



## Staff Report

Subject: Consideration of Adoption – Tree Protection & Preservation Ordinance  
Author: Jennifer Rose, Planner I  
Department: Development Services – Planning & Zoning  
Meeting Date: October 21, 2025

Proposed Zoning: N/A

Existing Zoning: N/A

Map & Parcel: County-wide application

Parcel Size: N/A

Proposed Use: Establish countywide standards for tree protection, preservation, and mitigation

Applicant: Effingham County Board of Commissioners

Owner(s): Effingham County

Location: County-wide

### Existing Land Use and Zoning:

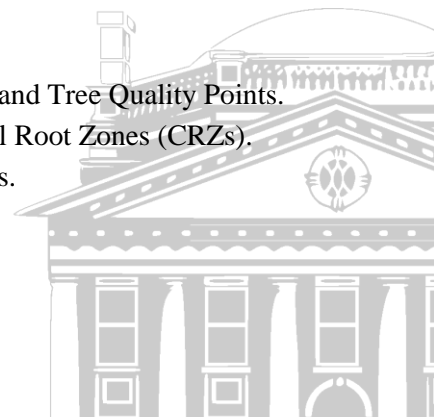
This ordinance applies countywide and is not tied to a specific parcel. It applies to all development activities requiring land disturbance, subdivision, or site plan approval. The purpose is to ensure consistent tree protection, canopy preservation, and mitigation practices across Effingham County, supporting sustainable growth and environmental quality.

### The Proposed Development:

The Tree Protection & Preservation Ordinance establishes a comprehensive framework governing the preservation, protection, and replacement of trees countywide. It expands existing regulations to address premature clearing, clear-cutting, enforcement, and canopy management in line with Georgia's best practices.

### Article II – Definitions

- Introduces and refines terms including Development Site, Clear-Cutting, Tree Fund, and Tree Quality Points.
- Clarifies definitions for Protected, Specimen, and Landmark Trees, as well as Critical Root Zones (CRZs).
- Aligns County definitions with International Society of Arboriculture (ISA) standards.



### **Article III – Administration & Enforcement**

- Assigns the County Manager (or designee) authority for enforcement, interpretation, and inspections.
- Allows issuance of Stop-Work Orders, fines, and corrective mitigation measures.
- Creates a formal appeal process to the Board of Commissioners.

### **Article IV – Tree Protection & Conservation Standards**

- Requires minimum Future Tree Canopy Cover percentages on all developments.
- Establishes fencing and signage standards for Critical Root Zones (CRZs) and Tree Protection Zones (TPZs).
- Prohibits grading, trenching, or equipment storage in protected areas.
- Pre-Clearing Restrictions: prohibits removal before zoning or permit approval, defines Development Site, and enforces \$1,000/day fines with 3:1 replanting or Tree Fund payment.
- Clear-Cutting Regulations: prohibits large-scale canopy removal prior to development approval, defines Clear-Cutting ( $\geq 75\%$  canopy removal), and requires restoration to 50% canopy or equivalent payment.

### **Article V – Tree Removal Permits & Procedures**

- Requires Tree Service Licensing for all commercial tree work.
- Establishes clear thresholds for Tree Removal Waivers and Permits.
- Specifies submission requirements: plot plan, tree identification, and mitigation plan.
- Provides a 30-day review period and exemptions for hazard or storm-damaged trees.

### **Article VI – Tree Mitigation & Replacement**

- Requires inch-for-inch replacement of removed DBH.
- Mandates double mitigation for Specimen or Landmark Trees, triple for unauthorized removals.
- Allows off-site planting (per County Manager approval) or Tree Fund contributions where on-site replacement is infeasible.
- Requires bonds/escrow equal to 100% of landscaping cost with 12- and 24-month inspections.

### **Article VII – Appeals, Variances, and Enforcement Actions**

- Defines appeal and variance processes before the Board of Commissioners.
- Establishes enforcement authority for Stop-Work Orders, daily fines (\$1,000/day), unauthorized removal of a Protected Tree (\$500 per tree), and judicial recovery through the County Attorney.

### **Article VIII – Miscellaneous Provisions**

- Includes conflict resolution and severability clauses.
- Sets the ordinance's effective date upon Board adoption.

### **Article IX – Flood-Prone Area Tree Standards**

- Promotes flood-tolerant native species.
- Discourages ornamental species and turf in flood-prone planting areas.

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## **Planning and Zoning Services**

804 South Laurel St., Springfield, Georgia 31329  
(912) 754-2128  
effinghamcounty.org



## **Comprehensive Plan Alignment**

The ordinance advances Effingham County's Comprehensive Plan goals by preserving natural resources, enhancing stormwater and flood management, supporting sustainable growth, and protecting community character through long-term canopy preservation.

## **Determination**

Staff has reviewed the updated ordinance and determined that it is comprehensive, enforceable, and consistent with County planning objectives. It incorporates best practices for arboriculture, stormwater control, and environmental management.

## **Conditions for Consideration**

- The Board shall retain authority to amend canopy cover percentage requirements by resolution.
- Enforcement, penalties, and appeals shall remain consistent with the County Code.
- Implementation of the Tree Fund shall include annual reports for transparency and accountability.

## **Staff Recommendation**

Staff recommends approval of the Tree Protection & Preservation Ordinance for countywide implementation. This ordinance strengthens Effingham County's capacity to prevent premature land clearing and clear-cutting, promote responsible development, and preserve community natural resources.

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