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AGENDA  
WORK SESSION  
OF THE PERRY CITY COUNCIL  
October 3, 2016  
5:00 P.M.

1. Call to Order: Mayor Pro Tempore Randall Walker.
2. Roll:
3. Items of Review/Discussion: Mayor Pro Tempore Randall Walker.
  - 3a. Consider providing a letter of support for JONG to become its own entity – Mr. L. Gilmour.
  - 3b. Discussion of the tree protection portion of the Perry Land Development Ordinance – Mr. L. Gilmour.
  - 3c. I-75 Corridor update – Mr. R. Smith.
  - 3d. Consider closing all of First Street in the block of adjacent to First Baptist Church on Wednesday evenings while church is in session – Council Member R. Hunt.
4. Council Member Items:
5. Department Head Items:
6. Adjourn.



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**OFFICE OF THE CITY MANAGER**

**MEMORANDUM**

TO: Mayor/Council  
FROM: Lee Gilmour, City Manager  
DATE: August 30, 2016  
REFERENCE: Tree Protection

The Administration requests a clarification from Council on how extensive it desires the Tree Preservation and Replacement portion of the Perry Land Development Ordinance to apply.

Article XX Sec. 217(c) (Exhibit A) specifies where the section applies.

Sec. 217 (5) b. states requirements for individual single family lots but are exempt from the building permit process. (Exhibit B)

Sec. 217 (9) requires a permit for a homeowner to remove certain trees. (Exhibit C)

The application of the section needs to be determined.

*Weeds.* Any undesired, uncultivated plant, especially one growing in profusion so as to crowd out a desired crop, disfigure a lawn, etc. For the purposes of this section, weeds shall also include grass and/or underbrush in non-agriculturally used property, which is at least twelve (12) inches tall.

*Weeds, untended.* Those plants, shrubs, underbrush, grass and other uncultivated plants which grow sporadically without care or attention.

*Zoning buffer.* A buffer, as defined in and required by the zoning ordinance or as a condition of zoning, special exception, or variance approval for a specific property.

*Zoning enforcement officer.* The agent of the City of Perry having the primary responsibilities of administration and enforcement of the tree protection ordinance.

(c) *Applicability, permitting, and procedures.* The terms and provisions of this section shall apply to all activity which requires the issuance of a land disturbance permit on any real property within the city. No clearing, grubbing, grading, or other removal of existing vegetation that may effect the health of existing tree coverage may occur until it is determined that the proposed development is in conformance with the provisions of this section. Table 1, Summary of Applicability and Exemptions, summarizes those activities which are exempt from the provisions of this section and those for which a tree protection plan must be approved prior to the issuance of a land disturbance permit (LDP).

Table 1. Summary of Applicability and Exemptions

<i>Project Type</i>	<i>Type of Construction</i>	<i>Applicability</i>
1 and 2 Family Dwellings	Building permit	Exempt
Grandfathered projects	Any property included within the limits of a LDP approved prior to the effective date of this section, and remaining portion of a project where 75 percent of area has already been included in LDP's approval prior to January 11, 2000 which was the effective date of this section.	Exempt
Horticultural or agricultural operations	Land clearing for clearly agricultural purposes, including legitimate timber harvesting; plant or tree nurseries; orchards. This exemption shall not be interpreted to include tree harvesting incidental to the development of land, or tree harvesting on land that is anticipated to be developed for non-horticultural uses.	Exempt

(5) *Determination of site density factor:*

- a. All projects within the city, with the exception of the construction of individual single-family and detached dwellings, shall maintain or exceed a minimum site density factor of fifteen (15) units per acre. The term "unit" is not synonymous with "tree." The density may be achieved by counting existing trees to be preserved, planting new trees in accordance with the minimum standards of this section, or some combination of the two. All trees that are to be counted toward meeting density requirements must be inventoried. The site density requirement must be met whether or not a site had trees prior to development. Minimum tree site density shall be calculated and established pursuant to the formula and analysis set forth in this section. The trees, both retained and new, where feasible shall be reasonably distributed throughout the site with emphasis on tree groupings to achieve results following professional landscape standards.
- \* b. Individual single-family lots, within platted residential subdivisions are required to plant four (4) shade/canopy trees that are at least eight (8) feet tall planted and have a trunk of not less than two (2) caliper inches. Fifty (50) percent of the required planting shall be placed in the front yard. All residential lots shall require that improvements be located so as to provide minimum disturbance to the natural topography of the site and protection to the maximum number of trees.
- c. Where the proposed development area is so dense that the minimum site density factor cannot reasonably be achieved, the development area shall be reduced by removing parking spaces in excess of the minimum number of spaces required by zoning, placing additional planting islands within the development area, reducing the area to be occupied by buildings, or by providing alternative compliance as described in subsection 217(g).
- d. In order to qualify for tree replacement density credit, all canopy/shade replacement trees shall be at least eight (8) feet tall planted and have a trunk of not less than three (3) caliper inches. All understory/flowering replacement trees shall be at least six (6) feet tall planted and have a main trunk of not less than two and one-half (2½) caliper inches. All multi-stemmed understory/flowering replacement trees shall have a minimum of three (3) canes, each with a minimum one inch caliper extending clear at least to a height of four (4) feet. All evergreen replacement trees shall be at least a seven-gallon size, six (6) feet tall planted, and have a main trunk of not less than two and one-half (2½) caliper inches. All tree-formed, multi-stemmed, evergreen replacement trees shall have a minimum of three (3) canes, each with a minimum one inch caliper extending clear at least to a height of four (4) feet and be pruned as tree form at time of planting. No more than forty (40) percent of any one genus may be included in any replanting plan. No more than twenty-five (25) percent of the replacement trees shall be understory/flowering trees. The replacement trees shall be spaced at eighty (80) percent of the expected crown as described in the Manual of Woody Landscape

- e. Where a tree is to be removed under the provisions of this section, the city may, with consent of the property owner, relocate the tree at the city's expense to city owned property for replanting, either for permanent utilization at the new location, or for future use at another city property.
  - f. Credit may be given to the property for each relocated tree as though the tree was proposed to remain on the property, if the tree is relocated to a site designated by the city at the owner/developer's expense.
- \* (9) *Removal of trees.* There will be a fee for obtaining a tree removal permit based on the number of trees to be removed. Provided, however, utility companies or its agents performing routine maintenance on utility easements/rights-of-way shall not be required to obtain a tree removal permit. In addition, the removal of trees including pine trees other than specimen trees from an owner owned, single-family lot are exempt from provisions of this section, provided that the removal does not reduce the required tree density of the lot below the minimum requirements. Homeowners who remove trees on their own residential property, without cost of a person or company engaged in removing the trees for a fee, shall not pay any fee until they remove more than five (5) trees at a time within a single calendar year. A tree removal permit shall be required for removing trees, six (6) inches or larger in diameter. Tree removal conducted on property, regardless of zoning classification, by any person or company for a fee shall require a tree removal permit. If specimen trees are removed from any property without a tree removal permit, the property owner shall pay a fine of twice the tree removal permit fee calculated. All contractors for tree removal must be licensed, bonded, and insured.
- a. *Safety standards.* The contractor shall be solely responsible for pedestrian and vehicular safety and control within the work site and shall provide the necessary warning devices, barricades, and ground personnel needed to give safety, protection, and warning within the area where tree removal or pruning is to occur. Blocking of public streets shall not be permitted unless prior arrangements have been made with the city and is coordinated with appropriate departments. Traffic control is the responsibility of the contractor and shall be accomplished in conformance with state, county and local highway construction codes.
  - b. *Tree pruning.* Pruning is to be performed by tree workers who, through related training and on the job experience, are familiar with the techniques and hazards of this work including trimming, maintenance, repairing or removal, and equipment used in such operations. The use of climbing spurs or irons is not approved in pruning operations on live trees. This type of work is a potentially hazardous occupation and is to be undertaken only by trained personnel or under the supervision of trained personnel, all of whom are covered with workers compensation, property damage, public liability, and completed operations insurance.
  - c. *Tree removal.* Trees shall be removed in accordance with accepted industry standards and procedures and in accordance with the following minimum

## Annie Warren

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**From:** Lee Gilmour <lee.gilmour@perry-ga.gov>  
**Sent:** Wednesday, September 28, 2016 4:59 PM  
**To:** 'Annie Warren'  
**Cc:** steve.lynn@perry-ga.gov  
**Subject:** FW: Partial Closing of First Street Request

Annie

Please place this email on the 10.3.16 agenda.

Lee

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**From:** Steve Lynn [<mailto:steve.lynn@perry-ga.gov>]  
**Sent:** Wednesday, September 28, 2016 2:47 PM  
**To:** [lee.gilmour@perry-ga.gov](mailto:lee.gilmour@perry-ga.gov)  
**Subject:** RE: Partial Closing of First Street Request

Lee,

I met with Mr. Hunt. He is requesting that we close all of First Street in the block adjacent to First Baptist. His stated reason is because the AWANA kids play ball in the vacant lot across from the church on Wednesday evenings. He is worried that they will run in front of a car.

He wants all through traffic stopped during the time that church is in session. We will look at a solution. I advised Mr. Hunt that the best solution from my point of view is to erect a fence on the front (First St.) and side of the property (alleyway).

Do I need to provide something in writing for Monday's meeting or is a verbal response adequate?

Steve



**Stephen D. Lynn**  
Chief of Police  
**City of Perry**  
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P.O. Box 2030  
Perry, GA 31069  
T 478-988-2806 M 478-297-0054  
<http://www.perry-ga.gov>

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**From:** Lee Gilmour [<mailto:lee.gilmour@perry-ga.gov>]

**Sent:** Tuesday, September 27, 2016 9:04 AM

**To:** [steve.lynn@perry-ga.gov](mailto:steve.lynn@perry-ga.gov)

**Subject:** Partial Closing of First Street Request

Steve

Please follow up with Mr. Hunt relative to options for the partial closing of First Street per the 9.26.16 discussion. This will be discussed at the Council's 10.3.16 work session.

Lee