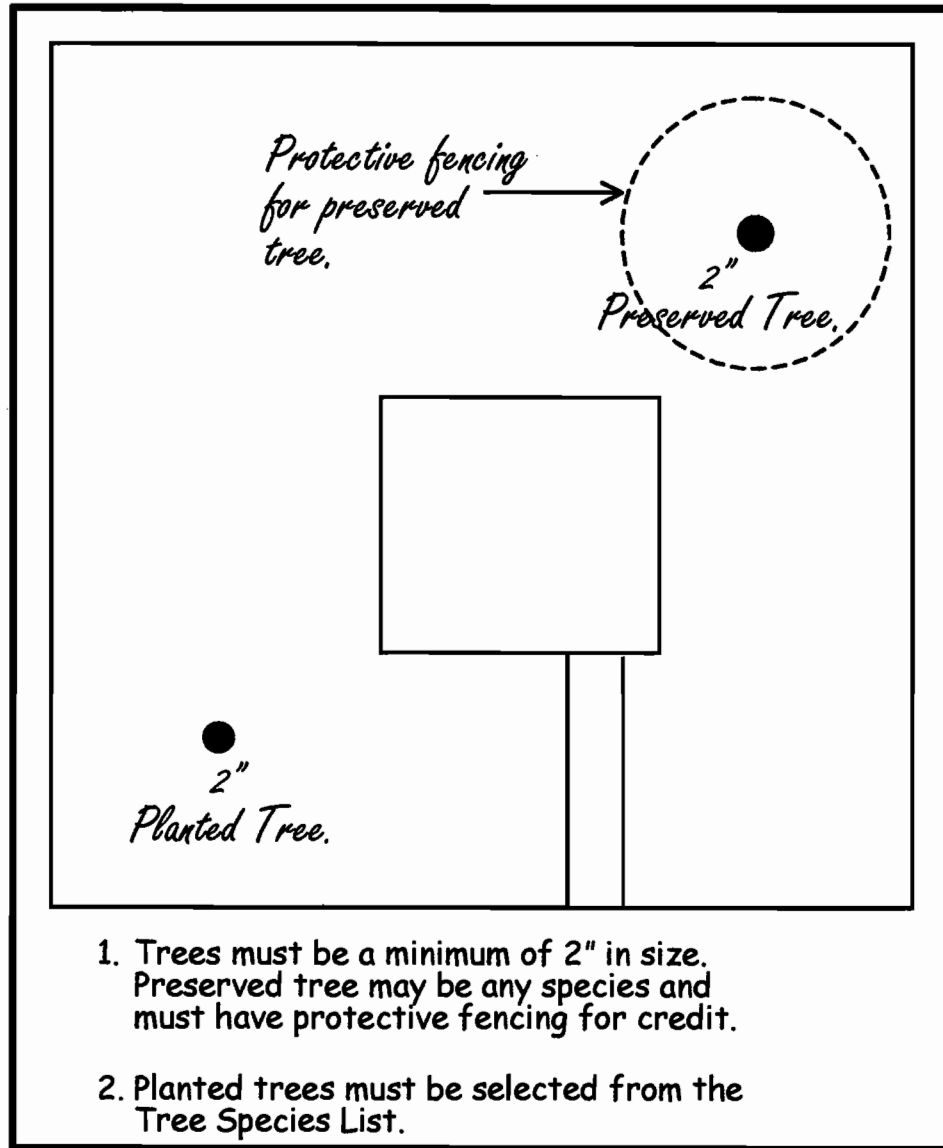
For inspection reports or information, call the Department's permit section at 770-622-7500, extension 720, or visit us on-line.

All work shall be done in accordance with the plans and documents approved by the Department of Planning & Development. The permit shall expire unless the holder notifies the Department in writing of an extension of the permit. The holder shall be liable for any and all damages or injuries to persons or property caused by the permit holder or anyone acting under the permit holder's direction.

ISSUE DATE: 01/15/2014 10:00 AM

(Yellow Background) Residential

Individual Lot Tree Planting



Street Trees

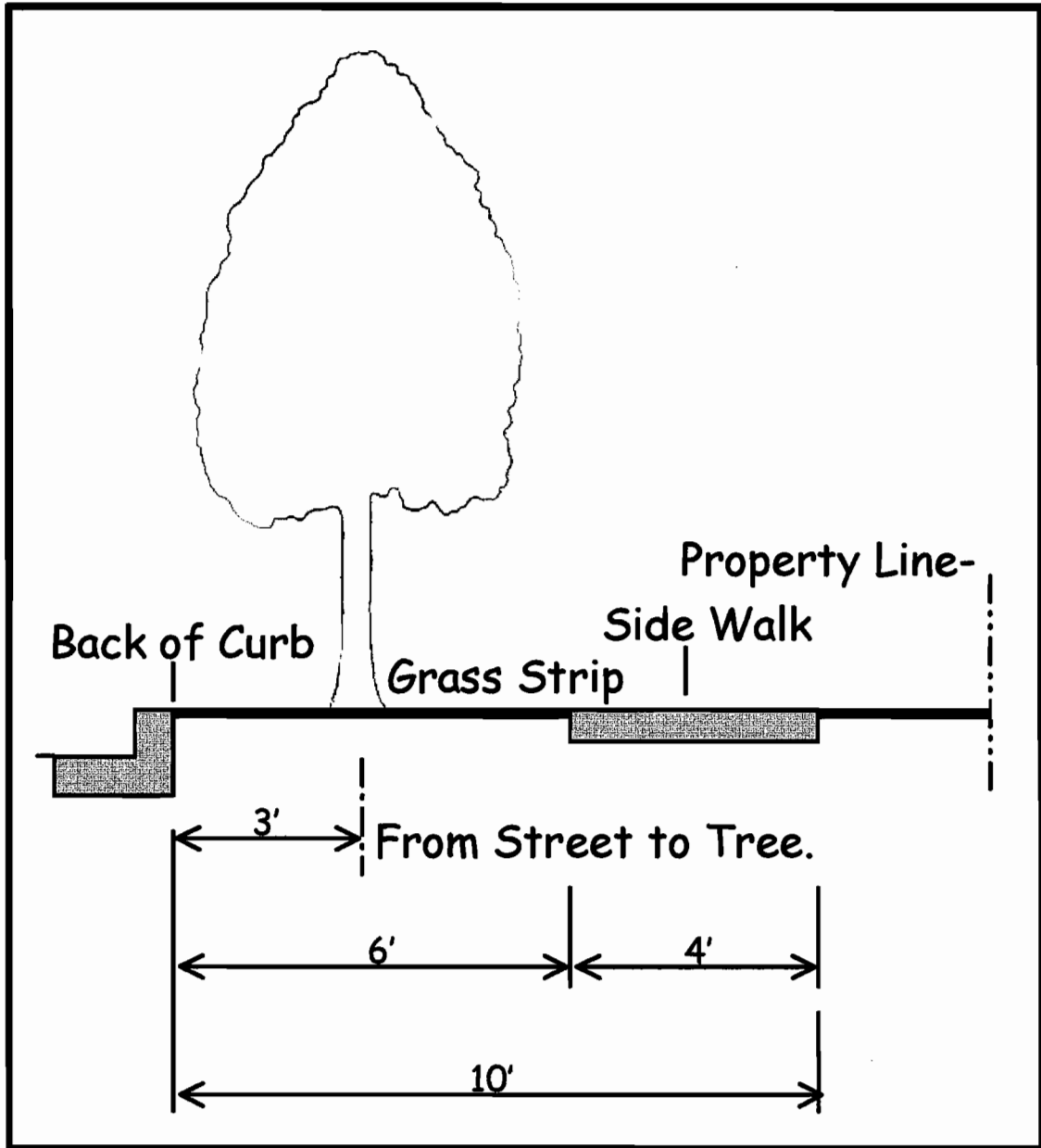
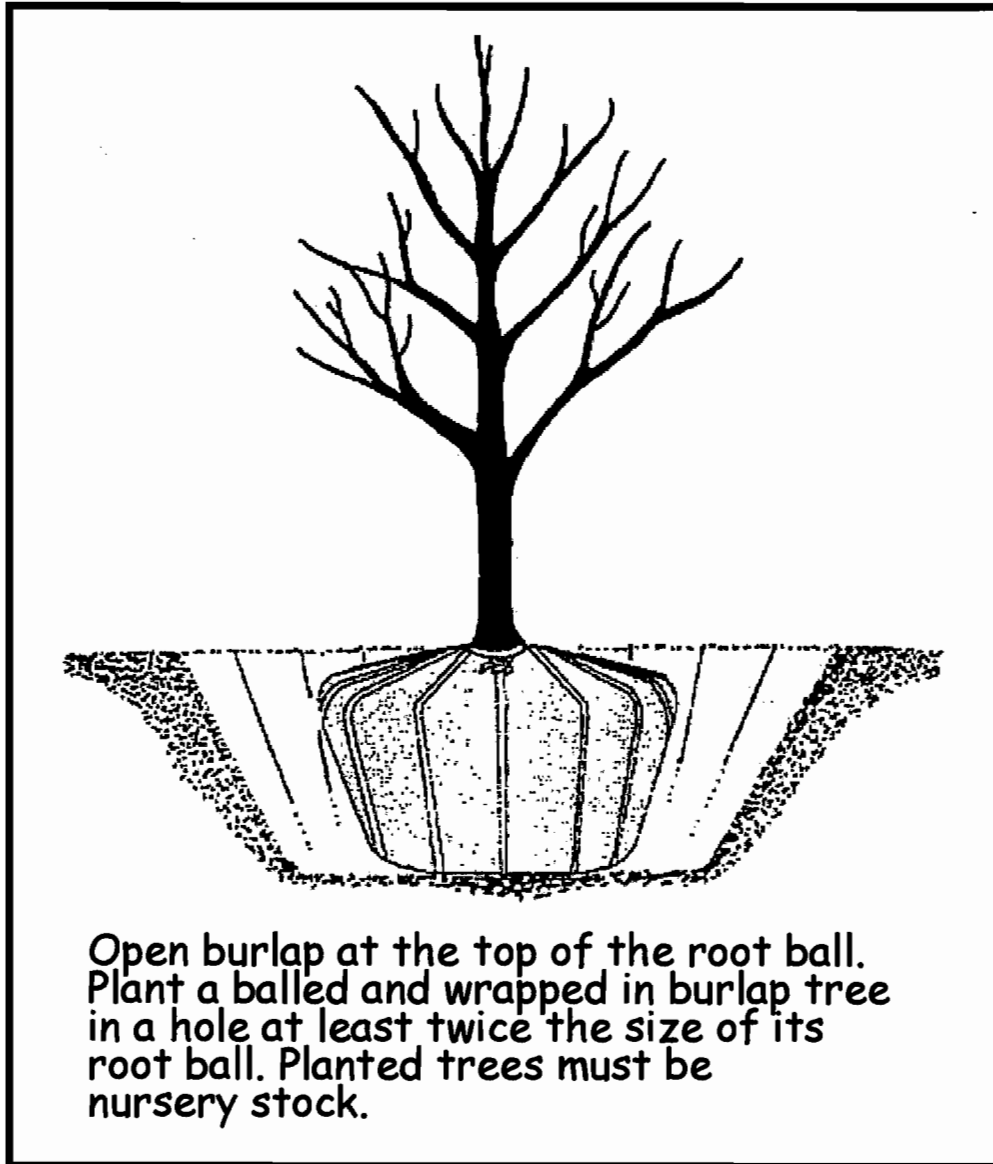


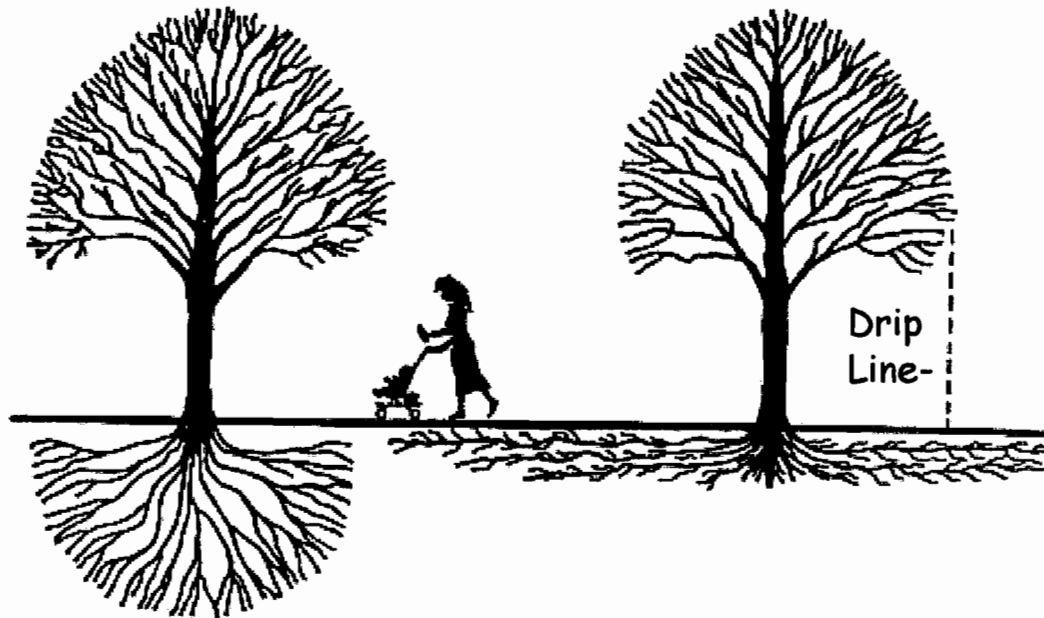
Figure 13, Page 25

Correct Planting Method



Tree Roots

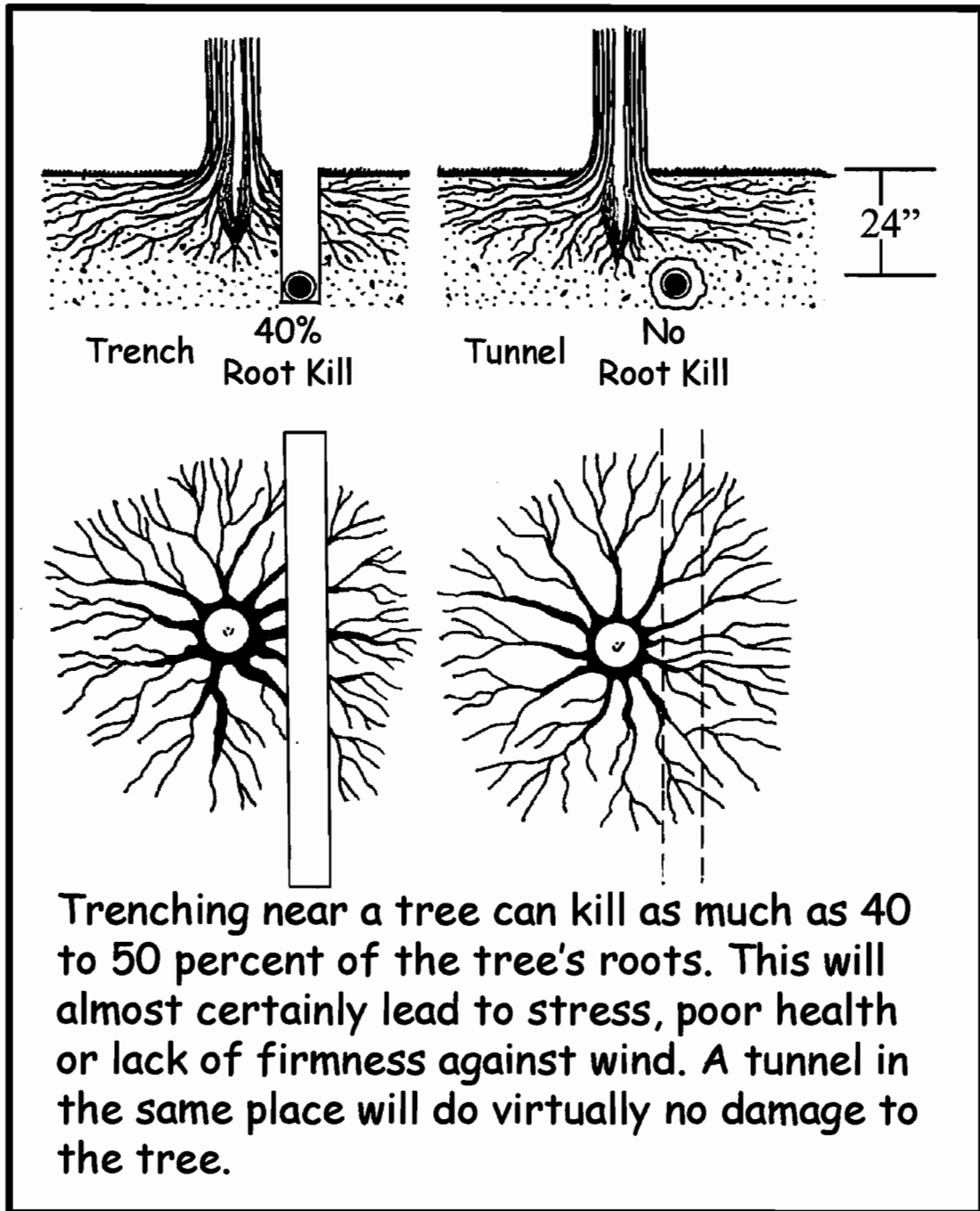
Tree roots are not an underground reflection of the crown.



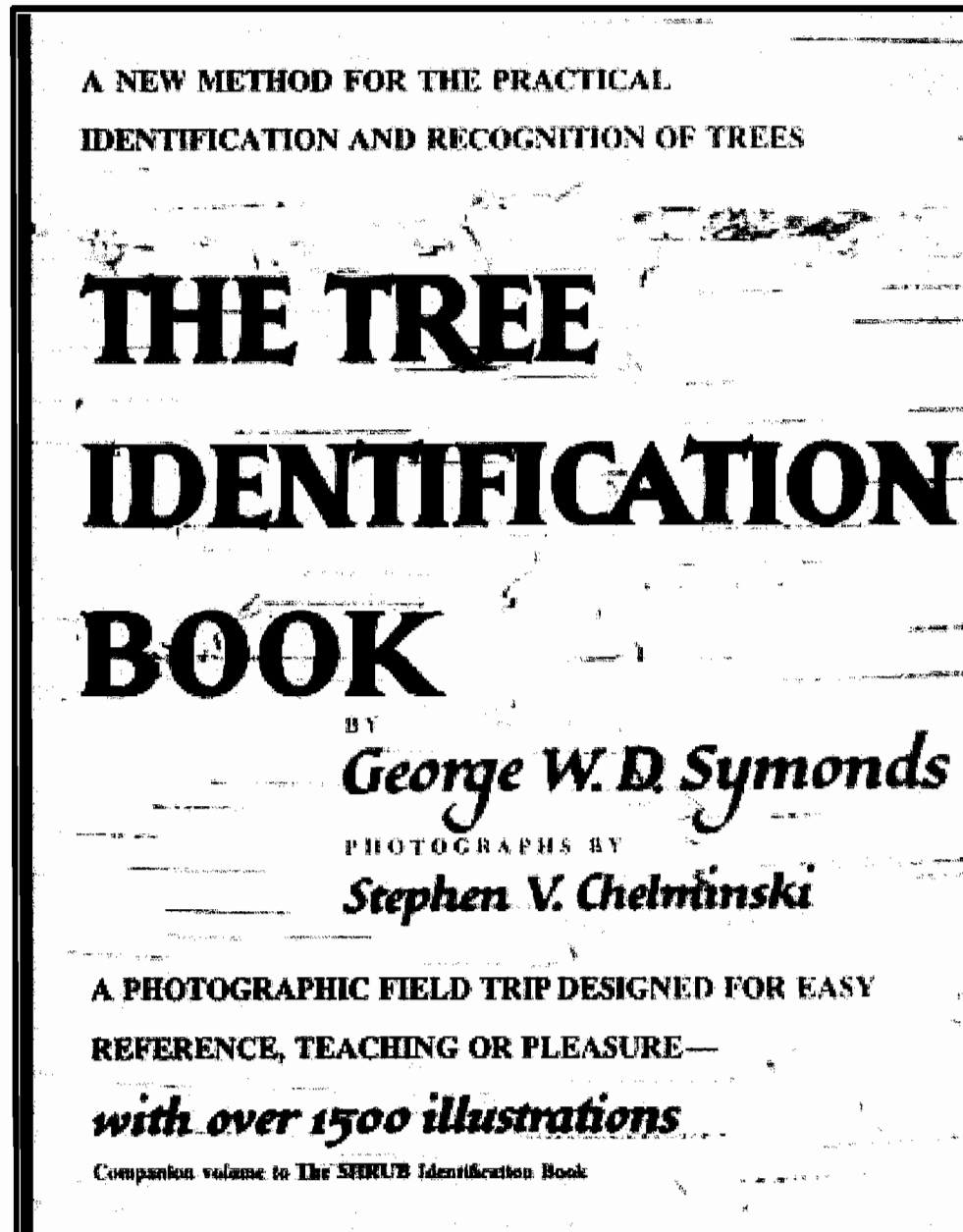
NOT TRUE:
This artist's concept regrettably shows how many people envision a tree's root system. Most species do not even have a tap root, and only under rare circumstances would roots appear like this.

MORE LIKELY:
Roots spread where soil conditions allow access to soil nutrients, moisture and sufficient air. This results in about 85 percent of a tree's roots being in the top 18 inches of soil.

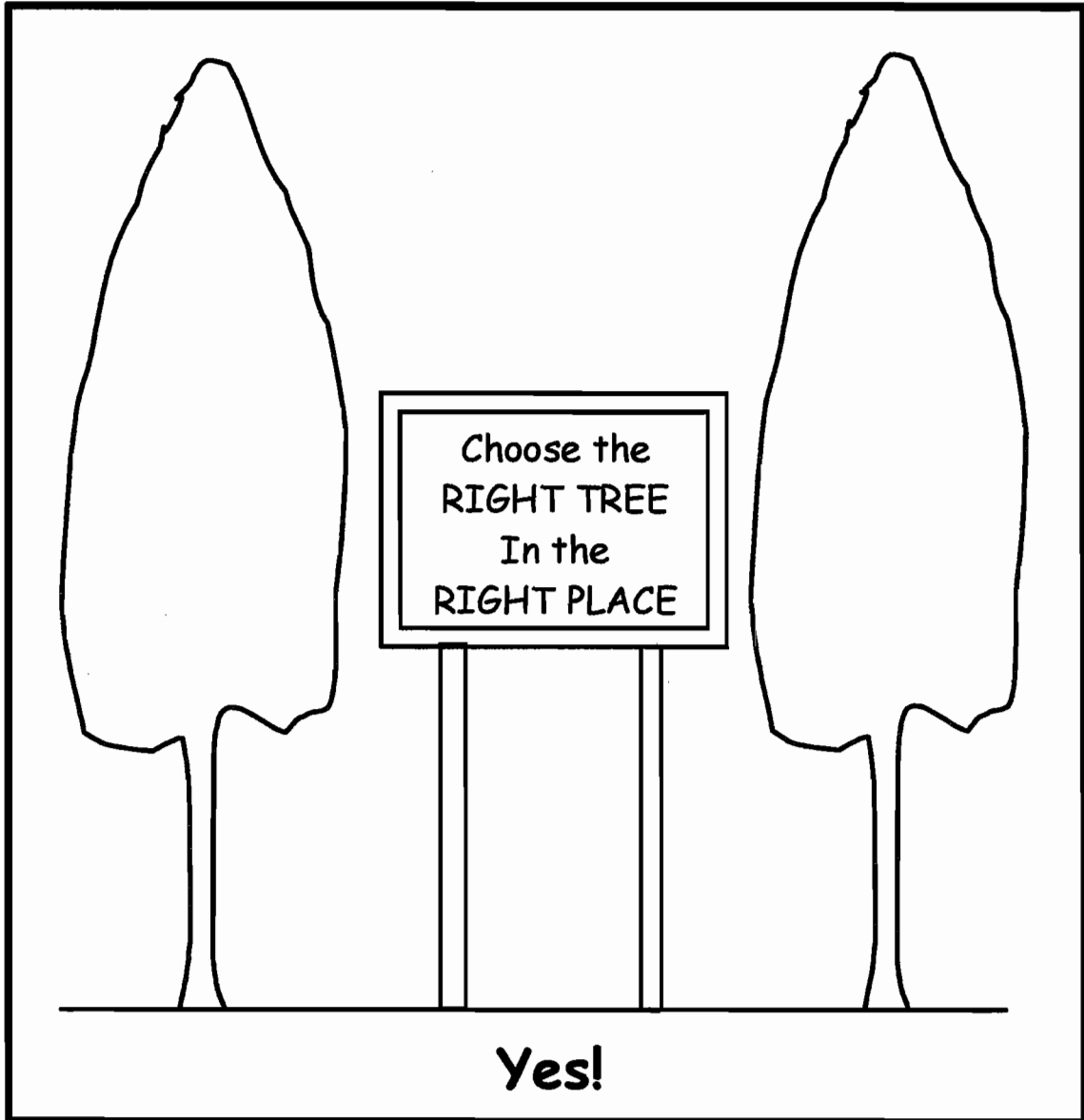
Why Tunneling Save Trees



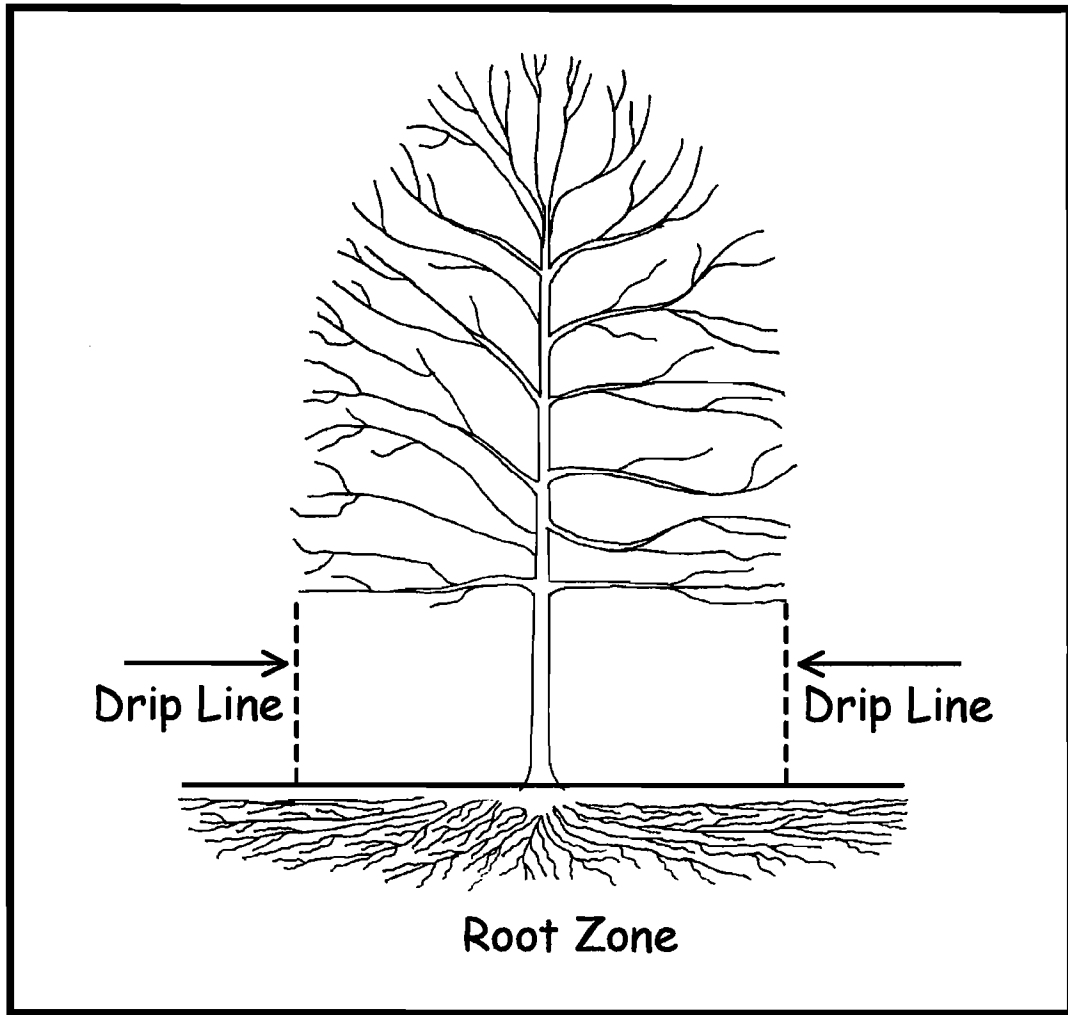
Where can I find more information?



Avoid Tree / Sign Conflicts



Dripline and Root Zone



Index of Illustrations

Summons

County of Gwinnett

State of Georgia

NO. P- _____ Date _____, 19____

GWINNETT COUNTY PLANNING AND DEVELOPMENT
CITATION, SUMMONS, ACCUSATION

TO: _____

ADDRESS: _____

CITY: _____ ZIP: _____

ZC CASE NO. _____

BUISNESS LIC. NO. _____

PROJECT NAME / NO. _____

LOCATION OF VIOLATION _____

SUMMONS - YOU ARE HEREBY COMMANDED to appear
at the RE _____ COURT OF GWINNETT COUNTY to
be held in La _____, Georgia at

Gwinnett Justice and Administration Building,
75 Langley Drive

At _____ o'clock AM PM on the _____ day of
_____, 19____ to answer a charge that on or about the
_____ day of _____, 20____

You did:

Inspection / Enforcement Officer

Title

Division

COURT COPY



GWINNETT COUNTY
Department of Planning & Development
One Justice Square
446 West Crogan Street
1st Floor, Suite 150
Lawrenceville, Georgia 30045
Phone: 678.518.6000 Fax: 678.518.6240
www.gwinnettcountry.com

Tree Removal Information for Homeowners in Gwinnett County

Common Questions Homeowners Ask About Tree Removal

Q1. Do I have to obtain a permit to cut down a tree on my property?

A1. Probably not; individual homeowners are not required to obtain a tree removal permit unless that tree is located in a required Zoning Buffer, Conservation or Open Space, or designated Tree Save Area.

Q2. How do I find out if I have a buffer, Open Space, Conservation or Open Space, or Tree Save areas on my property?

A2. Obtain a copy of the Final Plat of your subdivision. The information you will need is listed or shown on the plat.

Q3. Where do I go to obtain a copy of the final plat of my subdivision?

A3. Go to the Deed Records Office of the Clerk of Superior Court, Gwinnett Justice & Administration Center, 75 Langley Drive, Lawrenceville, Georgia, (phone 770.822.8150). There is a charge of \$2.00 per oversized copy.

Q4. What if the tree is dead or dying and it is located in a Buffer, Open Space, Conservation Space, or Tree Save area?

A4. Contact your Property Owners Association for tree removal. Also, consult the protective covenants for your subdivision for guidelines. Gwinnett County cannot enforce Protective Covenants.

Q5. How do I find out the zoning of my property?

A5. With your address and/or the district, land lot & parcel number of your property, call the Current Planning Section at 678.518.6200 or visit their office at One Justice Square, 446 West Crogan Street, 2nd Floor, Suite 225, Lawrenceville.

Q6. What if my neighbor's tree fell onto my property?

A.6. Georgia case law says that whoever owns the property from which the tree trunk originated is the person or parties responsible for removal. Please talk to your neighbor.

Q7. Do my trees located on my property have to be dead before I remove them?

A7. No. A homeowner can remove trees from their property provided they are not located in a required Zoning Buffer, Conservation or Open Space, or Tree Save Area.

Q8. What do I do if a tree located on my property has fallen?

A.8. Call a tree removal service. One source is the Yellow Pages. Call an arborist. A listing can be found at www.isa-arbor.com.

Q9. What do I do if a street tree has fallen which originated in the street right-of-way?

A9. Find out whether it is a Gwinnett County road or a State of Georgia highway. For the Gwinnett Department of Transportation, call 770.822.7400. For the Georgia Department of Transportation, call 404.656.5267.

Situations where individual homeowners can remove trees without a permit from Gwinnett County: (Reference: Soil, Erosion Control, Ordinance Article III, Section 3.1, Paragraph 3)

1. Any tree located on residentially zoned property of an individual homeowner.
2. Any dead or dying tree in a stream buffer if that buffer is on your property.

Situations where an individual homeowner cannot remove trees: (reference: Zoning Resolution Section 606, Zoning Resolution Article III, and Zoning Resolution Section 1316.6B)

1. Any tree located in a required Zoning Buffer, Conservation or Open Space, or Tree Save Area.
2. Any tree that is not located on your own property or that is located in an Open Space, Conservation Space, or Tree Save area.

Tree Removal where a permit is required:

1. Any property located in a Commercial, Industrial, Office or Multifamily Zoning District when a tree falls and is dead, dying, or diseased.
2. Steps to obtaining a permit if a property is in that zone
 - a. Provide a letter from a Certified Arborist, Gwinnett County Cooperative Extension Agent, or Certified Forester.
 - b. Submit a site plan, which shows a closed boundary survey of property with any required buffers indicated.
 - c. Show trees to be removed.
 - d. Show trees to remain with tree protective fencing surrounding the drip line of the tree.
 - e. Show tree protection fence on site plan.
 - f. Bring the completed site plan to: Development Review Section, One Justice Square, 446 West Crogan Street, 1st Floor, Suite 150, Lawrenceville. Call: 678.518.6010.
 - g. Bring the site plan along with the letter from a Certified Arborist, Forester, or County Extension Agent. Visit the Development Review Section of Planning & Development to obtain the permit.