

# **APPENDIX K**

**Landscape And Tree Preservation Ordinance  
For Multi-Family, Commercial, Institutional  
And Industrial Developments  
Spalding County, Georgia**

**05-07-07**

## Article 1. General

**Section 101: Short Title.** This Ordinance shall be known as the Landscaping Ordinance of Spalding County.

### **Section 102: Definitions.**

- A. **Buffer** – A portion of a lot, required by the Zoning Ordinance of Spalding County, established for open space purposes and intended to separate properties with incompatible land uses and as defined in Section 202 of the Spalding County Zoning Ordinance.
- B. **Caliper** - A landscaping standard which describes the diameter of a tree trunk one-foot above the rootball.
- C. **Canopy Tree** – A tree which grows above a height of 50 feet and whose species is included in the USDA Tree Hardiness Map - Zone 7b or is specifically approved as such by the Planning Commission of Spalding County.
- D. **Ground Cover** – Plant material and grasses of less than 3 feet in height.
- E. **Impervious Surface** – Hard-surfaced areas which either prevent or severely restrict the entry of water into the soil mantle and/or cause water to run off the surface in greater quantities or at an increased rate of flow. Common impervious surfaces include, but are not limited to, rooftops, sidewalks, walkways, patio areas, driveways, parking lots, storage areas, and other surfaces which similarly impact the natural infiltration or runoff patterns. For the purposes of this ordinance gravel surface areas are considered to be impervious.
- F. **Land Disturbance Activity** – Any activity which may result in soil erosion and a permit for which is required under Appendix A of the Spalding County Unified Development Ordinance (UDO), Appendix D.
- G. **Landscape Plan** – A document provided to Spalding County prior to Land Disturbance Activity (LDA), which shows the plan view of the site and includes proposed improvements on the same. For the purposes of determining compliance with this ordinance, such plan must also include the location of all existing trees over 10 inches in caliper (including size and species), all proposed plants and trees, amount of impervious surface existing and proposed, a list of plant material and the calculations showing compliance with this ordinance.
- H. **Parking Field** – The area included in a row of parking spaces within a parking lot.
- I. **Parking Lot Island** – A landscaping strip located in a parking lot. Such island must be sized to allow the plants and trees located within it to grow to their mature size.
- J. **Shrub** – or bush is a horticultural rather than strictly botanical category of woody plant distinguished from a tree by its multiple stems and lower height, usually less than 20 feet tall. A large number of plants can be either shrubs or trees, depending on the growing conditions they experience. For the purposes of this ordinance for a plant to be

considered a shrub it must be capable to grow to a minimum height of 3 feet.

- K. Understory Tree** – A tree which grows to a height of less than 50 feet and the species of which is included in the USDA Tree Hardiness Map - Zone 7b. or is specifically approved as such by the Planning Commission of Spalding County.

**Section 103: Applicability.** This ordinance shall govern the development of property located within the R-3, O-I, C-1A, C-1, C-1B, C-1C, C-2, and C-3 Zoning Districts which increases the amount of impervious surface. To the extent redevelopment or additional development occurs on property which is already covered by impervious surface, the provision of this ordinance shall only apply to the area of any increase in impervious surface thereon.

**Section 104: Plan Review.**

- A.** Prior to Land Disturbance Activity (LDA) for new development or expansion of existing impervious surfaces Nine (9) copies of the landscape plan, meeting the requirements of this Article must be submitted to Spalding County Community Development Department. Sites on which the disturbed area is less than one acre shall submit a landscape plan with the site plan required under Appendix J, Section 404.
- B.** The landscape plan must include the following information: property lines, easements, rights-of-way, existing and proposed parking facilities, existing and proposed structures, contours at two (2) foot intervals, storm water facilities, utilities, type and size of material, plant list, landscape calculations, north arrow and graphic scale.
- C.** When the Impervious area within the project exceeds 20,000 Square Feet the Landscape Plan must be drawn by a landscape architect, registered and licensed under Official Code of Georgia: Section 43-23-1, et seq. Rules and Regulations of the State of Georgia: Chapter 310.
- D.** The Community Development Department staff shall review the submitted plan for compliance with the provisions of this ordinance.

**Section 105: Minimum Plant Requirements.**

- A.** One 2-inch caliper canopy tree and one 2-inch understory tree shall be planted for every 2000 Sq. Feet of impervious surface on site.
- B.** One shrub minimum of 3 gallon container shall be planted for every 300 sq. feet of impervious surface on site.
- C.** Ground cover shall be provided in all pervious areas disturbed during construction.
- D.** Plant material required by this ordinance shall be in addition to requirements for planting in a buffer.
- E.** All plant materials shall be of a species that is identified in the USDA Tree Hardiness Map - Zone 7b. However species selection shall also take into consideration soil types, available planting area, disease susceptibility, root characteristics, and aesthetic appeal.
- F.**

- G.** The Planting of the following trees shall not count toward meeting the minimum landscape requirements:
1. Bradford Pear
  2. Sweet Gum
  3. Reserved
  4. Reserved
  5. Reserved

**Section 106: Reserved.**

**Section 107: Design Criteria.**

- A.** A minimum 20 foot landscape buffer shall be provided along areas of the site where parking is adjacent to a right-of-way. A minimum 2 foot berm shall also be provided in these areas.
- B.** One parking lot landscape island shall be provided for every 10 parking spaces on site. Said landscape area shall be a minimum of 10 feet in width and extend the length of the parking space. Such islands may be combined to form larger islands or public open spaces.
- C.** A landscape island, minimum 10 feet width and extending the length of the parking field, shall be provided for every 5 rows of parking.

**Section 108: Maintenance.**

- A.** All material planted to meet the requirements of this ordinance shall be maintained by the property owner in perpetuity. Changes to the landscaping plan during and after construction must be reported to the Zoning Administrator.

**Section 109: Enforcement.**

- A.** All material shown on the landscape plan must be planted prior to the issuance of a certificate of occupancy. At the discretion of the Administrative Officer, a bond or letter of credit in favor of Spalding County may be submitted to the County instead of the planting. Such assurances shall be allowed as a temporary extension of the above planning deadline and must be a minimum of one hundred-twenty (120) percent of the value of the plant material and labor cost of the items to be completed to the satisfaction of the County and must include a deadline date not to exceed 180 days. Said bond amount shall be estimated by the applicant's registered Landscape Architect or Landscape Contractor and approved by the Spalding County Administrative Officer.
- B.** Failure to maintain required landscape material shall be deemed a violation of Spalding County Code and prosecuted under the provisions thereof.

**Article 2. Legal Status Provisions**

**Section 201: Conflict with Other Laws.** Wherever the regulations of this Ordinance are in conflict with other Ordinances or portions of Ordinances; the provisions of this Ordinance shall govern.

**Section 202: Repeal of Conflicting Ordinances.** All ordinances and portions of ordinance in conflict with this ordinance are hereby repealed.

**Section 203: Severability.** Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declarations shall not affect the validity of the Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

**Section 204: Effective Date.** This ordinance shall become effective and be in force from and after its adoption this the 7<sup>th</sup> day of May, 2007.

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Chairman, Spalding County Board of Commissioners  
Spalding County, Georgia

Attest: \_\_\_\_\_  
County Clerk  
Spalding County, Georgia