

# City of Sandersville

Washington County

Not located in a MSA.

2003 Population Estimate 5,981; -3.1% change from 2000 Census.

Tree City USA for 14 years.

City Tree Board with 10 members; semi-annual meetings required by ordinance.

## CHAPTER 5 Trees and Shrubs

First adopted 1994. Year last revised unknown.

Addresses public and private property.

### TABLE OF CONTENTS

ARTICLE A	General Provisions
Section 8-5-1	Short Title.
Section 8-5-2	Intent.
Section 8-5-3	Objectives.
Section 8-5-4	City Tree Board, establishment and duties.
Section 8-5-5	Definitions.
Section 8-5-6	General exemption.
Section 8-5-7	Replacement trees.
Section 8-5-8	Tree density required.
Section 8-5-9	Enforcement.
Section 8-5-10	Appeals and penalties.
Section 8-5-11	Conflict.
Section 8-5-12	Severability.
Sections 8-5-13 – 8-5-20	Reserved.
ARTICLE B	Tree Protection on Public Rights-of-way and Other Public Lands
Section 8-5-21	Applicability.
Section 8-5-22	Approval procedures.
Section 8-5-23.	Maintenance of public trees.
Sections 8-5-24 – 8-5-30	Reserved.
ARTICLE C	Tree Protection on Private Property
Section 8-5-31	Exemptions.

Preferred that contact  
information not be published.

## **ARTICLE A General Provisions**

### **Sec. 8-5-1 Short title.**

This article shall be officially known as the "Tree Ordinance" of the City of Sandersville.

### **Sec. 8-5-2 Intent.**

It is the intent of this article to provide standards for the preservation of trees as part of the land development and building construction process; to protect, preserve and promote the aesthetic appeal, character and value of the city; and to promote public health and safety through the reduction of noise, storm water run-off, air pollution, visual pollution and artificial light glare. Any burden imposed by this article should be compensated for by the resulting increases in property values, commercial activity and economic development.

### **Sec. 8-5-3 Objectives.**

The objectives of this article are to protect, maintain, and enhance both the immediate and long term health, safety and general welfare of the citizens of the City; following objectives support this purpose by encouraging a productive balance between development and nature:

- (1) To encourage preservation of trees and prevent unreasonable or unnecessary damage to the City's existing tree canopy;
- (2) To promote and enhance the natural value of trees which contribute to the enhancement of public and private property values, contribute to air purification, oxygen regeneration, groundwater recharge, storm water runoff control, noise abatement, to the reduction of energy needed for heating and cooling, and glare;
- (3) To promote energy conservation by maximizing the shading and cooling effects of trees;
- (4) To preserve a portion of existing trees and to ensure that local stock of native trees is replenished;
- (5) To maintain natural beauty in developed areas by promoting the preservation and replanting of trees.

### **Sec. 8-5-4 City Tree Board, establishment and duties.**

- (1) Establishment. There is hereby established a City Tree Board for the City, which shall be appointed by the City Council.
  - (a) The City Tree Board shall consist of ten (10) members.
  - (b) Ex officio members of the Board shall be the City Manager, the County Forester and the County Agent.
  - (c) Tree Board members shall serve without compensation.
- (2) Duties. Among other duties, said Board shall present short and long range planning recommendations to the Mayor and the City Council no less than once each calendar year, in

writing; and

(a) The Tree Board shall meet from time to time as convened by any six (6) members, or by the Chairman, but in all events shall convene and meet no less than twice annually.

(b) Said Tree Board shall supersede and succeed the duties of the present City Tree Committee.

(Ord. of 6/1/98)

### **Sec. 8-5-5 Definitions.**

As used in this article, the following terms shall mean as follows:

*Building area.* That portion of a site upon which development may or does occur.

*Caliper.* The diameter of a tree, which shall be measured twelve (12) inches above the soil line for trees required to have a four-inch or greater caliper; or, for smaller trees, which shall be measured six (6) inches above the soil line, except that grafted trees shall be measured one (1) inch above the graft union if union can be seen. Measurements of one-half ( 1/2) inch or more are rounded to the next higher caliper.

*Certificate of occupancy.* A certificate issued by the building inspection department certifying that all requirements for development or redevelopment of property have been met and authorizing occupancy of buildings and structures.

*Clearing.* The removal of a tree of four-inch DBH or greater.

*Crown.* The main point of branching or foliage of a tree, or the upper portion of a tree canopy.

*DBH (Diameter at breast height).* The diameter of a tree measured at a breast height of fifty-four (54) inches above the ground. If a tree splits into multiple trunks below fifty-four (54) inches, then the trunk is measured at its most narrow point beneath the split. Measurements of one-half ( 1/2) inch or more are rounded to the next higher DBH.

*Developed area.* The site upon which any building, structure, pavement, landscape material, storm water facility, or other improvements, has been or will be placed.

*Development or development activity.* As defined in land disturbance activity below.

*Land disturbance activity.*

- (a) The new construction or installation of a structure or parking lot; or
- (b) Clearing, or otherwise removing trees (four (4) inches or greater) on a site; or
- (c) Adding removing, exposing, excavating, leveling, grading, digging, burrowing, dumping, piling, dredging, or otherwise significantly disturbing the soil of a site, which would affect trees.

*Land disturbance approval.* An official authorization issued by the City allowing the commencement of any land disturbance activities.

*Person.* Any individual, landowner, lessee, building contractor, developer or other entity involved in the use of real property, including agents, employees, independent contractors or other in privity with any of the above, whether natural persons, corporations, partnerships, joint ventures or governmental bodies, agencies or officials.

*Preserved tree.* Any tree indicated on a site development plan that is to be protected during land disturbances for incorporation into the final landscaping.

*Site.* The total area within the property boundaries of a principal parcel to be developed, or

contiguous parcels intended for development under a common scheme or plan.

*Specimen tree.* Any tree or grouping of trees which has been determined to be of a high value because of its specific size, age, or other professional criteria. Pecan trees are not be included in this definition.

*Tree.* Any woody plant that normally grows to an overall height of fifteen (15) feet and develop an average mature spread of crown of twelve (12) feet in the Washington County area.

*Tree credit (tree density factor).* A numerical representation used to assign values to trees of various sizes to calculate either credit against reforestation requirements, as in the case of trees protected during the development process, or to determine the extent of replanting required, as in the case of protected trees. (See § VIII B)

*Tree removal.* Removal of a tree means any act which causes a tree to die within a period of two (2) years, including but not limited to:

- (a) Damage inflicted upon the root system by machinery, storage of materials, or soil compaction;
- (b) Changing the natural grade of the root system within the drip line;
- (c) Excessive pruning; paving with concrete, asphalt, or other impervious materials within such proximity as to be harmful to the tree.

#### **Sec. 8-5-6 General exemption.**

Utility companies and governmental agencies constructing or maintaining easements for water, sewer, electricity, gas, drainage, television or telephone transmission shall be exempt from the provisions of this article if the applicable company or agency has executed an agreement with the City which, at a minimum:

- (1) Recognizes the need to minimize the cutting or trimming of trees and specimen trees;
- (2) Establishes, design guidelines for construction and maintenance which identifies the saving of trees and specimen trees as a factor to be considered in the design process;
- (3) Requires a consultation process with the City Engineer before the commencement of a major construction project, or maintenance, or the removal of trees and specimen trees;
- (4) Provides that a breach of such agreement constitutes a violation of this article and a loss of exemption from the requirements of this article.
- (5) All pruning of trees shall comply with the National Arborist Association, Pruning Standards for Shade Trees.

#### **Sec. 8-5-7 Replacement trees.**

Replacement trees shall be from the accepted species list (as listed in the University of Georgia Cooperative Extension Service Bulletin Number 625, "Landscape Plant Material for Georgia"), and shall be a mixture of appropriate species from that list. At least twenty-five (25) percent shall be from the large tree category, unless existing trees remaining on site satisfy the large tree requirement.

#### **Sec. 8-5-8 Tree density required.**

(1) Tree density required. Land cleared for development, or land being proposed for development shall have, after development, not less than fifteen (15) units per acre tree density on a given site. No credit shall be given to trees that are not on the recommended list without prior approval of the City Engineer. Not less than one-third ( 1/3) of the tree density shall be located on the front fifty (50) feet along the length of the public road frontage and twenty-five (25) percent of that shall be in the large tree variety. If in fact this creates a hardship, then the developer must meet with the City Building Inspector and Sandersville Tree Board to work out a suitable compromise.

(2) Calculation of required tree density units.

Step 1--Multiply the number of acres of site, larger than one (1) acre, by ten (10) to get required units. On sites of one (1) acre or less multiply the number of acres of the site by ten (10) to get required units. (Example: A 2.2 acre site requires 33 units)  $2.2 \times 15=33$ .

Step 2--Locate trees to remain on site, and measure DBH to those trees. Convert diameter in inches DBH to density units, using Table 1.

Step 3--Calculate any necessary replacement units by subtracting Step 2 from Step 1. Go to Table 2 for density units for replacement trees.

TABLE 1. EXISTING TREES TO REMAIN

(Conversion from DBH to density follow units for trees remaining on-site.)

TABLE INSET:

DBH	UNITS	DBH	UNITS	DBH	UNITS	DBH	UNITS
1	.4	14	2.5	27	6.4	40	10.3
2	.5	15	2.8	28	6.7	41	10.6
3	.6	16	3.1	29	7.0	42	10.9
4	.7	17	3.4	30	7.3	43	11.2
5	.8	18	3.7	31	7.6	44	11.5
6	.9	19	4.0	32	7.9	45	11.8
7	1.0	20	4.3	33	8.2	46	12.1
8	1.1	21	4.6	34	8.5	47	12.4
9	1.2	22	4.9	35	8.8	48	12.7
10	1.3	23	5.2	36	9.1	49	13.0
11	1.6	24	5.5	37	9.4	50	13.3
12	1.9	25	5.8	38	9.7		
13	2.2	26	6.1	39	10.0		

TABLE 2. REPLACEMENT TREES

(Conversion from caliper to density factor units for replacement trees)

TABLE INSET:

CALIPER	UNITS
1	.4
2	.5
3	.6

4	.7
5	.8
6	.9
7	1.0

(3) Parking lots of more than one hundred (100) parking spaces.

a. Where the tree density requirements have been met by trees left on the site, the parking lots shall be designated as to place additional trees to break up the large expanse of the paved area.

b. On sites where the tree density criteria has not been met, the site shall be so designed as to plant some of the trees in the large expanse of the paved parking lot to meet the required tree density units.

c. As a general design criteria for a. and b. above, it is the intent of this article to require the planting of suitable trees in the parking lot so as to avoid large expanses of pavement and create an environment where the trees will survive and thrive.

d. Multi-level or covered parking areas are exempt from the requirements of this subpart (3).

(Am. Ord. of 6/1/98; Ord. of 8/21/01)

### Sec. 8-5-9 Enforcement.

It shall be the duty of the City Building Inspector to enforce this chapter. The Building Inspector shall have the authority to revoke, suspend or void any land disturbance approval and shall have authority to stop work or suspend all work at a site or any portion thereof. Each preserved tree removed without approval, shall constitute a separate offense.

### Sec. 8-5-10 Appeals and penalties.

(1) Any appeals from the decision of the Building Inspector or his designee about placing a stop work order on a site, or the granting of building permit, or final occupancy permit, shall be taken to the City Council. The appeal shall be filed with the City Clerk, in writing, not less than twelve (12) calendar days prior to the meeting at which the appeal shall be heard and shall specify the reason for the appeal. The appeal shall be heard at the next regularly scheduled meeting of the City Council.

(2) Violations of this chapter or failure to comply with any of the requirements hereof shall be punishable by a fine, which shall not exceed two hundred dollars (\$200.00) for each violation of the tree ordinance. Additionally, damages to the trees shall be repaired to the maximum extent feasible.

If preserved trees are removed with the approval of the Building Inspector, the number of required tree credits in the tree density criteria shall be doubled.

### Sec. 8-5-11 Conflict.

Where these provisions conflict with other landscape provisions contained within the zoning ordinance, the stricter provisions shall govern.

**Sec. 8-5-12 Severability.**

Each separate provision of this chapter is deemed independent of all other provisions herein so that any portion or provision of this article be declared invalid, all other provisions thereof shall remain valid and enforceable.

Secs. 8-5-13--8-5-20 Reserved.

## **ARTICLE B Tree Protection on Public Rights-of-way and Other Public Lands**

### **Sec. 8-5-21 Applicability.**

The provisions of this article apply to any land disturbing activities affecting trees on public right-of-ways or other public lands.

### **Sec. 8-5-22 Approval procedures.**

Requests for pruning, removal and replanting of trees shall be forwarded to the Building Inspector for approval.

### **Sec. 8-5-23 Maintenance of public trees.**

All pruning and tree caring of preserved trees shall be done in accordance with the National Arborists Association, Pruning Standards for Shade Trees.

Secs. 8-5-24--8-5-30 Reserved.

**ARTICLE C Tree Protection on Private Property****Sec. 8-5-31 Exemptions.**

This article is subject to the following exemptions:

- (1) Residential exemption. All single-family and duplex lots in any zone where permitted by the City Zoning Ordinance.
- (2) Agricultural exemption. Any land zoned agricultural shall be exempt from the provisions of this chapter.
- (3) Commercial timber operations. Commercial timber operations and normal silvicultural practices, shall be exempt from the provisions of this chapter.
- (4) Commercial tree operations. Trees grown specifically for sale, such as Christmas trees and nursery stock, are exempt from the provisions of this chapter.
- (5) In the event that any tree shall be determined to be imminently hazardous or dangerous condition so as to immediately endanger the public health, safety or welfare or cause imminent harm to a building, and requires immediate trimming or removal (in some cases), without delay, verbal authorization may be given by the Building Inspector or his designee and the tree trimmed or removed in other cases where trimming will not remove the imminent danger.
- (6) During the period of an emergency such as a flood, ice storm, thunderstorms, windstorms, tornados, or any other act of nature, the requirements of this article may be waived by the Building Inspector or his designee.
- (7) Any and all areas of the City zoned I-1 or I-2, which includes any and all areas zoned Industrial shall be exempt from this chapter.

**Sec. 8-5-32 Clearing approval procedure.**

- (1) Approval required for land disturbance activity. Except for the exemptions stated above, a property owner shall not commence any land disturbance activity on his/her property without first obtaining a Land Disturbance Approval.

Applications for approval for land disturbance activities shall be submitted by the lead owner or an authorized agent on a form provided for this purpose. Such applications shall be submitted to the Building Inspector along with all required attachments.

- (2) All plans and related documentation shall be reviewed by the Building Inspector for conformance to the provisions of this article and either approved, returned for revisions, or denied within fourteen (14) days of receipt. If denied, the reason for denial shall be annotated on the plan or otherwise stated in writing.
- (3) A tree protection plan shall show:
  - a. The location of existing and proposed buildings, parking, and other pertinent areas of development.
  - b. The location and species of all trees to be retained on the site for which tree density credits are to be claimed. Applicant shall make a reasonable effort to save large trees on site.

- c. The location of all trees to be planted on the site for which tree density credit are to be claimed, giving their respective species.
  - d. All tree protective measures to be utilized for trees that are to remain on site.
- (4) If a tract is to be developed in phases, then a separate approval shall be required for each phase as appropriate.

**Sec. 8-5-33 Off-site tree replanting requirements.**

On sites to be developed with fewer than one hundred (100) parking spaces, when it is impractical to meet the criteria for replanting on the confines of the property to be developed, the applicant shall provide for replanting to occur on other properties within the City, public or private, that are acceptable to the Building Inspector and Sandersville Tree Board provided all other requirements are met.

(Ord. of 8/21/01)

**Sec. 8-5-34 Building permits and occupancy permits.**

No building permit shall be issued unless and until a land disturbance approval has been secured. A final occupancy permit shall not be issued until the application is in compliance with this chapter upon final inspection or that provisions satisfactory to the Building Inspector have been made for compliance, in no event more than six (6) months after occupancy.

**Sec. 8-5-35 Tree maintenance.**

Care and maintenance of trees is encouraged to minimize health and safety risks.