



CITY OF  
*Savannah*

## LANDSCAPE AND TREE PROTECTION ORDINANCE

April 16, 2015

Savannah, Georgia, Code of Ordinances

DIVISION II - CODE OF GENERAL ORDINANCES

Part 8 – PLANNING AND REGULATION OF DEVELOPMENT

CHAPTER 11. - LANDSCAPE AND TREE PROTECTION ORDINANCE

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8-11001. - Title.

8-11002. - Jurisdiction.

8-11003. - Purpose.

8-11004. - Definitions.

8-11005. - General Provisions.

8-11006. - Permit Application Requirements.

8-11007. - Tree Protection Requirements.

8-11008. - Design Requirements.

8-11009. - Requirements for Certificate of Occupancy, Maintenance and Perpetual Compliance.

8-11010. - Variance and Appeal Procedures.

8-11011. - Notice of Violation; Remediation and Stop Work.

8-11012. - Penalties for Violation.

8-11013. - Abrogation and Greater Restrictions; Severability.

# City of Savannah Landscape and Tree Protection Ordinance

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## **Sec. 8-11001. - Title.**

This chapter shall be known and cited as the "Landscape and Tree Protection Ordinance for the City of Savannah, Georgia."

*(Ord. of 4-16-2015)*

## **Sec. 8-11002. - Jurisdiction.**

The provisions of this chapter shall apply to all lands within the city.

*(Ord. of 4-16-2015)*

## **Sec. 8-11003. - Purpose.**

The purposes of this chapter are to:

- (1) Protect and maintain the urban forest by managing the impact of development.
- (2) Preserve the environmental and aesthetic assets of the community by requiring tree planting and landscaping for development.
- (3) Provide protection from removal for all trees, without a permit, within the city unless exempted.

*(Ord. of 4-16-2015)*

## **Sec. 8-11004. - Definitions.**

For the purposes of this chapter, certain words or terms shall be defined as follows. Words not defined in this section shall be interpreted so as to give them the meaning they have in common usage and to give these regulations their most reasonable application. Words used in the singular shall include the plural, and the plural the singular; words used in the present tense shall include the future tense. The word "shall" is mandatory and not discretionary. The word "may" is permissive. The phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," and "occupied for."

*Administrator.* The City Manager for the City of Savannah or designee.

*Arboriculture* – The cultivation, management, and study of individual trees, shrubs, vines and other perennial woody plant material. The science of arboriculture studies how these plants grow and respond to cultural practices and to their environment. The practice of arboriculture includes cultural techniques such as selection, planting, training, fertilization, pest and pathogen control, pruning, shaping, and removal.

*Arborist.* An individual trained in the art and science of planting, caring for, and maintaining individual trees.

# City of Savannah Landscape and Tree Protection Ordinance

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*Buffer.* Any visual buffer or screening required by section 8-3066 or any other pertinent section of the city zoning regulations.

*Caliper.* The diameter or thickness of the main stem of a young tree or sapling as measured at six inches above ground level. This measurement is used for nursery-grown trees having a diameter of four inches or less.

*Canopy Tree.* A tree that will grow to a mature height of at least 40 feet with a spread of at least 30 feet. The park and tree department will maintain a list of acceptable canopy trees.

*Clearing.* The removal of trees or other vegetation of two inches dbh or greater.

*Critical Root Zone.* The minimum area surrounding a tree that is considered essential to support the viability of the tree and is equal to a radius of one foot per inch of trunk diameter (dbh).

*Development.* The act, process or state of erecting buildings or structures, or making improvements to a parcel or tract of land.

*Diameter at Breast Height (dbh).* The diameter or width of the main stem of a tree as measured 4.5 feet above the natural grade at its base. Whenever a branch, limb, defect or abnormal swelling of the trunk occurs at this height, the diameter at breast height (dbh) shall be measured at the nearest point above or below 4.5 feet at which a normal diameter occurs.

*Exceptional Tree.* Any hardwood canopy tree over thirty six (36) inches in diameter, softwood tree species over thirty (30) inches in diameter or understory tree species over 8 inch diameter designated, as provided for in this chapter, to be of notable historic interest, high aesthetic value, or of unique character because of species, type, age, or size.

*Greenspace.* Any area retained as permeable unpaved ground and dedicated on the site plan to supporting or preserving vegetation.

*Greenspace Plan.* A map and/or supporting documentation which describes for a particular site where vegetation (greenspace) is to be retained or planted in compliance with these regulations. The greenspace plan shall include a tree establishment plan, or a tree protection plan, and a landscape plan.

*International Society of Arboriculture (ISA).* An international organization which promotes the professional practice of arboriculture and fosters a greater worldwide awareness of the benefits of trees through research, technology, and education.

# City of Savannah Landscape and Tree Protection Ordinance

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*Landscape Plan.* A map and supporting documentation which describes for a particular site where vegetation is to be retained or provided in compliance with the requirements of this chapter. The landscape plan shall include any required buffer elements.

*Landscape Quality Point.* A unit of measurement which quantifies the relative value of small trees, shrubs and ground cover which are planted or retained on a given site.

*Native Tree.* Any tree species which occurs naturally and is indigenous within the region.

*Plot Plan.* A map and supporting documentation which describes for a particular site where the building(s), driveway, utility corridors and easements are to be located and where greenspace is to be retained or planted in compliance with these regulations.

*Preliminary Plan.* A plan which shows the proposed design for a commercial project or subdivision as specified in the city subdivision regulations.

*Protected Tree.* Any tree within the City of Savannah in which a permit is required for removal.

*Quality Points Factor.* A decimal fraction that is assigned to each tree species in the tree lists and is used as a multiplier in calculating the tree quality points for any tree retained on a site.

*Set-asides.* A piece of land dedicated to greenspace space by the developer or owner. Examples of set-asides include wetlands, parkland, recreation areas, medians of boulevards, etc.

*Shrub.* Any self-supporting, woody, perennial plant that usually produces several branches without any distinct head and usually does not exceed ten to fifteen feet in height at maturity.

*Sketch Plan.* A conceptual layout for a subdivision as specified in the city subdivision regulations.

*Species Diversity.* A planting or retention of diverse tree species on a site or within the community to prevent dominance by any single type of tree. The purpose of this diversity is to prevent the destruction of the entire urban forest in the event of disease or pestilence.

*Specimen Tree.* Any preferred large canopy tree species, as outlined in the Landscape and Tree Protection Ordinance Manual, that is over twenty four (24) inches in diameter at breast height (dbh).

*Tree.* A self-supporting, woody, perennial plant that usually produces a main stem or trunk with a definitely formed crown of foliage and a minimum height of ten (10) feet at maturity.

*Tree Easement.* An easement not less than ten (10) feet in width and not in conflict with any other planning requirements under the zoning and subdivision regulations for the planting and

# City of Savannah Landscape and Tree Protection Ordinance

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establishment of canopy trees within single-family subdivisions, exclusive of utility, drainage or other easements. Administrative approval is required for easements greater than ten feet in width.

*Tree Establishment Plan.* A map and supporting documentation which describes, for a particular site where existing trees are to be planted in compliance with the requirements of these regulations, the types of trees and their corresponding tree quality points.

*Tree Fund.* The city tree protection escrow fund, established to receive funds paid in lieu of required tree quality points, or for compensation for damage or removal of city-owned trees.

*Tree Protection Plan.* A map and supporting documentation which describes, for a particular site, where existing trees are to be retained in compliance with the requirements of these regulations, the types of trees and their corresponding tree quality points.

*Tree Protection Zone.* The area surrounding a preserved or planted tree that is essential to that tree's health and survival, and is protected within the guidelines of these regulations.

*Tree Quality Point (TQP)* A unit of measurement which quantifies the relative value of trees that are planted or retained on a given site. Tree quality points quantitatively express the desirable qualities of the species with regards to size for each tree that is retained on a site. For planted trees, tree quality points are an expression of species desirability and the expected mature size of each tree.

(Ord. of 4-16-2015)

## **Sec. 8-11005. - General Provisions.**

- (1) *Chapter Administration.* The City Manager or designee shall administer the provisions of this chapter.
- (2) *General Protection of Trees on City Rights-of-Way*
  - (a) Unless otherwise permitted by an applicable city permit or license, no person shall trim, prune, or remove any tree on public property without procuring the written approval of the administrator.
  - (b) No person shall plant any tree or shrub on the right-of-way without written approval, or without meeting the requirements for such planting published by the administrator.
  - (c) No person shall cause damage to trees on rights-of-way or other public property. Damage is defined as cutting, carving, attaching any rope, wires, nails, signs, or other object to any such tree; or allowing any harmful gas, liquid, or solid substance to contact any tree; or to set fire or permit any fire to burn which may injure any portion

# City of Savannah Landscape and Tree Protection Ordinance

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of any tree; or causing unnecessary harm to tree roots through construction activities, vehicle parking, or material storage.

- (d) Any removal or damage to trees on rights-of way is subject to compensation to the city as provided in section 8-11007 or section 8-11012.
- (3) *Permit Required for Tree Removal.* Except as provided in this chapter, a property owner shall not clear (as defined in section 8-11004) or permit the clearing of property or the removal of any tree without first obtaining a clearing permit as provided for in section 8-11006.
- (4) *Protected Trees.* The following trees are protected within the City of Savannah and shall not be removed unless a permit has been approved or the requirement waived.
- (a) On undeveloped property, any tree greater than two inches diameter at breast height (dbh).
  - (b) On developed property, any tree equal to or greater than 12 inches diameter at breast height (dbh), except for single-family residential lots.
  - (c) Any tree retained for the purpose of Tree Quality Points or greenspace requirements.
  - (d) Any tree planted for the purpose of Tree Quality Points.
  - (e) Any tree in a wetland.
  - (f) Any tree designated as a "Specimen Tree" or an "Exceptional Tree."
- (5) *Exemptions.* The following are exempted from compliance with the permitting requirements of this chapter:
- (a) Utility easements for power lines, pipelines, or similar facilities, except where such utilities cross tree easements, set-asides or natural buffers.
  - (b) Those portions of airports and heliports which require clear areas for safety purposes, including runways and taxiways, approach and departure clear zones.
  - (c) Land currently zoned and used for agricultural purposes for the duration of such use, provided that property rezoned for purposes other than agriculture shall be subject to the requirements in section 8-11007.

# City of Savannah Landscape and Tree Protection Ordinance

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- (d) Residential Lots with an existing single family or duplex until such time it is converted to a non-residential or multi-family use.
  - (e) Any tree determined by an ISA Certified Arborist to be hazardous or an imminent threat to public safety. A tree assessment must be submitted in writing to the administrator for approval prior to removal.
- (6) *Tree/Landscape Quality Points Required.*
- (a) A total of not less than 1,600 Tree Quality Points per acre is required for any parcel of land developed and may include existing trees retained and new trees planted.
  - (b) A total of 400 Landscape Quality Points per acre is required for commercial, industrial, institutional and multifamily developments.
  - (c) A total of 1200 Tree Quality Points per acre is required to be located within any parking area included in a commercial, industrial or multifamily development. The trees planted to meet these Tree Quality Points may also be used toward meeting the overall 1,600 Tree Quality Points per acre.
  - (d) Any site that is proposing a building addition or other improvements over existing developed, non-vegetated, impervious area, requiring submittal of a site plan, shall comply with the Tree and Landscape Quality Point requirements for only the portion of the site affected by the addition or improvement.
- (7) *Landscape and Tree Protection Ordinance Manual.* The city Landscape and Tree Protection Ordinance Manual is hereby adopted by reference. All land clearing, tree protection, tree establishment and landscaping shall be done in a manner consistent with the provisions contained in said manual.
- (8) *Establishment of a Tree Fund.* There is hereby created a city tree escrow fund for the purpose of receiving money paid to the city in lieu of required Tree and Landscape Quality Points, or for compensation for damage or removal of city-owned trees. The fund will be used by the city to purchase, plant, and maintain trees or landscaping on public rights-of-way, easements, or other public property.
- (9) Designation of a Specimen Tree. A tree located on commercial, industrial, institutional or multifamily property may be designated as a "Specimen Tree" if it is found by the administrator to meet the following criteria: preferred large canopy tree species, as outlined in the Landscape and Tree Protection Ordinance Manual; over twenty four (24) inches in diameter at breast height (dbh); normal proportion, characteristics and attributes for its size

# City of Savannah Landscape and Tree Protection Ordinance

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and species; free of disease, pest or injury; and has a life expectancy of at least 10 years. Any tree designated as a "Specimen Tree" shall be deemed desirous of preservation by the City of Savannah and given a quality points factor of two (2.0) when calculating its preserved Tree Quality Points. If a Specimen Tree cannot be properly preserved and must be removed then an additional amount of large preferred trees at the rate of one (1) tree per inch diameter over twenty four (24) will be required of the developer. These additional trees shall be planted on site as space allows and are to be in addition to the trees necessary to meet the required Tree Quality Points. Any remaining trees which cannot be located on site may either be planted off site or met through a payment to the Tree Fund, as approved by the administrator

- (10) *Designation of an Exceptional Tree.* Any hardwood canopy tree over thirty six (36) inches in diameter, softwood tree species over thirty (30) inches in diameter or understory tree species over 8 inch diameter at breast height (dbh) located on commercial, industrial, institutional or multifamily property may be designated as an "Exceptional Tree" and will thereafter be considered a public landmark and shall not be destroyed or endangered.
- (a) *Procedure.* A tree may be nominated by written request to the Park and Tree Director, or may be nominated by the Director. The nomination will be reviewed by the Park and Tree Commission, in conjunction with a representative of the Neighborhood Association the tree lies within, and confirmed or denied by the City Manager.
- (b) *Criteria.* The designation of an exceptional tree shall be based upon an evaluation of the tree in relation to one or more of the following criteria:
- i. The tree is demonstrated to have an association with a documented historical event, or is located on an historic site.
  - ii. The tree has unusually high aesthetic value.
  - iii. The tree is of unique character because of its age, species, variety, location, or because of the size and development of its crown, trunk, or main stem.
  - iv. The designation of an exceptional tree shall also meet all of the following criteria:
    - a. The tree is free of disease, pests and other serious injury.
    - b. The tree has a life expectancy of more than ten years.



# City of Savannah Landscape and Tree Protection Ordinance

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- c. The tree is free from structural defects which would present a hazard to the public.

- (c) *After Designation.* Any tree designated as an "Exceptional Tree" shall be protected from removal or encroachment on the critical root zone, and may be credited toward Tree Quality Points required by this chapter based on quality points factor of three (3.0). If any Exceptional Tree no longer meets the above criteria then a property owner may request a permit for removal from the administrator. Replacement for the loss of this tree will be based on one of the following: an approved contingency plan; additional planting of large preferred trees on site; contribution to the Tree Fund; or through other means of remediation approved by the administrator.

(Ord. of 4-16-2015)

## **Sec. 8-11006. - Permit Application Requirements.**

- (1) *Application for Land Disturbance Activities Permits.*
  - (a) *Submission Requirements.*
    - i. *Application.* Applications for permits for land disturbance activities shall be submitted by the landowner or an authorized agent on a form provided for this purpose. Such application shall be submitted to the development services department along with all required attachments. Each land disturbance activities permit application shall include the data items, plans, and other pertinent documents. Complete applications shall be transmitted to the administrator for review. The administrator shall certify approved applications to the Director of Development Services for the issuance of permits.
    - ii. *Project Description and Plans.* Such description shall include:
      - a. Purpose of the requested permit;
      - b. Plan showing: existing and proposed land uses, buildings, parking, utilities, and light poles; specimen trees, exceptional trees, and existing trees over 6 inch diameter at breast height (dbh) to be preserved; landscaping to be used toward the required Tree and Landscape Quality Points, and other pertinent elements of development. Required plans are specified in sections 8-11008 and 8-11009.

# City of Savannah Landscape and Tree Protection Ordinance

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- c. A boundary survey which shall include the location of all easements, building setback lines, nearby zoning district boundaries;
    - d. A location map at a scale of one inch equals 1,500 feet or larger, showing the location of the property within the city.
  - (b) If a permit is denied, the reason for denial shall be furnished to the applicant in writing, either electronically or by mail.
  - (c) The administrator may waive the requirement for one or more of the plans listed in subsection (a), upon finding that three or fewer trees are being proposed for removal, no grading is to occur, and such removal will not be contrary to the purpose of these regulations.
- (2) *Procedures for Land Disturbance Permit for Non-Residential and Multi-Family Developments.*
  - (a) A predevelopment site visit shall be scheduled between the owner/agent and the administrator. This meeting may be waived by the administrator at the request of the owner.
  - (b) The owner or developer shall submit the tree protection, tree establishment and the landscape plans, together with other required drawings, to the development services department for review by the administrator.
  - (c) All landscape and tree planting plans for sites over one acre shall be prepared by a registered landscape architect. Plans for sites of less than one acre may be prepared by other registered professionals with competency in landscape design.
  - (d) A preconstruction meeting shall be scheduled among the owner, agent, contractors, appropriate city staff and the administrator prior to issuance of land disturbance permits. This meeting shall establish the location of temporary buildings or trailers, temporary utilities, installation of tree protection and erosion control devices, storage of materials, etc. Forty-eight hours' notice shall be given to schedule the site visit.
  - (e) Tree protection shall be installed by the owner/agent and inspected by the administrator immediately after the issuance of a land disturbance permit.
- (3) *Procedures for Land Disturbance Permit for Street Right-of-Way, Utility and Drainage Easements in New Single-Family Residential Subdivision Development*

# City of Savannah Landscape and Tree Protection Ordinance

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- (a) A land disturbance permit is required as a prerequisite for clearing rights-of-way and drainage and utility easements in a new residential subdivision.
  - (b) A predevelopment site visit shall be scheduled between the owner/agent and the administrator. This meeting may be waived by the administrator at the request of the owner.
  - (c) After approval of the sketch plan, the centerlines and rights-of-way of the proposed roadways shall be staked at 100-foot stations to enable field review by the administrator.
  - (d) The developer shall show how required tree quality points are to be met in the subdivision or phase of subdivision for which the land clearing permit is sought. This may be shown on a separate greenspace plan or on one of the other construction drawings and shall be submitted to the administrator for review. The greenspace plan shall show the total tree quality points for the site, any set-aside areas and trees to be protected and the number of required canopy trees to be provided.
  - (e) Tree protection for set-asides and/or for any existing tree proposed for tree quality points within the rights-of-way or easements where clearing is to occur shall be installed by the developer and inspected by the administrator prior to issuance of a land disturbance permit.
- (4) *Procedures for Obtaining Land Disturbance Permit for Lots.* A land disturbance permit is required as a prerequisite for acquiring a building permit on a lot in a new residential subdivision.
- (a) A plot plan shall be submitted to the Development Services department by the building permit applicant. The plot plan shall show lot dimensions, buildings, driveways, easements, utility corridors and the location of trees to be protected and/or planted. The plot plan shall also include the species and diameter at breast height (dbh) for preserved trees, and caliper for planted trees, and a Tree Quality Point summary for all preserved and/or planted trees. The plot plan shall also show where tree protection devices are to be located with respect to trees to be preserved.
  - (b) The permit center shall forward a copy of the plot plan to the administrator for review and approval.
  - (c) A building permit applicant who owns more than one lot in the same phase of a new subdivision may aggregate or average tree quality points as long as the total tree quality points for all of the lots equals or exceeds the minimum required Tree Quality

# City of Savannah Landscape and Tree Protection Ordinance

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Points for the combined lots. Where the amount of required Tree Quality Points varies from the approved greenspace plan, the building permit applicant shall show how the required points shall be met on the plot plans.

- (d) Tree protection devices around trees to be preserved, as shown on the plot plan, shall be installed by the building permit applicant and inspected by the administrator immediately after the issuance of a land disturbance permit.
- (5) *Procedures for Approval of Underbrushing.* The administrator may approve underbrushing and removal of trees or other vegetation up to four inches in diameter upon finding that:
- (a) Sufficient tree cover exists such that the removal of such trees will limit or prevent compliance with other requirements of this chapter.
  - (b) The removal of such trees is not in conflict with the purpose and intent of these regulations.
- (6) *Timber Harvesting Requirements for Property Not Zoned for Agricultural Purposes.*
- (a) *Applicability.* All properties, other than those zoned and used for agricultural activities, which propose timber harvesting or clear cutting shall comply with the following provisions.
  - (b) *Procedures.*
    - i. *Permits Required for Timber Harvest.* A land disturbance permit is required prior to the timber harvest.
    - ii. *Plans Required for Timber Harvest.* A plan for development of the land and a harvest plan shall be submitted to the Development Services department for review and approval prior to the issuance of a land disturbance permit.
    - iii. *Timber Harvest and Reforestation Plan.* The timber harvest and reforestation plan shall identify areas where trees are to be retained or planted on site, along with the density, species and Tree Quality Point value. All required buffers shall be retained or installed as per the buffer requirements in the city zoning regulations and/or any additional buffers required by the Metropolitan Planning Commission. The reforestation plan shall be prepared by a registered forester and shall be reviewed by the administrator.

# City of Savannah Landscape and Tree Protection Ordinance

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- iv. *Reforestation and Tree Protection Standards.* A minimum of 1,600 Tree Quality Points per acre shall exist on the parcel after the timber harvest, utilizing one or more of the following methods:
  - a. *Residual Stands of Trees.* Tree Quality Points may be given to residual stands of trees which are existing on the site and are protected during the harvesting process.
  - b. *Buffer Areas.* Tree Quality Points may be given to trees located within buffer areas.
  - c. *Reforestation Areas.* Where the site is to be used for continual timber growth or silviculture, such land shall be considered a reforestation area. In order to comply with the provisions of this section, a tree establishment plan shall be submitted. This shall consist of the establishment of native tree seedlings using traditional forestry methods and best management practices. A minimum of 600 seedlings per acre shall be planted on the site by the end of the first planting season following the timber harvest. A minimum survival rate of 350 trees per acre will be maintained after the first complete growing season.
  - d. *Tree Establishment Plan.* If an insufficient number of Tree Quality Points are left on the site following the timber harvest, a tree establishment plan shall be submitted to the administrator showing the location of the trees to be planted, their species, size and tree quality point listing.

(Ord. of 4-16-2015)

## **Sec. 8-11007. - Tree Protection Requirements.**

- (1) *Protection of Preserved or Planted Trees.* Tree protection zones shall be established and maintained on a site for all trees, preserved or planted, for which tree quality points are to be claimed. The following provisions apply to such zones and the trees within them:
  - (a) A tree protection plan and details shall accompany all applications for land-clearing and/or land-disturbing activities identifying where and how existing trees are to be protected during clearing and construction of the project. Such plan and details shall be approved by the administrator upon a finding that the plan adequately addresses the criteria set forth in the Landscape and Tree Protection Ordinance Activities Manual.

# City of Savannah Landscape and Tree Protection Ordinance

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- (b) The minimum dimension of the tree protection zone shall be one foot of radius per inch diameter breast height, measured from the center point of the trunk, provided that in no case shall the protection zone be less than a radius of 2.5 feet. The tree protection zone shall be surrounded, at minimum, by a four-foot temporary chain link fencing as illustrated in the city's specifications and standards and in the Landscape and Tree Protection Ordinance Activities Manual.
- (c) If a determination is made by the administrator that 75 percent of the Tree Quality Points for a site are to be provided by one or more mature trees of greater than 30-inch diameter at breast height (dbh), a contingency planting plan shall be required. The contingency plan will indicate locations where trees can be planted for Tree Quality Point credits in the event of loss of retained trees.
- (d) The area within any tree protection zone must remain open and unpaved. The use of perforated pavers or other surface allowing water infiltration may be allowed subject to the approval of the administrator.
- (e) No root raking shall be allowed within any tree protection zone at any time during clearing, grading or construction of the project.
- (f) No trenching shall be allowed within any tree protection zone at any time during clearing, grading or construction of the project.
- (g) No vehicles shall be parked, or construction material stored or substances poured or disposed of or placed within any tree protection zone at any time during clearing or construction of the project.
- (h) No change in grade within the tree protection zone shall be allowed around existing trees except for a maximum addition of two inches of mulch unless approved by the Administrator.
- (i) To the extent possible all site work shall be planned and conducted in a manner that will minimize damage to protected trees from environmental changes such as lowered water table, altered site drainage, or any other land disturbance within or immediately adjacent to the critical root zones of the trees.
- (j) Tree wells or tree walls (islands) shall be constructed as needed to protect preserved trees from grade changes which result in changes of water supply to the tree protection zone. Adequate means for drainage of excess moisture from the tree protection zone shall be provided if tree wells or tree walls are constructed.

# City of Savannah Landscape and Tree Protection Ordinance

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(k) Any required remediation for preserved trees which have been impacted by development shall be based upon a recommendation from an International Society of Arboriculture Certified Arborist and approved by the administrator. A monitoring period of five (5) years shall be required to ensure proper treatment is being performed and that the health of the tree is recovering.

(2) *Protection of Public Trees.*

(a) A property owner responsible for any land-disturbing activity within proximity to the critical root zone of a tree located on city property shall provide for the protection of such tree to the standards described in these regulations. All work on city rights-of-way requires a permit from the city.

(b) A property owner responsible for a land-disturbing activity that causes damage to a tree which affects the health or growth of such tree, or requires removal of a tree, shall compensate the city for such tree loss or damage as set forth below.

1. The administrator shall establish the Tree Quality Points for the removed or damaged tree. The property owner responsible for the land-disturbing activity which caused the removal or damage to such tree shall compensate the city for such tree loss or damage under one of the following options, subject to the approval of the administrator.

- a. Plant or preserve additional trees on the development site that equals or exceeds the value of the Tree Quality Points that were assessed for the removed or damaged tree.
- b. Plant trees on adjacent city rights-of-way to equal or exceed the value of the Tree Quality Points that were assessed for the removed or damaged tree.
- c. Make payment to the tree fund assessed for the removed or damaged tree in accordance with section 8-110012.
- d. Meet any equivalent combination of the above as approved by the administrator.

2. Upon approval by the administrator of the method for compensating the city for the subject tree loss, the owner shall submit a revised tree protection and tree establishment plan which incorporates the approved tree compensation plan to the administrator for approval.

# City of Savannah Landscape and Tree Protection Ordinance

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(Ord. of 4-16-2015)

## **Sec. 8-11008. - Design Requirements.**

- (1) *Non-Residential and Multi-Family Development.*
  - (a) *Applicability.* Except as provided in this chapter, a greenspace plan shall be submitted for all proposed commercial, industrial or multifamily development. Such plan shall include a tree protection, tree establishment and landscape plan. Such plans shall conform to the standards and requirements of these regulations.
  - (b) *Greenspace Standards.*
    - i. A minimum of 20 percent of the total land area of the development shall be devoted to greenspace.
    - ii. Sidewalks, curbing, or any other paved or impermeable surfaces within the greenspace area shall not count towards the 20 percent minimum greenspace requirement.
    - iii. For all sites of one acre or larger no more than 50 percent of trees planted shall be of the same species in order to increase species diversity.
    - iv. Existing groups of trees shall be retained wherever possible.
    - v. Show all specimen trees within the property to be developed and how they will either be preserved or mitigated.
  - (c) *Parking Areas.*
    - i. A minimum of 1,200 Tree Quality Points per acre in canopy trees shall be planted and/or preserved within landscaped islands and medians located between parking bays. Landscape Quality Points may also be planted in these areas.
    - ii. Canopy trees planted in parking islands shall have 400 square feet of unpaved soil for root development. The standard tree island shall be 20 feet by 20 feet; provided, however, that where the islands are an extension of a ten-foot-wide landscape median, the islands may be reduced in width to 16 feet.



# City of Savannah Landscape and Tree Protection Ordinance

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- iii. Islands shall not be separated by more than 12 parking spaces, including the landscaped ends of drive aisles, and shall be designed so as to minimize foot traffic across them.
  - iv. Light poles, power poles, utility boxes or utility vaults shall be located such that they do not interfere with the planting and growth of large canopy trees in and around parking lots. This includes, but is not limited to, the restriction of said utility poles and vaults from being located within tree islands or within 20 feet of any such trees along the perimeter of parking areas. All proposed lighting must be shown on the Landscape Plan submitted for review in order to verify no such conflicts exist prior to the final acceptance of a development plan.
  - v. The use of porous paving within parking lots to provide root space for planted and preserved trees to meet the necessary rooting space requirement may be allowed at the discretion of the administrator.
- (d) *Buffers.* Existing and/or planted canopy, understory trees, and planted evergreen shrubs may be incorporated into buffer areas as defined by the city zoning ordinance. Such planting shall be credited for quality points provided that other standards and requirements of the chapter are met.
- (e) *Landscaping Standards.*
- i. *Landscape Quality Points Requirement.* The required 400 Landscape Quality Points per acre shall be provided through the planting of small trees, shrubs, vines and/or ground cover.
  - ii. *Locations for Landscape Quality Points.* Such plantings may be located in the following areas:
    - a. Front yard development setback.
    - b. Parking areas: islands and medians.
    - c. Buffers.
    - d. Areas adjacent to buildings.
- (f) *Special Cases.*

# City of Savannah Landscape and Tree Protection Ordinance

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- i. *Insufficient Space for Trees on Site.* If the required Tree Quality Points cannot be met on site due to lot size and allowable lot coverage, trees shall be planted off site or payment made to the tree fund. Off-site planting location or payment must be approved by the administrator.
  - ii. *Insufficient Space for Landscaping on Site.* If the required Landscape Quality Points cannot be met on site due to lot size and allowable lot coverage, payment shall be made to the tree fund.
  - iii. *Car/Boat/Trailer Sales Lots.* The requirement of canopy cover in the outdoor display, sales and storage areas may be waived for such uses only if the requirements have been met elsewhere on the site. The required 400 Landscape Quality Points per acre, however, shall be provided in this area to break up large expanses of pavement.
    - a. Employee and customer parking areas shall be clearly delineated to separate them from outdoor display, sales, and storage areas. Such parking areas shall provide 1,200 Tree Quality Points per acre in canopy trees and 400 Landscape Quality Points per acre in landscaping.
- (2) *Single-Family Residential Subdivisions.*
- (a) *Tree Quality Points Required.* One thousand six hundred Tree Quality Points per acre shall be provided within the subdivision. The total Tree Quality Points shall be achieved through the required planting of canopy trees within tree easements, protecting existing trees, planting within set-asides established and maintained by the developer or successor, or as provided in this section for special cases.
  - (b) *Plans Required.*
    - i. *For Rights-of-Way and Drainage and Utility Easements.* Except as provided in this section, in order to obtain a land disturbance permit for rights-of-way and easements, a greenspace plan shall accompany each preliminary plan for review. Such plan shall conform to the standards and requirements of these regulations.
    - ii. *For Individual Lots.* A plot plan which includes greenspace information from the approved subdivision development plan for the individual lot shall be submitted as part of the building permit application and reviewed by the administrator.

# City of Savannah Landscape and Tree Protection Ordinance

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- (c) *Requirements for Utilities Crossing the Tree Easement.* Utilities crossing the tree easement shall be located outside of the critical root zone of trees, unless otherwise approved by the administrator. Utility locations shall allow for the unobstructed planting of street trees at an average of 50 feet apart.
  
- (d) *Tree Requirements within New Single-Family Subdivisions.*
  - i. *Planted Street Trees.*
    - a. Canopy street trees shall be planted within the right-of-way or in tree easements if sufficient right-of-way space is not available. Such trees shall be no less than two and one-half inches in caliper at time of installation. Trees shall be planted an average of 50 feet apart, along all street frontages within the subdivision. Each planted street tree shall have a value of 90 tree quality points.
    - b. The tree species for each street must be approved by the administrator.
    - c. Upon approval, the developer may pay to the tree fund an amount equal to the cost of purchase and installation of the required trees and the trees will be planted by the city after completion of the subdivision.
  - ii. *Existing Trees.* Existing trees for which tree quality points are sought may be protected within tree easements as street trees (and counted for Tree Quality Points), within set-aside areas, in buffers or elsewhere as approved by the administrator, provided that they be protected prior to clearing.
  - iii. *Trees within Set-aside Areas.* Existing and/or planted trees within set-aside areas, as defined by this chapter, may count towards the 1,600 Tree Quality Point requirement if they meet all other requirements of this section.
  - iv. *Special Cases.* Where circumstances prevent locating the required 1,600 Tree Quality Points per acre on a site, one of the following shall apply, subject to approval by the administrator:
    - a. *Tree Fund.* The owner/developer shall contribute to the tree fund, based on the number and species of trees needed to meet the required tree quality points, the commercial price and installation cost for such trees.

# City of Savannah Landscape and Tree Protection Ordinance

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- b. The owner/developer shall establish a set-aside on property owned by the owner/developer. Such property shall be located within the city limits. The set-aside shall be a permanent, recorded conservation easement, and shall have sufficient Tree Quality Points to meet the requirements of these regulations.

(e) *Arterial and Collector Streets*

- i. For new arterial and collector streets a plan must be submitted providing for planting of canopy trees on both sides of the street spaced at an average of 75 feet.
- ii. Tree species must be approved by the Park and Tree Department.
- iii. Upon approval, the developer may pay to the Tree Fund an amount equal to the cost of purchase and installation of the required trees and the trees will be planted by the city after completion of the subdivision.

(3) *General Standards.*

(a) *Planted Trees.*

- i. All large trees, as defined in the Landscape and Tree Protection Ordinance Compliance Manual, except for conifers, must be of at least two-and-one-half-inch caliper to qualify for Tree Quality Points when planted on the site.
- ii. All coniferous trees and all medium trees, as defined in the Landscape and Tree Protection Ordinance Compliance Manual, must be a minimum of two-inch caliper to qualify for Tree Quality Points when planted on the site.
- iii. All small trees, as defined in the Landscape and Tree Protection Ordinance Compliance Manual, must be a minimum of one-inch caliper to qualify for Landscape Quality Points when planted on the site.
- iv. If multitrunk trees are planted or preserved the largest trunk only shall qualify for Tree Quality Points.
- v. For palms, two Landscape Quality Points will be assigned per foot of stem height up to ten feet, regardless of whether the tree is preserved or planted on the site.

# City of Savannah Landscape and Tree Protection Ordinance

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- vi. All planting of new trees shall be done in accordance with ANSI A-300-1995 or most recent edition.
- vii. All trees and plant materials shall conform to the most recent edition of the American Standard for Nursery Stock by the American Association Nurserymen.
- viii. A detailed list of qualifying species and their points is provided in Landscape and Tree Protection Ordinance Manual.

(b) *Retained Trees.*

- i. All individual preserved trees must be at least four inches dbh, and have a form and structure that will support a viable mature tree, to qualify for Tree Quality Points. The health, integrity and viability of any tree preserved for Tree Quality Points must be verified in writing by an ISA Certified Arborist, Georgia Licensed Forester or Georgia Licensed Landscape Architect and noted on the plans. The Tree Quality Point credit will at a minimum be equal to the points for a planted tree of the same species.
- ii. Quality points for trees retained on the site are directly related to the tree species quality and the tree protection zone that must be provided for the tree. Tree Quality Points are calculated by the formula:  
$$(\text{dbh})^2 \times (\text{Retention Points Factor}) = \text{Tree Quality Points}$$
- iii. The retention factor for each tree species can be found in the Landscape and Tree Protection Ordinance Manual.
- iv. Trees located on public rights-of-way which have a significant portion of canopy extending over a commercial property can be applied toward Tree Quality Points as follows: TQP value of public tree  $\times$  percentage of canopy encroachment = point value.
- v. Tree Quality Points and Landscape Quality Points for retained stands of trees: The preservation of mature native stands of trees and understory vegetation shall have the value of 0.25 Tree Quality Points and 0.10 Landscape Quality Points per square foot of preserved area, minus the 10 feet adjacent to disturbance.

# City of Savannah Landscape and Tree Protection Ordinance

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- a. The area proposed for preservation must be approved by the administrator and must have sufficient quantity, size and quality of mature trees to warrant preservation.
- b. All existing vegetation shall be left within the preserved stand with the exception of hazardous trees. Thinning of tree stands will be allowed pursuant to an approved plan created under the supervision of a registered forester or Certified Arborist. No mechanical clearing of underbrush shall be allowed unless authorized by the Administrator.
- c. The area shall be protected during the construction period using the same standards and specifications as required for a tree protection zone.
- d. The tree retention area shall be considered a set-aside and shall be shown within a permanent, recorded tree conservation easement.

(c) *Landscape Material.*

- i. Woody ornamental or native shrubs shall be a minimum of three-gallon container size, fully rooted and appropriately sized to the container per the American Standards for Nursery Stock. Vines and ground cover material may be full one-gallon size per the American Standards for Nursery Stock.
- ii. Small trees used for Landscape Quality Points shall be a minimum of one-inch caliper.
- ii. Qualified species and Landscape Quality Points values are listed in the Landscape and Tree Protection Ordinance Manual.

(d) *Planting Restrictions.*

- i. No tree shall be planted closer to an overhead or underground utility line, or storm drain than as follows:
  - a. Five feet for a mature small tree.
  - b. Ten feet for a mature medium or large tree.
- ii. No tree shall be planted closer to a building foundation than as follows:

# City of Savannah Landscape and Tree Protection Ordinance

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- a. Five feet for a mature small tree.
  - b. Ten feet for a mature medium tree.
  - c. Fifteen feet for a mature large tree.
- iii. No large or medium tree species shall be planted within any power or utility easements or under overhead utility distribution lines if the average mature height of the tree is greater than the lowest overhead wire.
  - iv. No shrub which can reach over three (3) feet in height may be located within a sight line triangle that has been determined by the City of Savannah Traffic Engineering Department.
  - v. Irrigation. All trees and landscaped areas shall be provided with a means for delivery of water in a quantity that is sufficient to establish and maintain the viability of the plants. This source shall be within 100 feet of all proposed plantings. Trees within parking lot islands may use watering bags and an administrator approved watering schedule for their establishment if desired.
  - vi. A water supply is not required for areas of established trees and other vegetation that are retained for greenspace requirements or tree quality points, provided that site grading or development activities will not result in damage to said areas.

*(Ord. of 4-16-2015)*

## **Sec. 8-11009. - Requirements for Certificate of Occupancy, Maintenance and Perpetual Compliance.**

- (1) *Requirements for Certificate of Occupancy.*
  - (a) *Final Inspection.* The administrator shall make a final inspection of trees and landscaping for completeness prior to issuance of the certificate of occupancy; forty-eight hours' notice shall be given to schedule the site visit. The total required Tree Quality Points and Landscape Quality Points shall match the approved plan. Any changes must be shown on an as-built plan.
  - (b) *Temporary Tree and Landscape Bond*

# City of Savannah Landscape and Tree Protection Ordinance

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- i. The owner shall post a temporary tree and landscape bond for tree and/or landscape installation which cannot be planted because of continued construction, weather, plant availability or other approved delay. The bond shall be posted with the city Development Services Department. A deadline for completion of work shall be scheduled with the administrator and the Development Services Department.
- ii. The administrator shall make a final inspection of the trees and landscaping at the scheduled completion of work. If work has been completed, the temporary tree and landscape bond shall be refunded. If the landscaping is not complete at the scheduled deadline, the temporary tree and landscape bond shall be withheld based upon the amount of work incomplete.

(c) *Two-Year Tree and Landscape Establishment Bond*

- i. A two-year tree and landscape establishment bond shall be posted with the Development Services Department after the administrator gives an approval of the trees and landscaping at the final inspection and prior to issuance of the certificate of occupancy.
- ii. Twelve months and twenty four months after the date of the bond, the administrator will inspect the site to check the conditions of the required trees and landscaping. Any items which may affect the future viability of the required trees and landscaping discovered at the twelve month inspection will be noted and relayed to the owner. If after twenty four months the trees and landscaping are found viable, the bond will be released. If deficiencies are found, the owner of the property shall be notified to correct the deficiencies within 90 days. If the deficiencies are not corrected in 90 days, the city shall use the bond to the extent necessary to bring the property into compliance with the provisions of this chapter.

(d) *Maintenance.* All trees and landscaping credited toward Tree Quality Points or Landscape Quality Points shall be maintained according to industry standards. All staking and guying must be removed upon establishment of tree and within six months of installation and any necessary pruning of young trees shall conform to American National Standards Institute A-300 standards.

(e) *Perpetual Compliance.* All sites are required to remain in compliance with the total Tree and Landscape Quality Points required for the development, and are subject to inspection by the city for this purpose. If deficiencies are found, the owner of the property shall be notified to correct the deficiencies within 30 days. If the deficiencies



# City of Savannah Landscape and Tree Protection Ordinance

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are not corrected in 30 days, the city will seek administrative or judicial relief, as appropriate. Each deficiency item will be viewed as a separate violation as will each day past the allowed 30 days, outside of any agreement made with the administrator regarding time to remedy the situation.

*(Ord. of 4-16-2015)*

## **Sec. 8-11010. - Variance and Appeal Procedures.**

- (1) Request for variance from the provisions of this chapter shall be submitted in writing to the director of the Park and Tree Department, stating the specific variance requested and reasons why a variance should be granted. The director will review the request and render a decision within ten working days of the request.
- (2) A variance will be granted only upon a determination that the request is the minimum necessary to afford relief, and that the overall intent of this chapter will be implemented.
- (3) Any person aggrieved by a decision in administration of this chapter may appeal to the city manager and request a hearing. The hearing shall be held within 30 days after receipt or on a date mutually agreed upon by the appellant and the city manager. The city manager shall then make his findings in writing within ten working days of the appeal hearing.

*(Ord. of 4-16-2015)*

## **Sec. 8-11011. - Notice of Violation; Remediation and Stop Work.**

- (1) *Notice of Violation.* Whenever it is determined that a violation of this chapter has occurred, the director shall immediately issue written or oral notice to the person in violation, identifying the nature and location of the violation and specifying that remedial action is necessary to bring the violation into compliance. The person in violation shall immediately, conditions permitting, commence remedial action and shall have seven calendar days after the receipt of the notice, or such longer time as may be specified in the notice, to complete the remedial actions required to bring the activity into compliance with this chapter.
- (2) *Stop-Work Order.* The director shall have the authority to immediately issue a stop-work order in any of the following circumstances:
  - (a) When clearing or other development of land is being implemented without an approved permit.
  - (b) When ongoing non complying work is not immediately and permanently stopped upon receipt of a written or oral notice of violation.

# City of Savannah Landscape and Tree Protection Ordinance

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- (c) When tree protection measures have not been implemented or maintained and danger to protected trees exists or appears imminent.
- (d) When remedial work required by notice of violation pursuant to subsection (1) is not completed in the time period specified.

*(Ord. of 4-16-2015)*

## **Sec. 8-11012. - Penalties for Violation.**

- (1) Violation of the provisions of this chapter or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance, shall constitute a violation of this chapter. Any person who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be punished in accordance with the City Code. Tree damage fees and tree planting/replacement fees shall be specified in the City of Savannah annual Revenue Ordinance.
- (2) Any person who damages a tree on City property will be required to pay the City:
  - (a) the difference in value of the tree before and after the pruning, removal or other damage;
  - (b) all costs of tree evaluation and corrective tree maintenance or removal, if required, as the result of unauthorized pruning, removal or other damage;
  - (c) all costs of stump removal and tree replacement, if tree removal is required;
  - (d) all other costs and expenses involved in the case.
- (3) Each day such violation continues shall be considered a separate offense. Nothing contained in this chapter shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

*(Ord. of 4-16-2015)*

## **Sec. 8-11013. - Abrogation and greater restrictions; severability.**

- (a) This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- (b) If any provision of this ordinance is declared to be invalid, such declaration shall not affect, impair, or invalidate the remaining provisions of this ordinance.

*(Ord. of 4-16-2015)*