

# **City of Homerville**

**Clinch County**

**Not located in a MSA.**

**2003 Population Estimate 2,813; +0.6% change from 2000 Census.**

**Not a Tree City USA.**

**No tree board established by ordinance.**

## **TREE ORDINANCE**

**Adopted 2003.**

**Addresses public property and private property.**

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## HOMERVILLE TREE ORDINANCE

### 1. Statement of Purpose

Trees improve air and water quality, reduce soil erosion, reduce noise and glare, provide a habitat for desirable wildlife, moderate the climate, and enhance community image and property values. Therefore, the city finds that the preservation of existing trees and promotion of new tree planting is a public purpose that protects the public health, welfare, environment and aesthetics of the city and all its citizens.

### 2. Definitions

(a) Overstory trees: Those trees that compose the top layer or canopy of vegetation and will generally reach mature height of greater than 40 feet. Examples include, but are not limited to, pines, certain palms, pecan, oak, cypress, elms, and magnolias.

(b) *Exceptional tree: Any tree or collective group of trees, determined by the Homerville City Counsel to qualify for special consideration for preservation due notable historic interest, high aesthetic value or of unique character due to size, age, type and condition.*

(c) Tree: Any self-supporting, woody perennial plant usually having a single trunk diameter of 3 inches or more which normally attains a mature height of a minimum of 15 feet.

(d) Understory trees: Those trees that grow beneath the overstory, and will generally reach a mature height of under 40 feet. Examples include, but are not limited to, dogwood, redbud, certain palms and crape myrtle.

### 3. Applicability

The terms and provisions of this Ordinance shall apply to any new development within the city, both public and private. It shall also apply to any existing *commercial or industrial establishment* when any modifications are made to parking lots, including resurfacing, or entrances.

### 4. Minimum Tree Density Requirements

(1). All commercial, industrial and residential sites within the city shall maintain a minimum tree density of twenty (20) trees per acre. The density may be achieved by counting existing trees to be preserved, by planting new trees to be preserved, or by a combination of the two. The property owner may base the density calculation on the net site area, excluding the infrastructure improvements (roads, utility lines, etc.) and buffer zones. A parking lot will not be considered an infrastructure improvement.

(2). Trees replanted to achieve density requirements are to be planted at the ratio of not less than one overstory tree for every three understory trees. Density may be met by planting all overstory trees, but not by planting only understory trees. The selection of trees should include more than one species. A portion of the replanted trees shall be located along the street depending upon the street footage of the property.

(3). All reasonable efforts will be made to save specimen trees. Reasonable efforts shall include, but not be limited to, alteration of building design alternate location of building, parking area, or relocation of utilities.

## **5. Alternative Compliance to Tree Density Requirements**

(1). The intent of this Ordinance is to ensure that a ~~minimum~~ density of trees is maintained on all developed sites. Occasionally, this intent cannot be met because a site will not bear the required density of trees. To provide an alternative in such cases, at the discretion of the city council, the company or individual may donate to the City at a rate of \$30 for each tree that cannot be placed on the developed site. The City will use these funds for the sole purpose of planting trees on public property within the City.

(2). In no instance shall 100 % of the required site density be met through alternative compliance. As many trees as can reasonable be expected to survive must be planted on the site in question.

## **6. Tree Replacement**

Trees selected for replanting must be free from injury, pests, disease, root defects and must be in good vigor in order to assure a reasonable expectation of survivability. All replanted overstory trees shall be a minimum of 8 feet tall and all replanted understory trees shall be a minimum of 6 feet tall. All replacement trees shall be maintained properly to ensure their survivability.

## **7. Tree preservation and replacement plan**

*Means a plan and supporting documentation which describes a particular site which is to be developed or to which modifications are to be made to the parking lot of a commercial or industrial establishment. This plan should include all structures, hard surface featured, utilities, landscaping areas, trees to be preserved and trees to be replaced. The plan should also describe the particular site as it exists prior to new development or prior to modification.*

## **8. Development and Modification Permits**

*Development or modification activities shall not commence until they have been authorized by the Homerville City Counsel and the appropriate development or modification permit has been issued. Application for Development and Modification permits must include a Tree Preservation and Replacement Plan*

## **9. Penalty**

Any person, firm or corporation in violation of any provision of this ordinance shall be punished by a fine set by the Municipal Court Judge at a rate of \$100 per tree per month until such time as the property owner complies with the requirements in this ordinance. Said fine will attach to the property if not paid within 60 days.

HOMERVILLE TREE ORDINANCE  
CITY OF HOMERVILLE, GEORGIA

This Ordinance Shall Take Effect On This 23<sup>rd</sup> day of October, 2003.

  
\_\_\_\_\_  
Carol Chambers, Mayor

  
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Willie Hardee, Councilmember

  
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Marie Barclay, Councilmember

  
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June McLaine, Councilmember

  
\_\_\_\_\_  
Gail DeLoach, Councilmember

  
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Shirley Delk, City Clerk