



**Where Georgia comes together.**

**LANDSCAPING PLAN REVIEW SERVICES  
Request for Proposal No. 2017-01**

**Due Date: October 7, 2016 5:00 PM**

**SEPTEMBER 1, 2016**

**CITY OF PERRY**  
**LANDSCAPING PLAN REVIEW SERVICES**  
**Request for Proposal No. 2017-01**

The City of Perry is seeking proposals from qualified consultants for the provision of landscaping plan review services.

Services Required

The selected consultant will:

1. Review non-residential landscaping plans submitted by developers, builders, individuals, etc. for compliance with the City's tree ordinance, land development ordinance, etc. and make necessary comments, suggestions, recommendations as needed.
2. Propose amendments to said documents from time to time to address Council intentions. The regulatory controls are the Tree Preservation and Replacement (Exhibit A) and Sec 71.6 Landscaping requirements (Exhibit B).

Proposal Submittal

Firms interested in submitting a proposal shall provide the following:

- Years of experience of proposer
- Examples of public area landscaping projects
- Regulatory agency experience if any
- Confirmation that proposer can receive proposed plans in digital format
- Location of office and proposed project manager
- Estimated time frame to review first submittal
- Estimated price range of initial review
- Completed W-9 Request for Taxpayer Identification Number and Certification
- Completed Contractor Affidavit

False or Misleading Statements:

Vendors must take great care to ensure that sufficient information has been provided to allow the City to evaluate the technical solution being offered, any options proposed, pricing of all offerings, all supporting information, technical documentation, references, points of contact, corporate capabilities, etc.

Vendor understands that the City reserves the right, in its sole discretion, to reject any proposal, if, in the opinion of the City, such proposal contains false or misleading information of any kind, or does not contain sufficient detail to fully evaluate the technical solution or proposed price. Vendors also understand that if the information provided does not support a function, attribute, capability, or condition as proposed by the vendor, the City may reject the proposal and any work conducted to the point wherein the vendor assumes the sole responsibility of said work and/or related expense.

#### Addenda and Supplements to this Request for Proposal:

If it becomes necessary to revise any part of this request for proposal, an addendum will be provided to all who requested or received copies of this request. The City will not be responsible for any oral or other unofficial interpretation of any element of this RFP or its related documentation.

#### No Obligation to Buy:

The City reserves the right to refrain from contracting with any vendor. The release of this RFP does not compel the City to purchase any products or services.

#### Withdrawal of Proposals:

Vendors may withdraw a proposal that has been submitted at any time up to the proposal closing date and time. To withdraw a proposal, a written request signed by an authorized representative of the vendor must be submitted to the RFP contact. Upon withdrawal of a proposal, the vendor may submit another proposal at any time up to the proposal closing date and time.

#### Cost of Preparing Proposals:

The City is not liable for any costs incurred by vendors in the preparation and presentation of proposals submitted in response to this RFP.

#### Damage Liability:

The successful vendor is liable and responsible for any damage to the premises (e.g., floor, walls, ceiling, etc.) caused by vendor personnel or equipment during installation, and is responsible for the removal of all project-related debris. The vendor shall be responsible to the City or related third party for any property damage or bodily injury caused by it, any of its sub-contractors, employees, or agents in the performance of, or as a result of, the work performed. Vendor will furnish copies of, and maintain in full force and effect, certificates of insurance, demonstrating general liability insurance, and naming the City as payee in the amount of not less than \$1,000,000. Vendor shall defend, indemnify, and hold harmless the City from and against claims arising directly or indirectly from the contract and associated work performed. Vendor shall be solely responsible for all local taxes or contributions imposed or required under the Social Security, Workers' Compensation, and income tax laws.

### Permits:

The vendor shall obtain and pay for any permits and licenses required for the performance of the work, post all notices required by law, and comply with all laws, ordinances, and regulations bearing on the conduct of the work, as specified herein. For any work that requires an inspection certificate issued by local authorities or any other governing body, such inspection certificate(s) shall be obtained by and paid for by the vendor. The chosen vendor shall procure all required certificates of acceptance or completion issued by state, municipal, or other authorities, and must deliver these to the City.

### Insurance:

The vendor shall, at vendor expense, procure and maintain satisfactory public liability and casualty insurance to adequately protect the vendor's personnel and the City against damages for bodily injury, including death, that may arise from operations under this contract, whether such operations are by the vendor or by the vendor's subcontractor, or anyone directly or indirectly employed by the vendor.

The City will require the vendor with which a contract is established to provide evidence of appropriate professional liability insurance, errors and omission insurance, and workers' compensation insurance coverage prior to commencement of work.

Such coverage must be provided by an insurance company or companies authorized to do business in the State of Georgia. Certificates must name the City as an Additional Insured, shall provide that contractor's policy is primary over any insurance carried by the City, and shall provide that the policy will not be cancelled or materially changed without 30 days prior notice in writing to the City. The successful vendor must agree, if awarded a contract as a result of its proposal, to indemnify and hold harmless the City, its officers, agents, and employees from any and all claims and losses accruing or resulting to persons engaged in the work contemplated by its proposal or to persons who may be injured or damaged by the firm or its agents in the performance of the work. Prior to commencement of any work, these and other provisions will be established contractually.

### Vendor Responsibility:

Unless otherwise stipulated, vendor shall provide, and pay for, all materials, labor, tools, equipment, transportation, and other facilities necessary for the performance and completion of the work.

### Rejection of Proposal:

The City reserves the right to reject any or all proposals, to waive any informality in such proposals, to request new proposals, to revise the RFP prior to the time for final submission of written proposals, to proceed to do the work otherwise, to withdraw this RFP, to not award the contract, to not award a portion or portions of the contract, and/or to negotiate separately with

any source whatsoever in any manner necessary to serve the best interest of the City. The City may not award a contract based solely on this request for proposals and will not pay for the information obtained and solicited. The information obtained will be used in determining the proposal that best meets the City's needs. Unauthorized conditions, limitations or provisions attached to a Proposal may render it as not complying with the City's original request and may be subsequently rejected. No oral proposal or modifications to submitted proposals will be accepted.

Submittal Ownership and Disclosure:

All material submitted in response to this proposal becomes the property of City of Perry, is subject to the provisions and limitations of the Georgia Open Records Law regarding retention, release, and disclosure, and will not be returned unless the Proposer requests a withdrawal in accordance with Withdrawal of Proposals section above. Submitted proposals may be reviewed and evaluated by any person at the discretion of the City.

Acceptance of Proposal:

Submission of a proposal constitutes an agreement by the Proposers to each and all of the terms and conditions as set forth in this request. The contents of the proposal of the successful firm shall become contractual obligations upon entering into a written contract with City of Perry. Failure of the successful firm to accept these obligations may result in cancellation of the award.

Evaluation Criteria

Proposals will be evaluated based on experience, time frame and cost.

Due Date

All proposals are due by, 5:00 PM, close of business October 7, 2016.

Proposer is welcome to submit any additional information it deems appropriate.

Questions

Questions about this RFP should be directed to:

Mr. Lee Gilmour, City manager  
City of Perry  
478.988.2703  
[lee.gilmour@perry-ga.gov](mailto:lee.gilmour@perry-ga.gov)

Submittal Address

Proposals can be submitted in digital or mailed forms. Proposal should be clearly marked  
**LANDSCAPING PLAN REVIEW SERVICES – RFP 2017-01**

Digital address – [lee.gilmour@perry-ga.gov](mailto:lee.gilmour@perry-ga.gov)

Mailing address

City of Perry  
Attn: City Manager  
1211 Washington Street  
P.O. Box 2030  
Perry, GA 31069

# Request for Taxpayer Identification Number and Certification

**Give Form to the  
requester. Do not  
send to the IRS.**

<b>Print or type See Specific Instructions on page 2.</b>	<b>1</b> Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	<b>2</b> Business name/disregarded entity name, if different from above	
	<b>3</b> Check appropriate box for federal tax classification; check only <b>one</b> of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <b>Note.</b> For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. <input type="checkbox"/> Other (see instructions) ▶ _____	<b>4</b> Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
	<b>5</b> Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	<b>6</b> City, state, and ZIP code	
	<b>7</b> List account number(s) here (optional)	

<b>Part I Taxpayer Identification Number (TIN)</b>																																																																							
Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> on page 3.	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="10" style="text-align: center;"><b>Social security number</b></td> </tr> <tr> <td style="width: 25px;"> </td><td style="width: 25px;"> </td> </tr> <tr> <td colspan="4" style="text-align: center;">-</td> <td colspan="2" style="text-align: center;">-</td> <td colspan="4"></td> </tr> <tr> <td colspan="10" style="text-align: center;"><b>or</b></td> </tr> <tr> <td colspan="10" style="text-align: center;"><b>Employer identification number</b></td> </tr> <tr> <td style="width: 25px;"> </td><td style="width: 25px;"> </td> </tr> <tr> <td colspan="4" style="text-align: center;">-</td> <td colspan="6"></td> </tr> </table>	<b>Social security number</b>																				-				-						<b>or</b>										<b>Employer identification number</b>																				-									
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<b>Note.</b> If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.																																																																							

<b>Part II Certification</b>	
Under penalties of perjury, I certify that:	
1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and 2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and 3. I am a U.S. citizen or other U.S. person (defined below); and 4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.	
<b>Certification instructions.</b> You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.	

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶
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### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/fw9](http://www.irs.gov/fw9).

### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.*

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.

**Contractor Affidavit under O.C.G.A. § 13-10-91(b)(1)**

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of City of Perry has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b). Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

\_\_\_\_\_  
Federal Work Authorization User Identification Number

\_\_\_\_\_  
Date of Authorization

\_\_\_\_\_  
Name of Contractor

\_\_\_\_\_  
Name of Project

\_\_\_\_\_  
Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_, \_\_\_\_\_, 201\_\_ in \_\_\_\_\_ (city), \_\_\_\_\_  
(state).

\_\_\_\_\_  
Signature of Authorized Officer or Agent

\_\_\_\_\_  
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME  
ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

phrase, sentence, paragraph, section or provision of this ordinance be declared by the Courts to be unconstitutional or invalid, such declaration shall not effect any other portion or provision of this ordinance.

**Section 192. Repealed resolutions and ordinances.**

This is a comprehensive enactment of a plan of zoning and regulation of subdivisions, and all prior zoning ordinances, subdivision regulations, are hereby superseded and repealed.

**Section 193. Effective date.**

This ordinance shall take effect and be in force from and after the date of its adoption.

**Secs. 194—199. Reserved.**

**ARTICLE XX. TREE PRESERVATION AND REPLACEMENT\***

**Secs. 200—216. Reserved.**

**Sec. 217. Tree preservation and replacement standards.**

(a) *Purpose.* This tree preservation ordinance has been developed to benefit the environmental and aesthetic quality of the city. The intent is to create an opportunity and promote preservation of the city's natural resources and grow in a way that will provide a healthy environment for the city's future. The purpose of this section is to provide standards for the preservation of trees as part of the land development process; to prevent massive grading of land, both developed and undeveloped, without provision for replacement of trees; and to protect trees during construction whenever possible in order to enhance the quality of life within the city. The regulations of this tree preservation ordinance shall be the definitive, unless otherwise directed by the Perry Land Development Ordinance (PLDO) or City Code. The benefits derived from this ordinance include:

- (1) Provide visual buffering and enhance beautification of the city;
- (2) Moderation of storm water runoff, and improved water quality;
- (3) Protect and attempt to enhance property values, thus safeguarding private and public investment;
- (4) Protect the unique identity of the city by promoting native plants and the use of the city's signature plant palette;
- (5) Control soil erosion;
- (6) Reduction of some air pollutants and interception of airborne particulate matter;

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\***Editor's note**—Ord. No. 2008-21, § 1, adopted Aug. 19, 2008, repealed §§ 200—216. See Section 217 for similar provisions. Formers said sections derived from Ord. No. 2001-05, adopted Mar. 6, 2001 and Ord. No. 2002-19, §§ 1, 2, adopted Sept. 17, 2002.

- (7) Preserve stands of trees and "specimen" trees; and
- (8) Protect natural vegetation except where its removal is necessary for responsible property development or control of disease and infestation. This section shall serve to dissuade the unnecessary clearing of land and its disturbance, so as to preserve, insofar as possible, the natural and existing growth of vegetation, and to replace whenever possible the removed foliage with new vegetation.

(b) *Definition of terms.* The following definitions are to clarify terms found in this section. Terms in this section that are not defined herewith shall be defined by the definition provided by the American Heritage Dictionary, Second College Edition or comparable dictionary. If the term cannot be found or if there is no logical nexus between the term in this section and a dictionary, the zoning administrator shall seek to provide a suitable definition.

*Adjoining land, lot, or parcel.* A lot or parcel of land that shares all or part of a common lot line with another lot or parcel of land.

*Aesthetic.* The perception of artistic elements or elements in the natural or created environment that are pleasing to the eye.

*Amenities.* A natural or created feature that enhances the aesthetic quality, visual appeal, or makes more attractive or satisfying a particular property, place, or area.

*Buffer:*

- (1) Open spaces, landscaped areas, fences, walls, berms, or any combination thereof used to physically separate or screen one use or property from another so as to visually shield or block noise, light, or other environmental nuisance;
- (2) An area along some natural feature designated to protect and/or preserve the essential character of such feature and allow it to be maintained in an undisturbed and natural condition;
- (3) A natural undisturbed portion of a lot, except for approved access and utility crossings, which is set aside to achieve one hundred (100) percent visual barrier between the use on the lot and adjacent lots and/or uses.

A buffer is achieved with natural vegetation, and must be replanted subject to approval of the zoning enforcement officer when sparsely vegetated. Clearing of undergrowth from a buffer is prohibited excepted when accomplished under the supervision of the zoning enforcement officer. Land area used to visibly separate one use from another through screening and distance, to shield or block noise, light, glare, visual, or other conditions, to block physical passage to non-similar areas, or to reduce air pollution, dust, dirt, and litter. Also "buffer area" or "buffer strip."

*Caliper.* A method of measuring the diameter of a tree trunk for the purpose of size grading or classification. The caliper of the trunk is measured six (6) inches above the ground, up to and including four-inch caliper size, and twelve (12) inches above the ground for larger sizes.

*Clearing.* The selective removal of vegetation from a property, whether by cutting or other means.

*Clear-cutting.* The indiscriminate and broad removal of trees, shrubs, or undergrowth with the intention of preparing real property for non-agricultural development purposes. This definition shall not include the selective removal of non-native tree and shrub species when the soil is left relatively undisturbed; removal of dead trees; or normal mowing operations. See also "clearing."

*Critical root zone.* The minimum area beneath a tree which must be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. The critical root zone is approximately one (1) foot of radial distance for every inch of tree's DBH, with a minimum of eight (8) feet.

*Cut.*

- (1) A portion of land surface or area from which soil, earth, rock. Or other materials has been removed or will be removed by excavation;
- (2) The height below original ground surface after the material has been or will be removed.

*DBH.* Diameter-at-breast-height, which is the tree trunk diameter (in inches) at a height of four and one-half (4½) feet above the ground. If a tree splits into multiple trunks below four and one-half (4½) feet, then the trunk is measured at its most narrow point beneath the split.

*Deciduous.* Plants that annually lose their leaves.

*Development.* All structures and other modifications of the natural landscape above and below ground or water, on a particular site, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operations.

*Drip line.* A vertical line extending from the outer surface of a tree's branch tips to the ground.

*Erosion.* The process by which land surface is worn away by the action of wind, water, ice, or gravity.

*Evergreen.* Plants that retain foliage throughout the year.

*Existing density factor (EDF).* The tree density units awarded for the preservation of existing trees which will remain on-site to be protected during construction.

*Fill.* A portion of land surface to which soil or other solid material has been added; the depth above the original ground; the height above original ground surface after the material has been or will be added.

*Grade, existing.* The vertical location of the existing ground surface prior to cutting or filling.

*Grade, finished.* The final grade or elevation of the ground surface after cutting or filling and conforming to a proposed and approved design.

*Grading.* Altering the shape of ground surfaces to specified elevations, dimensions, and/or slopes; this shall include stripping, cutting, filling, stockpiling and shaping or a combination thereof, and shall include the land in its cut or filled condition.

*Grubbing.* The removal of stumps or roots from a site.

*Land clearance.* Removal of all trees and/or vegetation from the land surface.

*Land disturbance activity.* Any activity which may result in soil erosion from water or wind and the movement of sediments into state and local waters or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, or filling of land but not including agricultural practices such as a family vegetable plot.

*Land disturbance permit.* Any permit other than a building permit issued by the city that authorizes clearing, grubbing, excavating, filling, or grading activities on a site or portion of a site. Said permit may be clearing, clearing and grubbing, or development permit as defined and authorized under the development regulations of the city.

*Landscape plan.* A component of a development, site, or other plan required by this ordinance and the landscape ordinance on which is shown those details required by the city landscape ordinance.

*Landscape strip.* Land area located within the boundary of a lot and required to be set aside and used for landscaping upon which only limited encroachments are allowed.

*Landscaping.*

- (1) An expanse of natural scenery; or
- (2) Any combination a natural and man-planted and maintained features including lawns, trees, shrubs, other plants, decorative or natural ground cover, exposed rock, mulch, wood chips, water features, sculpture, paths, etc.

*Natural features.* Trees or other living vegetation, and rocks.

*Replacement density factor (RDF).* The minimum number of tree density units which must be achieved on a property after calculating tree density units for existing trees (EDF) which will remain on-site to be protected during construction.

*Screening.* The method of visually shielding or obscuring one abutting or nearby densely planted vegetation. Screening is designed to reduce the effects of objectionable or potentially objectionable uses and activities between incompatible uses. Breaks in screens shall be permitted to provide adequate ingress and egress as needed.

*Sediment.* Solid material, both mineral and organic, that is in suspension, is being transported or has been moved from its site of origin by air, water, ice, or gravity; the product of erosion.

*Sedimentation.* The process by which eroded material is transported and deposited by the action of wind, water, ice, or gravity.

*Shrub.* Prostrate or upright woody plants, either evergreen or deciduous with a mature height usually less than ten (10) feet.

*Site.*

- (1) Any tract, lot, or parcel or land in combination of tracts, lots, or parcels of land which are in one ownership or are contiguous and in diverse ownership where development is to be performed as part of a unit, subdivision, or project;
- (2) All contiguous land and bodies of water in one (1) ownership, graded or proposed for grading or development as a unit, although not necessarily at one (1) time;
- (3) Regarding historic properties, a site is the location of a significant event, a prehistoric or historical occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical or archaeological value regardless of the value of any existing structure.

*Site density factor (SDF).* The minimum number of tree density units per acre which must be achieved on a property after development (fifteen (15) units per acre, exclusive of any acreage within a zoning buffer and any trees required to be preserved or planted in a zoning buffer).

*Site plan.* A document or group of documents containing sketches, text, drawings, maps, photographs, and other material intended to present and explain certain elements of a proposed development, including physical design, siting of buildings and structures, interior vehicular and pedestrian access, the provision of improvements, and the interrelationship of these elements.

*Specimen tree.* Any tree which qualifies for special consideration for preservation due to its size, species or historic relevance.

*Stripping.* Any activity which removes the vegetative surface cover including tree removal clearing, grubbing, and storage or removal of topsoil.

*Timber.* Harvestable trees; wooded areas.

*Timbering.* The act of removing harvestable trees and wooded areas for profit.

*Topography.* The configuration of surface features of a region, including its relief and rivers, lakes, and showing relative elevations.

*Tract.* An area, parcel, site, piece of land, or property that is subject of a development application.

*Tree.* Any living, self-supporting woody perennial plant which normally obtains a trunk diameter of at least two (2) inches and a height of at least ten (10) feet, and typically has a main stem or trunk and many branches.

*Tree, canopy.* These trees that compose the top layer or canopy of vegetation and will generally reach a mature height of greater than forty (40) feet.

*Tree, understory.* Those trees that grow beneath the overstory, and will generally reach a mature height of under forty (40) feet.

*Tree density standard.* The minimum number of tree density units per acre which must be achieved on a property after development.

*Tree density unit.* A credit assigned to a tree, based on the diameter of the tree, in accordance with tables contained in this section.

*Tree diameter.* The cross-sectional dimension of a tree trunk measured at four and one-half (4½) feet above the ground. If a tree has more than one (1) trunk, only the largest trunk shall be used to establish the tree diameter for the tree.

*Tree protection area.* Any portion of a site wherein are located existing trees which are proposed to be retained in order to comply with the requirements of this section. The tree protection area shall include no less than the total area beneath the tree canopy as defined by the dripline of the tree plus any additional area encompassing the critical root zone of a tree or group of trees collectively.

*Tree protection plan.* A plan that identifies tree protection areas, existing trees to be retained and proposed trees to be planted on a property to meet minimum requirements, as well as methods of tree preservation to be undertaken on the site and other pertinent information.

*Tree removal.* Any act which causes a tree to die within two (2) years after commission of the act, including but not limited to damage inflicted upon the root system or trunk as a result of:

- (1) The improper use of machinery on the trees;
- (2) The storage of materials in or around the trees;
- (3) Soil compaction;
- (4) Altering the natural grade to expose the roots or to cover the tree's root system with more than four (4) inches of soil;
- (5) Pruning judged to be excessive by zoning enforcement officer or not in accordance with the standards set forth by the International Society of Arboriculture (ISA);
- (6) Paving with concrete, asphalt, or other impervious surface within such proximity as to be harmful to the tree or its root system; and
- (7) Application of herbicides or defoliates to any trees without first obtaining a permit.

*Tree save area.* An area designated for the purpose of meeting tree density requirements, saving natural trees, and/or preserving natural buffers.

*Tree thinning.* Selective cutting or thinning of trees for the clear purpose of good forestry management in order to protect said forest from disease or infestation and in no way shall be construed as clear cutting.

*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

<i>Project Type</i>	<i>Type of Construction</i>	<i>Applicability</i>
Diseased or infested trees	Removal upon advice and written finding of the county extension service, Georgia Forestry Commission, an arborist, an urban forester, or the zoning enforcement officer.	Exempt
Residential and nonresidential subdivisions	Land disturbance limited to areas needed for streets, drainage, and utilities.	Required
	Land disturbance beyond areas needed for streets, drainage, and utilities.	Required
	Building permit for construction of 1 and 2 family dwellings.	Exempt
	Recreation areas, common areas, and entrances.	Required
Multi-family and nonresidential sites	Clearing or clearing and grubbing, limited to areas outside of all minimum yards, buffers, and 100-year flood plain.	Required
	Clearing or clearing and grubbing only, proposing disturbance within a minimum yard or 100-year flood plain.	Required
	Grading or land disturbance permit	Required
	Building permit	Covered

All projects must meet requirements in Section 4.9—Removal of Trees.

The zoning enforcement officer, as part of the review team, will conduct a preliminary review of all rezoning cases and special use permit applications. Conditions to rezoning will be applied where determined necessary by the preliminary review. These conditions may be either general, or specific in nature, and will reflect the standards or provisions of this section and the PLDO. Compliance to these conditions will be verified by review of a revised site plan prior to the issuance of a land disturbance permit.

Developers and design professionals may meet at any time with the zoning enforcement officer to discuss the tree preservation planning process. The zoning enforcement officer is available for field inspections of site conditions prior to submittal to assist in the design process as it relates to preserving trees. Information can also be disseminated about how to prepare a tree protection plan for submittal in order to minimize plan review time.

(d) *Permitting process.*

- (1) Prior to the submission of any permit drawings, the applicant is encouraged to meet with the zoning enforcement officer to discuss the tree protection ordinance as it relates to the applicant's property. The purpose of the presubmittal conference is to clarify the provisions and procedures of this section and review applicable standards and guidelines for the submittal of documents, and required tree protection, replacement, and maintenance measures.

- (2) Three (3) copies of the tree protection plan, either as separate or combined drawings, along with other permit drawings, are to be submitted as part of the plan approval and/or land disturbance permit process to the Perry Community Development Department. These plans will be reviewed by the zoning enforcement officer for compliance with the city zoning ordinance and either approved, denied, or returned for revisions. Any comments will be made available to the designer for response or revision to the drawings. The plans shall then be resubmitted (along with previous red line comments), with the necessary changes, following the same procedure as if it were an original application. Issuance of a land disturbance permit is contingent upon approval of the tree protection plan.

(e) *Procedures.*

- (1) All tree protection measures shall be installed prior to any land disturbance, and the zoning enforcement officer shall be contacted for a pre-construction conference prior to any land disturbance. To adequately protect the site, tree save areas shall be delineated in the field with tree protection fencing. Land disturbance may proceed only after a permit is obtained and tree protection measures have been installed and approved by the zoning enforcement officer. The zoning enforcement officer will conduct unscheduled inspections during construction to ensure compliance with the approved tree protection plan. The zoning enforcement officer shall have the authority to stop work on a development if site activities do not comply with the approved tree protection plan and/or this section.
- (2) A tree removal permit is required to remove any tree larger than six (6) inches in diameter from any property. There will be a fee for obtaining a tree removal permit based on the number of trees to be removed. Some tree removal permits may be granted without a tree removal fee in accordance with Section 4.9 of this section. If any significant trees are removed from any property without a tree removal permit, the property owner shall pay a fine of twice the tree removal fee calculated. Minimum required site tree densities must be maintained at all times. Failure to maintain the required tree densities may result in re-plantings.
- (3) Any specimen tree which is removed without appropriate review and approval of the zoning enforcement officer will be replaced by trees equaling a two (2) times an inch for inch replacement of the tree removed. The owner of the property shall be required to replace said tree or trees with replacement trees which will be four-inch minimum caliper. Size alone will determine whether a tree was of specimen quality if the tree is removed without approval and there is no evidence of its condition. Such action may also result in a stop work order issued by the zoning enforcement officer.
- (4) In the event any specimen tree or trees should not survive more than twenty-four (24) months following completion of development, the owner of the property shall be required to replace said tree or trees with replacement trees (three-inch minimum caliper) having an inch for inch replacement of the specimen tree removed on the site

as approved by the zoning enforcement officer. Failure to maintain the required tree density factor at any time during the life of the project shall be a violation of this section.

- (5) An approved tree protection must be implemented prior to the issuance of a certificate of occupancy. When the developer/owner has installed the required landscaping improvements, he shall request an inspection by the zoning enforcement officer. If the zoning enforcement officer approves the installation, the project will be released for the issuance of a certificate of occupancy. If the zoning enforcement officer does not approve the plan, he shall submit a report stating his reasons for disapproval so that the developer can make the necessary corrections. After the corrections have been made, a re-inspection shall be requested.
- (6) Trees which are used to meet the tree density requirements shall be maintained for two (2) years after the date of final inspection. It is the responsibility of the property owner to water and fertilize trees in order to maintain tree health and vigor. Failure to maintain the required tree density factor at any time during the life of the project shall be a violation of this section.
- (7) The developer/owner shall guarantee all plant materials for a minimum of two (2) years from implementation. The zoning enforcement officer shall inspect said improvements and shall make a determination of whether or not the required trees and landscaping are healthy and have a reasonable chance of surviving to maturity. The owner shall be notified by letter of any replacements or restoration that must be made to maintain compliance with this section. All unhealthy and dead plant material shall be replaced within forty-five (45) days in conformance with the approved plan.
- (8) It shall be the duty of the zoning enforcement officer to enforce the provisions and requirements of this section. The zoning enforcement officer shall have the authority to revoke, suspend, or void any land disturbance permit and shall have the authority to suspend all work on a site or a portion thereof.
- (9) Land clearing for clearly agricultural purposes, including legitimate timber harvesting; plant or tree nurseries; or chards, is exempt. However, 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. All legitimate timber harvesting shall be required to provide a fifty-foot undisturbed buffer provided and maintained along the entire perimeter of the property, including road frontages, during the land disturbance activity, except for authorized access crossings. Once tree harvesting takes place in conformity with the above regulations, no development of the property shall be permitted that would require the cutting of trees preserved for a period of five (5) years following the timber harvesting.

(f) *Tree preservation and protection.* The trees in Perry are a city resource worth protecting and maintaining. Existing trees shall not be disturbed, except as outlined in this section. No person shall cut carve or otherwise damage any tree. No person shall attach rope, wire, nails, or advertising posters to any tree. No person shall set fire or permit any fire to burn when such

fire or the heat thereof will injure any portion of any tree. Any large, rare, or historically significant trees on a project site shall be highlighted by the designer (see Section 4.6—Specimen Trees). It is required that all reasonable efforts be made to save specimen trees. "Reasonable effort" shall include, but not be limited to, alteration of building design, alternate building location, parking area, detention area, drainage system, or relocation of utilities. Careful thought and consideration is expected to be given to saving trees in the development process.

In the plan review process of a proposed project, the first indicator of how well trees have been incorporated in the design process is how will the proposed development impact specimen trees. These trees are considered on an individual basis and a proposal to remove any of them is carefully scrutinized. Another indicator is how will the proposed development impact smaller, significant trees. These trees are typically considered in mass as they relate to the overall preservation of the natural character of the site. Removals which are not adequately justified may require site plan alterations.

The following guidelines and standards shall apply to trees proposed to be retained for credit toward meeting the site density factor on a property.

- (1) *Planning considerations.* Tree space is the most critical factor in tree protection throughout the site development process. The root system can easily extend beyond the dripline of the tree canopy. The root system within the dripline region is generally considered to be the critical root zone. Disturbance within this zone can directly affect a tree's chances for survival. To protect these critical root zones the following planning considerations should be applied:

The use of tree save islands and stands is encouraged rather than the protection of individual (nonspecimen) trees scattered throughout a site. This will facilitate ease in overall organization as related to tree protection.

- a) The protective zone of specimen trees or stands of trees or otherwise designated tree save areas shall include no less than the total area beneath the tree(s) canopy as defined by the furthest canopy drip line of the tree(s).
- b) Tree preservation and grading requirements are two (2) design constraints, which are most often in conflict. A grade change of a few inches can be detrimental to a tree, yet most sites require extensive cut and fill in order to manage drainage. The use of berms or retaining walls, instead of cutting, to provide detention can be used to preserve significant trees. Detention ponds can be designed around significant trees by adding depth to minimize width where possible. Retaining walls can also be used to mitigate cuts and fills. Tree wells and/or aeration systems can also be provided for trees in areas of fill.
- c) Underground water and wastewater lines, storm sewers, irrigation lines and both underground and overhead electric and telephone lines can have a considerable impact on trees. The layout of the project site utility plans should accommodate the required tree protective zones. Utilities should be

placed along corridors between tree protective zones. Developers shall coordinate the location of utility lines, including irrigation and electric lighting, with the utility companies in order to prevent root damage within the critical root zones of protected trees and to minimize damage to trees located in protected zones.

- d) Construction activities such as parking, material storage, concrete washout, burnhole placement, etc. shall be arranged so as to prevent disturbances within tree protective zones. No disturbance shall occur within the protective zone of specimen trees or stands of trees without prior approval of the zoning enforcement officer.
- e) Sidewalks often appear innocuous on plans, but can be very detrimental to trees due to grading requirements. Considerations should be given to move sidewalks as far from tree trunks as possible and provide a finished grade above the existing grade for sidewalks required in close proximity to a tree trunk. Drainage can be routed under sidewalks where an elevated grade is required.

(2) *Protection of existing trees.*

- a. Tree protection devices are necessary to eliminate activities detrimental to trees including, but not limited to:
  - 1. Soil compaction in the critical root zone resulting from heavy equipment, vehicular or excessive pedestrian traffic, or storage of equipment or materials;
  - 2. Root disturbance due to cuts, fills, or trenching;
  - 3. Wounds to exposed roots, trunks, or limbs by mechanical equipment;
  - 4. Other activities such as chemical storage, cement truck cleaning, fire, etc.
- b. Trees identified to be preserved and counted as credit towards meeting required site tree density shall have a four-foot tree protection fencing installed at the critical root zones. For methods of tree protection, see Section 4.3 a through g. All tree protection measures shall be installed prior to the start of any land disturbance and maintained until final landscaping is installed. No construction activities are to occur within tree protection areas. Areas designated for parking, materials and equipment storage or staging areas are to be located outside of the drip line of existing trees.
- c. The zoning enforcement officer will conduct periodic inspections of the site before work begins and during clearing, construction, and post construction phases of development in order to ensure compliance with these regulations and the intent of this section. Tree protection must remain in functioning condition throughout all phases of development. Failure to comply with and/or maintain approved tree protection measures may result in a stop work order issued by the zoning enforcement officer.

- (3) *Methods of tree protection.* The root system within the drip line is generally considered to be the critical root zone. Most trees can tolerate only a small percentage of critical root zone loss. To protect these critical root zones, a tree protection area shall be established around each tree or group of trees to be retained. The following section describes ways to help control unnecessary encroachment on existing trees. These methods and guidelines will be followed for tree protection throughout all phases of construction. These guidelines are designed to reduce damage to critical root zones and wounds to exposed roots, trunks, and limbs by chemical, mechanical, and other means. Tree protection areas will be delineated on tree protection plan and methods of protection will be clearly noted and detailed.
- a. *Active protective barriers.* Barriers shall be installed along the outer edge of and completely around the critical root zones of all specimen trees or stands of trees, or otherwise designated tree protective zones, prior to any land disturbance. Deviations from this must be approved on an individual basis by the zoning enforcement officer. Barriers will be a minimum four (4) feet high, constructed in a post and rail configuration. A two-inch by four-inch post and a one-inch by four-inch rail, with the post no further than six (6) feet apart, is recommended. Chain link fence with the same post spacing, is also acceptable. All tree protection zones should be designated as such with "tree save area" signs posted visibly on all sides of the fenced in area. All tree fencing shall be maintained throughout the land disturbance and building construction, and should not be removed until all construction and landscaping is complete.
  - b. *Passive protective barriers.* Tree save areas and their critical root zones not within sixty (60) feet of any grading, storage, construction or traffic areas may be protected by four-foot orange plastic safety fencing or continuous plastic flagging. Tree protection materials shall consist of heavy mil, plastic flagging, a minimum four (4) inches in width with dark letters reading "Tree Protection Area. Do Not Enter" or equivalent signage on a continuous durable restraint. Passive tree protection fencing is to be used only for areas remote from construction activity.
  - c. *Boring.* No open trenching will be allowed within the protected zone as defined by the protective barricades. All underground utilities to be installed within this protection zone shall be installed by boring underneath the root zone. Any exceptions must be approved by the zoning enforcement officer. Utilities may be tunneled in the root zone at a twenty-four-inch minimum depth providing that plans are approved showing the location and method.
  - d. *Filling/clearing within root zone.* Fill dirt no deeper than two (2) inches may be allowed within the drip line of the tree. No grubbing is permitted in the root zone. In the protected root zone, any stumps, dead trees and shrub growth to be removed shall be cut flush or ground out. Stump grinding will be accomplished with equipment and methods acceptable in normal arboriculture operations. All holes will be backfilled completely the same day of the operation.

- e. *Soil compaction.* Where compaction might occur due to traffic or materials storage, the tree protection zone must first be mulched with a minimum four-inch layer of shredded hardwood mulch, or a six-inch layer of pine straw.
  - f. *Clearing activities.* Roots often fuse and tangle amongst trees. The removal of trees adjacent to tree save areas can cause inadvertent damage to the protected trees. Wherever possible, it is advisable to cut minimum two-foot trenches (e.g. with a ditch witch) along the limits of land disturbance, so as to cut, rather than tear, the roots. Trenching may be required for the protection of specimen trees. The cutting down and then grinding the stump of the adjacent removed trees, as opposed to bulldozing them and ripping their roots, can also aid the protected trees.
  - g. *Tree removal.* To minimize potential root loss from soil disturbance in an overlapping root situation. All roots attached to a tree inside a tree save area that extend outside the tree save areas shall be cut by hand if the soil is to be disturbed. The removal of any tree adjacent to a tree within a tree save area shall not be removed by heavy equipment. Cutting the roots by hand or with a ditch witch is acceptable.
- (4) *Tree protection plan.* Any proposal for development or improvement of any tract of land shall include a tree protection, including trees to be planted in order to meet the minimum requirements of this section. Such plan shall be submitted, along with other permit drawings, to the city building department prior to any clearing, grubbing, grading or other removal of the existing vegetation that may affect the health of existing tree coverage. No tree removal shall occur prior to approval of the tree protection plan. The tree protection plan may be submitted as part of a landscape plan, provided that all required information is legible, or as a separate drawing which includes, as a minimum, the following:
- a. Name, address, and phone number of owner of record and applicant.
  - b. Boundary lines of the tract by lengths and bearings, streets adjoining the property, total area of the tract, land lot, land district, north point, graphic scale, and date.
  - c. Approximate location of all specimen trees and their critical root zones. Indicate those specimen trees proposed for removal or for preservation. Removal of specimen trees is subject to zoning enforcement officer's approval.
  - d. Approximate location of all trees or stands of trees. Only trees that are designated on the tree protection plan will be counted towards density requirements.
  - e. Exact location of specimen trees when their preservation is questionable, or might result in a change of the site design.
  - f. Location of proposed buildings, structures and paved areas.
  - g. Locations of all existing and proposed utility lines. (Utility lines must be placed along corridors between critical root zones of trees which will remain on the site.)

- h. Limits of land disturbance, clearing, grading, and trenching.
- i. Limits of tree protection areas, showing trees to be maintained and planted, specifying species and size.
- j. Grade changes or other work adjacent to a tree, which would effect it adversely, with drawings or descriptions as to how the grade, drainage, and aeration will be maintained around the tree.
- k. Methods of tree protection shall be indicated for all tree protection zones, including tree fencing, erosion control, retaining walls, tunneling for utilities, aeration systems, transplanting, staking, signage, etc.
- l. Procedures and schedules for the implementation, installation, and maintenance of all tree protection measures.
- m. Plan should indicate staging areas for parking, materials storage, concrete washout, and debris burn where these areas might affect tree protection.
- n. The required site tree density factor must be satisfied. Compliance shall be clearly demonstrated on the tree protection plan. Existing trees or stands of trees used in the density calculation must be clearly indicated on the drawing. A summary table of the number of existing trees to remain and new trees to be planted, by diameter shall be shown along with the calculations showing tree density achieved for the site.
- o. Additional information as required on a case by case basis. This could include, but is not limited to, a certified arborist's appraisal of the tree's viability and projected life span.
- p. The following notes shall be indicated on both the tree protection plan and the grading plan in large bold letters.
  - (1) **CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT AT 988-2714 TO ARRANGE A PRE-CONSTRUCTION CONFERENCE WITH THE ZONING ENFORCEMENT OFFICER PRIOR TO ANY LAND DISTURBANCE.**
  - (2) **ALL TREE PROTECTION MEASURES SHALL BE INSTALLED AND INSPECTED PRIOR TO THE START OF ANY LAND DISTURBANCE AND MAINTAINED UNTIL FINAL LANDSCAPING IS INSTALLED. CALL THE COMMUNITY DEVELOPMENT DEPARTMENT AT 988-2714 FOR AN INSPECTION BY THE ZONING ENFORCEMENT OFFICER.**
  - (3) **NO PARKING, STORAGE, OR ANY OTHER CONSTRUCTION ACTIVITIES ARE TO OCCUR WITHIN TREE PROTECTION AREAS.**
  - (4) **A MAINTENANCE INSPECTION OF TREES WILL BE PERFORMED AFTER TWO FULL GROWING SEASONS FROM THE DATE OF THE FINAL CONSTRUCTION INSPECTION. PROJECT OWNERS AT THE TIME OF THE MAINTENANCE INSPECTION ARE RESPONSIBLE FOR ORDINANCE COMPLIANCE.**

(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

Plants, Fifth Edition. For example, the Red Maple tree has an expected crown of forty (40) feet. To determine spacing, add the expected crown of each tree together and multiply the expected crown of both trees by 0.5 and multiply by 0.8. Using two (2) Red Maple as example you get:

$$40 + 40 \times 0.5 \times 0.8 = 32$$

The trees must be spaced at least thirty-two (32) feet apart.

The minimum required quantity of trees on site after development must produce a total site density factor (SDF) of fifteen (15) units per acre. The site density factor is determined as follows:

$$\text{SDF} = (\text{total site area, in acres}) \times 15$$

Table 2. Credit For Existing Trees (EDF)  
Conversion from Tree Diameter in Inches to Tree Density Units for Tree Remaining on-site

<i>Diameter</i>	<i>Units</i>	<i>Diameter</i>	<i>Units</i>	<i>Diameter</i>	<i>Units</i>	<i>Diameter</i>	<i>Units</i>
3"	0.1	15"	1.2	27"	4.0	39"	8.3
4"	0.1	16"	1.4	28"	4.3	40"	8.7
5"	0.1	17"	1.6	29"	4.6	41"	9.2
6"	0.2	18"	1.8	30"	4.9	42"	9.6
7"	0.3	19"	2.0	31"	5.2	43"	10.1
8"	0.4	20"	2.2	32"	5.6	44"	10.6
9"	0.5	21"	2.4	33"	5.9	45"	11.0
10"	0.6	22"	2.6	34"	6.3	46"	11.5
11"	0.7	23"	2.9	35"	6.7	47"	12.0
12"	0.8	24"	3.1	36"	7.1	48"	12.6
13"	0.9	25"	3.4	37"	7.5	49"	13.1
14"	1.1	26"	3.7	38"	7.9	50"	13.6

Note: Where there are not enough ten-inch DBH or greater existing trees, three-inch DBH or greater trees may be counted as table indicates (in lieu of planting new trees), provided they have grown in uncrowded conditions and have developed normal spread or they are part of a specimen tree stand.

DBH = diameter at breast height (four and one-half (4½) feet above ground)

To calculate the replacement density factor (RDF), subtract the existing density factor (EDF) from the site density factor (SDF).

$$RDF = SDF - EDF$$

Example procedure for calculating the required replacement density factor (RDF):

STEP 1 = Calculate the site density factor (SDF) by multiplying the number of site acres by fifteen (15).

$$\text{Example} = 1.85 \text{ acres} \times 15 = 27.75 \text{ units.}$$

STEP 2 = Calculate the existing density factor (EDF) of trees that will remain on-site to be protected during construction. EDF is determined by converting the tree diameter (DBH) of individual existing trees to density factor units, using Table 2, Credit for Existing Trees. These units are then totaled to determine the EDF for the site.

Example = A total of twelve (12) trees will remain on the 1.85 acre site in Step 1. The trees include:

- 3 12" pines
- 4 18" oak
- 3 20" pine
- 2 24" oak

When converted to density factor units using Table 2, we arrive at the following values:

<i>DBH</i>	<i>No. of Trees</i>	<i>×</i>	<i>Units</i>	<i>Total</i>
12"	3	×	0.8	2.4
18"	4	×	1.8	7.2
20"	3	×	2.2	6.6
24"	2	×	3.1	6.2

Adding together the units of all remaining trees, the sum total of units = 22.40 units.

Since the existing density factor (EDF) is less than the required site density factor (SDF), then replacement trees are required. The minimum site density factor (SDF) for a 1.85 acre site, established in Step 1 has not yet been met.

STEP 3 = Calculate the replacement density factor (RDF) by subtracting the existing density factor (EDF) (Step 2) from the site density factor (SDF) (Step 1).  
 $RDF = EDF - SDF$

$$\text{Example: } RDF = 27.75(EDF) - 22.40(SDF)$$

$$27.75 - 22.40 = 5.35(RDF)$$

STEP 4 = The replacement density factor (RDF) can be converted back to caliper inches using. Table 3—Credit for Replacement Trees. Any number or combination of transplantable size trees can be used so long as their total density factor units will equal or exceed the replacement density factor (RDF).

Example: On the 1.85 acre site the following number and size of trees will be planted as replacement trees:

<i>Number</i>	<i>Size</i>	<i>Species</i>	×	<i>Density Factor</i>	=	<i>Total Units</i>
05	1.5"	Dogwood	×	0.4	=	2.00
04	2.0"	Red Maple	×	0.5	=	2.00
02	4.0"	Red Oak	×	0.7	=	1.40

Adding together the units of proposed replacement trees, the sum total of units = 5.40 units.

Proposed replacement units of 5.40 is more than the replacement density factor (RDF) of 5.35 units, thus minimum replacement requirements have been met.

Use Table 3, Credit for Replacement Trees to determine the number and size of trees that must be planted. Any combination of transplantable size trees can be used, so long as their total density factor units equal or exceed the RDF.

Table 3. Credit For Replacement Trees (RDF)  
Conversion From Tree Caliper In Inches To Tree Density Units For Proposed Replacement Trees

<i>Caliper</i>	<i>Units</i>	<i>Caliper</i>	<i>Units</i>
1.5	0.4	8.0	1.3
2.0	0.5	9.0	1.5
3.0	0.6	10.0	1.7
4.0	0.7	11.0	1.9
5.0	0.9	12.0	2.1
6.0	1.0	13.0	2.3
7.0	1.2	14.0	2.5

IMPORTANT NOTE: For the purpose of this section, tree calipers are measured at one and one-half (1½) feet above the ground or at any point below that for new trees or multi-trunked species, but in no case less than six (6) inches from the ground.

- (6) *Specimen trees.* Some trees on a site warrant special consideration and encouragement for preservation. These trees are referred to as specimen trees. Trees unique due to age, size, species or historic relevance are to be identified during the survey process and special consideration must be made to work around them. It is required that all reasonable efforts be made to save specimen trees. Reasonable effort shall include, but not limited to, alteration of building design, alternate building location, parking area, detention area, drainage system, or relocation of utilities. These trees are to be

identified and highlighted on the tree protection plan. Design of buildings, hardscapes and utilities are to be developed with consideration to preserving and featuring specimen trees.

Tree density unit credits are given for existing trees that are saved during the site development process, with greater credits given to specimen trees. In order to encourage the preservation of specimen trees and the incorporation of these trees into the design of projects, additional density credit will be given for specimen trees which are successfully saved by a design feature specifically designated for such purpose. Credit for any specimen tree thus saved for such purpose would be two (2) times the assigned unit value in Table 2, Credit for Existing Trees.

The following criteria are used by the city to identify specimen trees. Both the size and condition criteria must be met for a tree to qualify:

a. *Size criteria:*

1. Large hardwoods (oaks, poplars, sweetgums, etc.): twenty-seven-inch diameter or larger.
2. Large softwoods (pines, deodar cedar, etc.): thirty-inch diameter or larger.
3. Small trees (dogwoods, redbuds, sourwoods, etc.); eight-inch diameter or larger.

b. *Condition criteria:*

1. Life expectancy of more than fifteen (15) years.
2. Relatively sound and solid trunk with no extensive decay.
3. No more than one major and several minor dead limbs (hardwoods only).
4. No major insect or pathological problem.

A lesser sized tree can be considered a specimen tree, if in the judgment of the zoning enforcement officer:

1. It is a rare or unusual species or of historical significance.
2. It is specifically used by a builder, developer, or design professional as a focal point in a project or landscape.
3. It is a tree with exceptional aesthetic quality.

- (7) *Replacement of specimen trees.* In the event any specimen tree should be removed during the land development process, the applicant shall be required to replace any specimen tree being removed with suitable replacement trees elsewhere on the site. Removed specimen trees shall be replaced by species with potential for comparable size and quality. Tree replacement, in addition to the minimum required tree density, shall be required in recompense for the removal of specimen trees. Specimen trees that are removed must be replaced by trees, minimum three-inch caliper, with an inch for inch replacement of the specimen tree removed. To determine if the replacement is reasonable the zoning enforcement officer shall consider intended use of:

- a. Existing tree coverage, size, and type.

- b. Number of trees to be removed on the entire property.
- c. Number of trees to be saved on the entire property.
- d. Area to be covered with structures, parking, and driveways.
- e. Grading and drainage requirements.
- f. Character of the site and its environs.

Any tree, designated on the tree protection plan to be saved, which is damaged during construction or as a result of construction, as determined by the zoning enforcement officer, shall be replaced with a tree or trees equal to the unit value of the tree damaged. However, any specimen tree damaged as described above shall be replaced with trees equaling an inch for inch replacement of the tree damaged.

In the event any specimen tree or trees should not survive more than twenty-four (24) months following completion of development, the owner of the property shall be required to replace said tree or trees with replacement trees (three-inch minimum caliper) having an inch for inch replacement of the specimen tree removed on the site as approved by the zoning enforcement officer. Any specimen tree which is removed without appropriate review and approval of the zoning enforcement officer must be replaced by trees equaling a two (2) times an inch for inch replacement of the tree removed. The owner of the property shall be required to replace said tree or trees with replacement trees which will be four-inch minimum caliper. Size alone will determine whether a tree was of specimen quality if the tree is removed without approval and there is not sufficient evidence of its condition. Such action may also result in a stop work order issued by the zoning enforcement officer.

(8) *Relocation of trees.*

- a. Trees to be relocated shall be removed with a root ball sized in proportion to their calipers. Root balls shall be twelve (12) inches in diameter for each one (1) inch of tree caliper. Trees four (4) inches in caliper and smaller are to be measured six (6) inches from the ground. Trees four (4) inches to eight (8) inches caliper are measured twelve (12) inches from the ground, trees eight (8) inches caliper or larger are measured from breast height.
- b. Trees which are to be relocated in areas which do not require grading are to be placed directly into their new location. Trees to be relocated into the limit of work line shall have tree barriers placed around it in accordance with the plan.
- c. Trees to be transplanted off-site in full leaf shall be covered entirely with a protective cloth covering prior to transporting. Trees transplanted on-site require no covering.
- d. Trees which are to be relocated in areas to be graded are to be stockpiled. Stockpiled trees shall be well heeled in and protected from excessive wind and sun. The contractor shall provide water to maintain a healthy condition.

- 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

requirements: Extreme care shall be taken so as to prevent limbs, branches and trunks from falling and creating damage to adjacent homes, driveways, sidewalks, trees, shrubs, streets and other property, both public and private. 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.

- d. *Cleanup.* Debris and logs shall not be left on the public right-of-way overnight. It shall be the responsibility of the contractor to remove and dispose of, in a proper and acceptable manner, all logs, brush and debris resulting from the tree removal operation unless otherwise directed by the city. No person shall be issued a tree removal permit unless said person agrees to remove all cut logs, brush, and debris from the premises. Removal of such debris shall be performed daily so as to not disrupt the work of other contractors on the site. Absolutely no burying on-site is allowed. No burning on site is allowed without a permit issued by the city fire department.
- e. *Trees on private property.* It shall be the duty of any person or persons owning or occupying property bordering on any street upon which property there may be trees, to prune such trees in such a manner that they will not obstruct or shade street lights, obstruct passage of pedestrians on sidewalks, obstruct vision of traffic signs, or obstruct views of any street intersection. Any trees that are diseased or insect infested shall be removed, sprayed, or treated in such a manner that they will not infect or damage nearby public vegetation or cause harm to the community or citizens therein. The zoning enforcement officer may order trees on private land that causes obstructions, present insect or disease problems, or otherwise present a danger to public health or safety be pruned, removed, or treated.
- f. *Fees.* Permits shall be obtained by any person or company engaged in the removal of trees for a fee. The zoning enforcement officer will review the tree removal plans and inspect the project site when necessary prior to tree removal of any trees. If significant trees are removed from any property without a tree removal permit, the property owner shall pay a fine of three (3) times the tree removal fee calculated. Minimum site tree densities must be maintained at all times. Permit fees shall be as set forth in the fee schedule for the city.
- g. *Penalties.* Any person, firm, corporation, company, or partnership violating any provision of this section shall be punished as provided in Section 180 of the PLDO. Where an offense continues from day to day, each day's continuance thereof shall be deemed a separate offense. The owner of a premises, where anything in violation of this section shall exist, or any person, firm, corporation, company, or partnership who may have assisted in the commission of such violation shall be guilty of a separate offense and, upon conviction thereof, shall be punished as herein provided.

(g) *Alternative Compliance.* The intent of the Tree Preservation and Replacement Ordinance is to insure that a minimum density of trees is maintained on all developed sites. Occasionally, this intent cannot be met because a project site will not bear the required density of trees. To provide some alternatives in such cases, two (2) methods of compliance are acceptable:

- \* Planting at a location remote from the project site; or.
- \* Contributing to the City of Perry Tree Replacement Fund.

The following standards have been established for administering these alternative compliance methods:

The Community Development Department must review and approve all requests for alternative compliance. In no instance, shall one hundred (100) percent of the required site density factor be met through alternative compliance. As many trees as can reasonably be expected to survive must be planted on the site in question.

The land disturbance permit will only be issued after the Community Development Department has approved the request and received the necessary documentation and/or funds.

(1) *Off-Site Planting.* If trees are to be planted at another location, the following criteria must be observed:

- \* The off-site location should be in the same area of the city as the project site.
- \* A tree replacement plan meeting all applicable standards in these guidelines must be reviewed and approved.
- \* The following must be shown on the approved plan:

A tree replacement plan addendum for this project shall be submitted to the City of Perry Community Development Department at least thirty (30) days from the date of this land-disturbance permit. This plan shall include the species, size and location of trees to be planted off site to meet the tree density deficit shown. Release of this project is subject to approval of this plan as well as verification of the installation of the trees.

(2) *City Tree Replacement Fund.* As another method of alternative compliance, the City of Perry will accept donations, which will be used for the sole purpose of planting trees on public property.

*Calculating Contribution Amounts.* Contribution calculations are based on two-inch caliper replacement trees with a value of two hundred twenty dollars (\$220.00), representing the average size and cost of materials, labor and guarantee for trees planted in the City of Perry.

To determine the appropriate contribution, first calculate the Density Factor Deficit (DFD) or unit value that cannot be planted on the site. Divide the DFD by .5 (the unit value of a two-inch caliper replacement tree) and multiply by two hundred twenty dollars (\$220.00).

EXAMPLE: A 2.2 acre site has a required Site Density Factor (SDF) of 33.0 an Existing Density Factor (EDF) of 21.4, and can only accommodate a Replacement Density Factor (RDF) of 5.0.

Determine the Density Factor Deficit (DFD) using the formula:

$$DFD = SDF - EDF - \text{Approved RDF}$$

In this example,  $DFD = 33.0 - 21.4 - 5.0 = 6.6$

Determine the acceptable contribution amount as follows:

$$6.6 \text{ divided by } .5 \times \$220.00 = \$2,904.00$$

*Fund Administration.* The City of Perry Tree Replacement Fund will be administered by the Community Development Department. A quarterly report shall be submitted to the City Manager showing amount collected, amounts spent, and the types and locations of trees planted. The report will be made available to the Perry City Council upon their request.

(Ord. No. 2007-09, § 2, 3-6-07; Ord. No. 2008-21, § 2, 8-19-08; Ord. No. 2011-04, §§ 1, 2, 2-1-11)

**Sections 218, 219. Reserved.**

## ARTICLE XXI. WATER RESOURCE PROTECTION

### **Section 220. Purpose.**

The intent of this article is to establish minimum development standards and criteria which will afford reasonable protection of environmentally sensitive natural resources found throughout the City of Perry. It has been determined the wise management of these resources as defined in this section is essential to maintaining the health, safety, general welfare and economic well being of the public.

(Ord. No. 2002-01, 2-5-02)

71.5. *Site requirements.* All off-street parking shall be laid out, constructed, and maintained in accordance with the following requirements:

- 71.5.1. All such parking areas shall be hard surfaced with concrete or plant bitumous material and shall be maintained in dustproof condition and that a good stand of grass be maintained on the remainder of the lot.
- 71.5.2. Lighting facilities shall be so arranged that light is reflected away from adjacent properties.
- 71.5.3. The parking lot shall be adequately drained.
- 71.5.4. Along the lot lines of the parking area which abut residential districts, a dense planting of trees and shrubs shall be established on a strip of land not less than eight (8) feet in width adjacent to the districts, and provided that such planting be not less than six (6) feet in height and a substantial bumper rail of wood, metal or concrete shall be installed on the inside of the planting strip.
- 71.5.5. A raised curb of at least six (6) inches shall be erected along all of the property lines, except for driveway openings, and those lot lines abutting residential districts where the requirements in Section 71.5.4 shall prevail.
- 71.5.6. No sign, whether permanent or temporary, shall be placed within the public right-of-way. Signs and planting strips shall be arranged so that they do not obstruct visibility for drivers or pedestrians.

\* 71.6. *Landscaping requirements.* The intent of this section shall be to promote the public health, safety and general welfare by providing for installation and maintenance of certain landscaped areas; to protect the character and stability of residential, business, institutional and industrial areas and to conserve the value of land and building or surrounding properties and neighborhoods.

71.6.1. *Definitions:* As used in this Code, unless the context otherwise requires, the following words and phrases shall have the meaning set opposite them for any and all purposes:

- (1) *Amenity.* Pedestrian shelters, gazebos, decorative paving, pathways and sidewalks, street trees, landscaping, retention ponds when designed according to the specifications of this article, signage when scaled to the pedestrian and constructed of materials and sizes specified in this article and other aesthetic features and characteristics approved by the city.
- (2) *Landscaping.* Landscaping shall consist of any of the following or a combination thereof: Material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees or palms; and non-living durable material commonly used in landscaping, such as, but not limited to rocks, pebbles, sand, walls or fences, but excluding paving.
- (3) *Shrubs and hedges.* A self-supporting, non-deciduous species of plants and normally grown in the City of Perry.

- (4) *Street tree.* A tree of forty (40) or more feet in height at maturity approved by land use officers.
- (5) *Street planting yard.* A planting area parallel to the right-of-way designed to provide continuity of vegetation along the right-of-way, a pleasing view from the road and a pedestrian walkway. The planting area shall be a minimum of twenty (20) feet wide and may be used for amenities, landscaping, and monument signs. Parking, merchandise displays, and off-street loading are prohibited in the street planting yard. Fifty (50) percent or ten (10) feet of the planting yard may be located on public right-of-way provided that the adjoining property owner installs and maintains the public land portion of the planting yard and executes a maintenance agreement with the city.

[71.6.2. *Landscaping of nonresidential developments:*] Landscaping of nonresidential developments shall conform to the minimum requirements hereinafter provided:

- (1) *Installation.* The owner, tenant and/or agent, if any, shall be jointly and severally responsible for installing landscaping according to accepted commercial planting procedures with the quality of plant materials as hereinafter described. All elements of landscaping shall be installed so as to meet all other applicable ordinances and code requirements of the City of Perry. Landscaped areas shall require protection from vehicular encroachment as herein provided in paragraphs 71.6.1.(5) and 71.5.2.(6). Qualified representatives of the City of Perry shall inspect all landscaping and no certificate of occupancy or similar authorization shall be issued prior to landscaping conforming to the requirements herein provided.
- (2) *Maintenance.* The owner, tenant and/or agent, if any shall be jointly and severally responsible for maintaining such landscaping in a healthy, neat and orderly condition. The owner shall provide each landscaped area with a readily available water supply.
- (3) *Plant materials:*
  - (a) Plant materials used in conformance with provisions of this section shall equal or exceed existing or future standards as set for the State of Georgia. Grass sod shall be clean and reasonably free of weeds and noxious pests or diseases. Grass seed shall be delivered to the job site in sealed containers with Georgia Department of Agriculture tags attached indicating the sod grower's compliance with the Department's quality control program.
  - (b) Trees shall be species of an average mature spread or crown greater than forty (40) feet and trunk(s), which can be maintained in a clean condition with over seven (7) feet of clear wood. Trees having an average mature spread or crown less than forty (40) feet may be substituted by grouping the same so as to create the minimum forty (40) foot crown spread. Trees shall be a minimum of six (6) feet in overall height immediately upon planting.
  - (c) Seventy-five (75) percent of the required trees as determined by this section shall be a species that reaches at least forty (40) feet in height at maturity.

- (d) Shrubs and hedges. Shrubs shall be of good quality and in keeping with the architecture and landscaping. Hedges shall be of non-deciduous species and planted and maintained so as to form a continuous, unbroken, solid, visual screening within a maximum of two (2) years after planting.
  - (e) Vines. Vines shall be used in conjunction with fences, screens or walls to meet physical barrier requirements as specified.
  - (f) Ground covers. Ground covers used in lieu of grass shall be placed in such a manner as to present a finished appearance.
  - (g) Lawn grass. Grass shall be species normally grown as permanent lawn in the City of Perry. Grass areas may be sodded, plugged, sprigged or seeded except that solid sod shall be used in swales or other areas subject to erosion and providing that in areas where other than solid sod is used, nurse-grass seed shall be sown for early coverage with protection until coverage is otherwise achieved.
- (4) *Generally.* All developments shall be landscaped according to a landscape and streetscape plan presented as a part of the site plans. The amount of landscaping required will depend on the amount and location of impervious surfaces excluding the roof of buildings. The required landscaped area will be equivalent to five (5) percent of the impervious area if parking is located in the side or rear yards. If parking is located in the front yard the minimum area for landscaping will be equivalent to ten (10) percent of the impervious area. Landscaping that is located in the portion of the planting yard that is not city right-of-way may be counted towards meeting the requirement.
- (5) *Medians.* Where medians are required, they shall be landscaped with low-lying (not to exceed two (2) feet high) ground cover, flowers and/or small shrubs that will not interfere with sight visibility or motorists or pedestrians.
- (6) *Street planting yard established.* An area parallel to the right-of-way being twenty (20) feet in width of which ten (10) feet can be city right-of-way, is hereby established as a street planting yard zone. The yard, as defined, shall be established along the boundary of the parkway right-of-way and private property fronting the parkway. The yard shall be devoted to interest-creating features, sidewalks, landscaping, street trees, or other agreed upon features. Installation and maintenance of features will be the responsibility of property owners.
- (7) *Street trees.* Street trees provide a good contrast to buildings and pavement and help soften the built environment. They enliven streetscapes by blending natural features with built features. Street trees also help buffer pedestrians from vehicles and offer summer shade. A minimum of one (1) tree per thirty-five (35) linear feet of frontage shall be planted. Trees may be clustered or spaced at no more than 35-foot intervals. Street trees shall be placed within the street planting yard, or can be planted on the boundary of the right-of-way and private property. A recommended list of trees is available from the community development department.

- (8) *Perimeter buffers.* When a single-family residence abuts the boundary of a commercial area, a six-foot privacy fence and a vegetated buffer of at least twenty-five (25) feet in width is required along the entire property line inside the focus area boundary, between the non-single family development and a single-family residence. Chain link fencing is not acceptable. Plants in the buffer must be a minimum of three (3) feet in height. The buffer must contain a minimum of one (1) tree per fifty (50) feet of lineal lot frontage. Perimeter buffers may be penetrated by utilities and sidewalks and, if determined appropriate by the community development department.
- (9) *Parking lots.* All parking lots shall contain one canopy tree per twenty (20) parking spaces. Trees must be at least two (2) inches in caliper when planted and be protected by a six-inch standing curbing or other approved protection for the trees.
- (10) *Screening of parking areas.* When parking areas are provided in a front yard (in between an arterial road right-of-way and a principle building), they shall be visually screened by a minimum two and one-half-foot high evergreen hedge or a landscaped earthen berm to obscure visibility of the parking lot from view from the corridor. Screening may be located in the planting yard if it does not impede other uses or purposes of the yard.

*71.6.3. Other applicable regulations:* The provisions of this ordinance shall be subject to other applicable regulations where such regulations are more restrictive and not otherwise inconsistent with the provisions of this ordinance.

(Ord. No. 90-4, § 1, 2, 5-15-90; Ord. No. 2006-49, §§ 1, 2, 10-3-06)

## **Section 72. Off-street loading and unloading space.**

Off-street loading and unloading spaces shall be provided as hereinafter required by this ordinance.

*72.1. Size of off-street loading spaces.* Each off-street loading space shall have minimum dimensions of fourteen (14) feet in height, twelve (12) feet in width, and fifty-five (55) feet in length. However, upon sufficient demonstration that a particular loading space will be used exclusively by shorter trucks, the Planning Commission may reduce the minimum length accordingly to as little as thirty-five (35) feet.

*72.2. Connection to street or alley.* Each required off-street loading space shall have direct access to a street or alley or have a driveway which offers satisfactory ingress and egress for trucks.

*72.3. Floor area over ten thousand (10,000) square feet.* There shall be provided for each hospital, institution, hotel, commercial or industrial building or similar use requiring the receipt or distribution of materials or merchandise, and having a floor area of more than ten thousand (10,000) square feet, at least one (1) off-street loading space for each ten thousand (10,000) square feet of floor space or fraction thereof. Such space shall be so located as not to hinder the free movement of pedestrians and vehicles over a sidewalk, street or alley.