

City of Pembroke

Bryan County
Savannah MSA

2003 Population Estimate 2,414; +1.8% change from 2000 Census.

Tree City USA for 3 years.

City Tree Board with 8 members; no meeting frequency required by ordinance.

Tree Ordinance

First adopted 2002. No revisions.

Addresses public and private property.

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Attachment "A" Inventory of Designated Grand Protected Trees

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City Clerk

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THE CITY OF PEMBROKE TREE ORDINANCE

ORDINANCE # _____

- I. Purpose:** It is the purpose of this ordinance to promote and protect the public health, safety, and general welfare by providing for the regulation of the planting, maintenance, and removal of trees within the City of Pembroke, Georgia by:
- (a) Maintaining the environmental and aesthetic benefits that trees provide;
 - (b) Improving the appearance of vehicular and pedestrian use areas;
 - (c) Providing buffers for different land uses to eliminate or minimize potential nuisances such as dust, litter, noise, glare of lights, signs and unsightly buildings or parking areas; and
 - (d) Protecting and conserving property values within the City of Pembroke
- II. Authority:** The authority for the establishment and creation of the City Tree Board is derived from the provisions of Article IX, Section 2, Paragraph IV and Article IX, Section 2, Paragraph II of the Constitution of Georgia of 1983.
- III. Power:** There is hereby created and established a City Tree Board for the City of Pembroke, which shall consist of the Mayor and Council, the Chairman of the Planning and Zoning Commission, and a resident citizen appointed at large by the Mayor and City Council. Members of the Board shall serve without compensation; the City will reimburse however reasonable expenses incurred from the fulfillment of Board responsibilities. The City Tree Board shall be the responsible entity for all issues concerning trees.
- IV. Terms of Office:** The Mayor, Council Members, and the Chairman of the Planning and Zoning Commission shall serve concurrently as members of the City Tree Board. The appointed citizen will serve a term of three years. The Mayor and City Council shall assign the citizen member. In the event of a vacancy, a successor shall be appointed for a full three-year term.
- V. Exemptions:** The regulations set forth herein shall apply to all real property within the City of Pembroke, subject to the following exemptions:
- (a) Residential. Lots equal to one (1) acre or less that are zoned for residential use shall be exempt from the provisions of this ordinance, except for designated grand trees.
 - (b) Existing Residential. Lots larger than one (1) acre with residential structures existing as of the date of this ordinance shall be exempt from the provisions of this ordinance, except for designated grand trees.
 - (c) Commercial Timber Operations. Commercial timber operations shall be exempt from the provisions of this Ordinance. The City encourages the retention of a thirty-foot (30') buffer of existing trees adjacent to all public rights-of-way.
 - (d) Wetlands Mitigation. The mitigation of wetlands pursuant to an approved plan from the US Army Corps of Engineers (COE) shall be exempt for the provisions of this Ordinance.
 - (e) Commercial Tree Operation Exemption. Trees grown specifically for sale by commercial nurseries are exempt from the provisions of this Ordinance.
 - (f) Agricultural or silviculture exemption. Any *bona fide* agricultural or silviculture use, in operation prior to the effective date of adoption of this Ordinance, shall be exempt from this Ordinance.

VI. Applicability: This Ordinance provides full power and authority over all trees, plants and shrubs located within public street rights-of way, parks and public places of the city; and to trees located on private property proposed for development; if said property does not fall within one of the exemptions listed above.

VII. Definitions:

1. **Arborist.** Means a person or firm, possessing a current State of Georgia or City of Pembroke business license, who has been trained in the business of diagnosing, treating, pruning and removing trees, including landscape architects and persons with a formal knowledge of trees, such as Cooperative Extension Service agents. Also includes foresters registered with the Georgia Secretary of State's Office.
2. ***Bona fide* agricultural use.** Means a parcel zoned for agricultural use under the City's Zoning Ordinance, which has greater than fifty percent (50%) of the parcel in active agricultural production.
3. **City Arborist.** Means arborist selected by City to render decisions on issues concerning trees within the City of Pembroke.
4. **Commercial Nursery.** Means an ongoing business for the planting, growing and sale of plants and trees. A commercial nursery does not include an ongoing silviculture operation (tree farming).
5. **Commercial Timber Operation.** Means property that, on the effective date of this Ordinance, is being used to raise, harvest or produce trees for commercial marketing. The burden shall be upon the owner to establish this use through evidence such as prior leases or marketing agreements, the actual planting of trees for harvest, or other evidence to prove a commercial timber operation.
6. **Designated Grand Tree.** Means a tree twenty-four inches (24") or greater DBH and listed in the officially adopted City of Pembroke Inventory of Grand Trees.
7. **Diameter Breast Height (DBH).** Means the total diameter, in inches, of a tree trunk or trunks (in the case of trees with multiple trunks) measured four and one-half feet (4 ½ ') above existing grade.
8. **Drip Line.** Means an imaginary line that extends downward from the outermost branches of a tree to the ground.
9. **Fence or Wall.** Means a structural device erected to serve as an architectural element, landscape element, screen or barrier.
10. **Grade.** Means the natural elevation of the ground.
11. **Ground Cover.** Means low growing plant material less than eighteen inches (18") in height.
12. **Protective Barricade.** Means a physical structure not less than four feet (4') in height, limiting access to protected designated grand trees. A suitable protective barrier shall be composed of wood or other durable material that insures protection of protected designated grand trees during development.
13. **Screening.** Means the use of landscape planting, fences, walls or other structures to obscure vision of an unsightly or undesirable land use or structure and to minimize the intrusion of lighting on neighboring property.
14. **Silviculture.** Means the cultivation of a forest for the purpose of harvesting timber.
15. **Wetland.** Means land that falls under the jurisdiction of one or more of the following agencies: the Georgia Department of Natural Resources or the United States Army Corps of Engineers (US COE)

VIII. Tree Removal Restrictions.

- (a) Protection of Designated Grand Trees. The City of Pembroke shall establish an inventory list of Designated Grand Trees (see attachment "A") to be included as part of this ordinance. The removal, relocation, destruction or abuse in any manner of any Designated Grand Tree without prior approval of the City Tree Board is prohibited on any parcel of non-exempt land (see above). For new subdivisions, the division of property so that a lot would place a grand tree at or near the center of a lot in a location that would require the removal of the grand tree for construction of a dwelling unit, shall be discouraged.
- (b) Protected Trees Prior to Development. Where a building permit or subdivision approval has not been issued, the removal, relocation, destruction or abuse in any manner of more than twenty-five percent (25%) of the large trees (6" or greater DBH) on any one (1) parcel of non-exempt land within any five (5) year period shall be prohibited
- (c) Protected Trees During Development. For parcels of land proposed for development, large trees (6" or greater DBH) on the entire parcel shall be saved wherever possible, with a goal of preserving most of the large trees on the property. Designated Grand Trees shall be preserved unless specifically condemned by the City Tree Board.
- (d) This Ordinance shall not restrict the ability of the City Of Pembroke, public utilities and electric suppliers from maintaining safe clearance around utility lines.

IX. Tree Survey Requirements.

- (a) Application for subdivision approval. Application for subdivision approval where Designated Grand Trees are to be impacted shall require the following information in addition to the site plan or plat information required by the City of Pembroke Subdivision Regulations.
- (b) A tree survey overlay on the plat that locates all Designated Grand Trees identified by species. All tree surveys for subdivisions involving the construction of road or drainage easements shall be performed by an approved arborist and shall have an accuracy of plus or minus three feet (+3') and will indicated the limits of areas proposed to be clear-cut for proposed structures, improvements, rights-of-way and easements. Clear cutting beyond the limits as shown on the plat or site plan shall not be permitted.
- (c) A tree protection plan showing how Designated Grand Trees located in the development areas are to be protected during development in accordance with the standards set forth in Section X of this ordinance.

X. Tree Protection Requirements.

For all new construction in Subdivisions of five lots or more, protective barricades shall be placed around all Designated Grand Trees located in development areas prior to the start of development activities, and shall remain in place until development activities are complete or construction in accordance with standards set forth in this Section commences. The area within the protective barricade shall remain free of all building materials, dirt or other construction debris, vehicles and development activities. Barricades shall be erected at a minimum distance from the base of protected trees and grand trees according to the following standards: Designated Grand Trees shall have a protective barricades shall provide a diameter of protection around the tree equal in feet to the diameter breast height of the tree (i.e., a 24" diameter tree would require a 24 foot diameter protective barricade).

- (a) Construction within the protective barricade. Proposed changes in grade or construction of impervious surface or utilities within the required protected barricade may be permitted providing that the City Tree Board, prior to beginning construction, approves

all changes in grade or construction within protected zones. Plans must be submitted which illustrate in detail protective measures necessary to protect the trees.

- (b) All pruning of Designated Grand Trees shall be done by a licensed tree service during development according to the National Arborists Association, Pruning Standards for Shade Trees.

XI. Parking Lot Landscaping Requirements. All new parking lots greater than one-quarter acre in size shall require the installation and maintenance of landscaping pursuant to this ordinance. Proposed improvements to properties developed prior to (effective date of this ordinance) shall only require landscaping for the section(s) of the lot being improved, unless the cost of the proposed building additions and site improvements exceeds fifty percent (50%) of the current value of the existing land and improvements thereon, in which case the entire lot shall be brought into compliance with landscaping requirements of this ordinance.

- (a) Plan review and approval requirements. Whenever any property is affected by this article (one-quarter acre or larger parking lot), the property owner or developer shall submit a landscaping plan for review and approval by the City Tree Board. The contents of the plan shall include the following:

1. Layout of all off-street parking and loading areas, including the location of entry and exit points, the internal vehicular circulation pattern and the location and dimension of required parking and loading spaces;
2. Location and dimensions of existing and proposed streets and highways;
3. Location, name (botanical and common), size and spacing of all plant materials to be retained and proposed plantings and screenings.
4. Locations of walls, fences and railings and an indication of their height and construction materials;
5. Details illustrating landscaping installation.

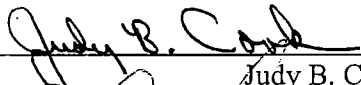
- (b) No building permit or subdivision plat approval shall be issued until the required parking lot landscaping plan has been submitted and approved.

XII. Enforcement: The City arborist or other designated representative shall have the power to enforce the rules, regulations and specifications concerning protection of Designated Grand Trees, tree surveys, tree identification and installations of tree protective barriers. The review of plans for parking lots and other development plans that require tree protective measures shall be the responsibility of the City Tree Board. All tree protection plans will be submitted to the City Tree Board.

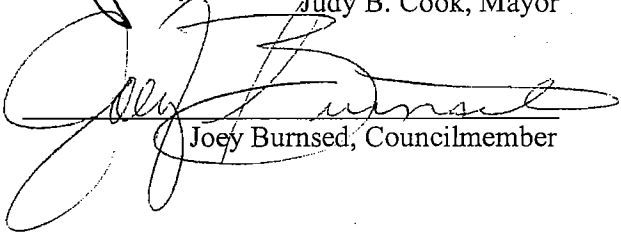
XIII. Penalties and Appeals: Any person who violates any provision of this ordinance or who fails to comply with any notice issued pursuant to this ordinance, upon being found guilty of violation in municipal court shall be subject to a fine not to exceed \$500 for each separate offense. Each day during which violation of the provisions of this ordinance shall occur or continue shall be a separate offense. An alternative to the assessment of a fine is the replacement of the damaged or removed trees or shrubs. The violator will be assessed the evaluation and the money will be paid to the City to purchase and plant replacement trees. The value of trees shall be determined in accordance with the latest revision of *A Guide to the Professional Evaluation of Landscape Trees, Specimen Shrubs, and Evergreens*, as published by the International Society of Arboriculture. Any adjudication of a violation of this ordinance may be appealed to state court.

XIV. Amendment Procedure: This ordinance may be amended at any time pursuant to the procedures utilized by the City when amending any ordinance.

XV. **Adoption:** This Tree Ordinance is hereby adopted this 9 day of September 2002, and becomes effective immediately because the health, safety and general welfare of the City requires such.




Judy B. Cook, Mayor



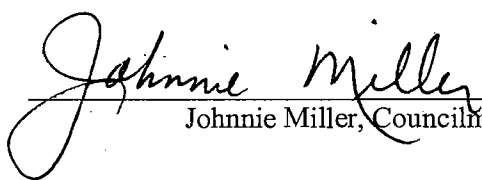
Joey Burnsed, Councilmember

Randall Butler, Councilmember

Ernest Hamilton, Councilmember

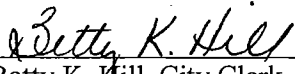


Elijah Lewis, Jr., Councilmember



Johnnie Miller, Councilmember

ATTEST:



Betty K. Hill, City Clerk

CITY OF PEMBROKE

Inventory of Designated Grand Protected Trees

Tree Ordinance # _____
Attachment "A"

Grand Protected Trees are defined as those trees of 24" or greater diameter (approximately 75.4" circumference) at "breast height" (4' above ground level).

The following is a preliminary inventory of Grand Protected Trees in the City of Pembroke, which was compiled by sight survey from public right of way. It is not intended to be a complete list of those qualifying trees, but only a starting list to which additional trees will be added as they are brought to the attention of the city government. Additional trees may be added to this list by a majority vote of the Tree Board.

Railroad Street

Live Oak Memorial Park centerpiece
Live Oak #175 Railroad Street
Water Oak #227 Railroad Street (NE Corner of lot)
Live Oak #227 Railroad Street (NW Corner of lot)
Pecan Lot at corner of Railroad and Bucks Lane (south side of lot)
Live Oak #249 Railroad Street (west side of log house lot)
Live Oak #249 Railroad Street (north side of log house lot)
5 Pecans large lot at southwest corner of Ledford and Railroad streets
Live Oak north side of Railroad at intersection of Railroad and Lanier streets

Bacontown Road

Live Oak at NW corner of intersection with Garrison/Clanton streets
Live Oak #55 Bacontown Road (eastern edge of lot)

Clanton Street

Live Oak 265 Clanton Street (with neighborhood watch sign)
Pecan in front of H.J. Duggar Garden Shed

Garrison Street

Live Oak middle of lot 50' west of intersection with Cherry Street
Live Oak Garrison Street near intersection with Cherry Street and cable box #19
White Cedar Garrison Street next to fire hydrant east of South Poplar intersection
Sycamore NW corner of 75 Garrison Street
White Cedar NW corner of intersection of Garrison and Ledford streets

South Poplar Street

White Cedar in front of 314 S. Poplar Street
Slash Pine marked with a white blaze in front of 300 S. Poplar Street
Slash Pine at west side of S. Poplar at intersection with Benton St./cable box 19-1-7

Gibson Street

3 Pecans Gibson Street side of city property behind State Farm office
Pecan 21 Gibson Street

Benton Street

Live Oak 302 Benton (at intersection with Kent Street)

Mary Street

Pecan west side of 51 Mary Street

Surrency Street

2 Live Oaks Across the street from church at 116 Surrency Street

South Main Street (Hwy. 119)

Live Oak 306 South Main Street
Pecan at cable box 004 (marked with white wooden crosses)
Live Oak 170 South Main Street
Water Oak 170 South Main Street
Live Oak 294 South Main Street (front yard)
Live Oak 294 South Main Street (rear yard)
Live Oak across the street from 514 South Main Street

North Main Street (Hwy. 67)

Live Oak 124 North Main Street
Live Oak at BCES Ballfield on North Main (damaged tree at bend in sidewalk)
Live Oak 67 North Main Street (west side of road)
Live Oak across from 124 North Main Street
3 Live Oaks 153 North Main Street
Pecan beside Butler's Oil and Lube (Strickland Street Ext. side)

Hwy. 280 (Bacon Street)

Live Oak Christian Church (front yard)
Live Oak on south side of road at intersection of Bacon and Strickland streets
Live Oak American Legion Hall (front yard)
Live Oak American Legion Hall (east side yard)
Live Oak The Deck at College Street intersection
Sycamore in front of Pembroke Telephone at intersection with Warnell Street
Live Oak corner of Harvey Street and West Bacon (near First Bank)
Sweet Gum 484 West Bacon Street
Red Cedar behind Pembroke Propane offices (440 West Bacon)
Pecan behind Pembroke Propane offices (440 West Bacon)

Speir Street

Water Oak 980 Speir Street

Lanier Street

Slash Pine east side of Lanier between pool and Inns of Pembroke

South College Street

2 Water Oaks on either side of College Street gate to Burnsed's property

Magnolia at Southeast corner of intersection of Lydia and S. College streets

North College

4 Pecans Pembroke United Methodist front yard

Live Oak behind Pembroke United Methodist

Live Oak behind Pembroke United Methodist social hall

Live Oak Pickett Park (across from fire house)

3 Live Oaks Cooperative Extension Service

Georgia Street

Magnolia back of 40 Georgia Street (Bashlor Lane)

Pecan back of 40 Georgia Street (Bashlor Lane)

Park Avenue

Magnolia behind 130 Park Avenue

Magnolia front of 129 Park Avenue

Live Oak 153 Park Avenue

Pecan at corner of Park and Madison streets

Ann Street

2 Water Oaks 90 Ann Street

Madison Street

Water Oak on right at end of dead end of Madison

Anderson Lane

Slash Pine 31 Anderson Lane

Warnell Avenue

Live Oak 146 Warnell Avenue

Burkhalter Street

Slash Pine east side of 202 E. Burkhalter Street

White Cedar corner of East Burkhalter and Madison streets

3 Live Oaks 530 West Burkhalter Street

Pecan 541 West Burkhalter Street

Slash Pine corner of North Poplar and West Burkhalter streets

Sweet Gum 395 West Burkhalter Street

Pecan behind 290 West Burkhalter (at corner with Mikell Street)
Live Oak north side of Burkhalter Street at intersection with Harvey Street

Camellia Drive

Water Oak Southwest corner of 276 Camellia Drive
Live Oak 602 Camellia Drive
Red Maple in front of student parking lot of BCHS
Live Oak in front of faculty parking lot of BCHS

Payne Road

Water Oak in front of silo at 539 Payne Drive

Bedingfield Road

3 Live Oaks at intersection with Payne Road at edge of peanut field

Ash Branch Road

Red Cedar 109 Ash Branch Road
Live Oak 972 Ash Branch Road
Live Oak/Pine joined trees at 569 Ash Branch Road
Water Oak McCoy property (29 Owens Road) beside Ash Branch
Pecan 1436 Ash Branch Road

Patterson Street

Pecan corner of Patterson at 286 Harry Hagan Road

Miles Road

Live Oak 116 Miles Road

Sims Road

Live Oak 2260 Sims Road
Live Oak 2363 Sims Road

Smith Street

Pecan 167 Smith Street
Pecan eastern side of 195 Smith Street
Live Oak across the street from entrance to Northwood Apartments
2 Live Oaks either side of street at 28 Smith Street

Strickland Street

Live Oak side lot of 688 Strickland Street
3 Live Oaks 229 Strickland Street
Live Oak 80 Strickland Street
2 Pecans 135 Strickland Street
3 Live Oaks 160 Strickland Street
Pecan 229 Strickland Street
Live Oak 397 Strickland Street

2 Live Oaks 226 Strickland Street (beside house)

Church Street

Live Oak 223 Church Street

Pecan at intersection of Church and Anderson Lane (no trespassing sign on tree)

Live Oak 75 Church Street

Live Oak 203 Church Street