



Staff Report

Subject: Amendments to the Tree Protection & Preservation Ordinance (Redline Revisions)

Author: Jennifer Rose, Planner I

Department: Development Services – Planning & Zoning

Meeting Date: February 17, 2026

Proposed Zoning: N/A

Existing Zoning: N/A

Map & Parcel: County-wide application

Parcel Size: N/A

Proposed Use: The proposed ordinance amendments **apply only to Major Subdivisions** consisting of **ten (10) or more lots** and are **NOT** intended to regulate **minor subdivisions** (six (6) to nine (9) lots), **simple subdivisions** (one (1) to five (5) lots), **commercial or industrial development**, or **individual residential activity**.

Applicant: Effingham County Board of Commissioners

Owner(s): Effingham County

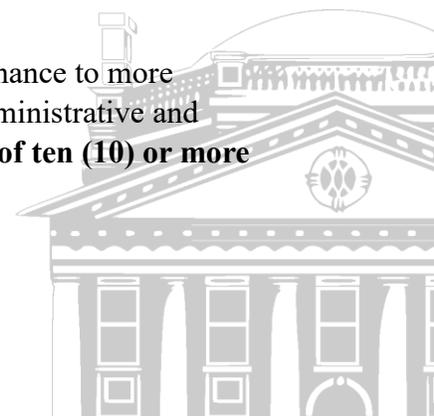
Location: County-wide

Background:

The Tree Protection & Preservation Ordinance was adopted to balance land development with the protection of significant tree resources and long-term community canopy health. Since adoption, the County has identified areas where clarification, refinement, and strengthened enforcement provisions are necessary to ensure consistent application across development projects.

The Proposed Development:

The proposed redline amendments revise the Tree Protection & Preservation Ordinance to more precisely define its scope, strengthen measurable standards, and establish clear administrative and mitigation frameworks applicable **exclusively to Major Subdivisions consisting of ten (10) or more lots**. The amendments focus on the following substantive changes:



1. Ordinance Scope and Applicability

The redline ordinance expressly limits applicability to Major Subdivisions of ten (10) or more lots and clarifies that the ordinance is **not intended** to regulate minor subdivisions, simple subdivisions, commercial or industrial development, or individual residential activity except where expressly stated. Limited exemptions are provided for agricultural operations, forestry activities conducted under recognized management plans, diseased or hazardous trees, and trees located within rights-of-way.

2. Clarified and Expanded Definitions

The amendments revise and expand definitions to support consistent implementation, including detailed definitions for *Protected Trees*, *Champion*, *Landmark*, and *Specimen Trees*, *Critical Root Zone (CRZ)*, *Tree Protection Assessment (TPA)*, and *Trunk Formula Method (TFM)*. A specific list of protected tree species and minimum diameter thresholds is incorporated to remove ambiguity and standardize permitting requirements.

3. Tree Protection During Construction

Construction-phase protection standards are strengthened by specifying permitted fencing materials, installation requirements, and maintenance obligations for tree protection fencing. The County Manager or their designee is authorized to approve alternative fencing where site conditions warrant.

4. Species Diversity and Planting Standards

The ordinance establishes species diversity requirements for replacement plantings and prioritizes native, non-invasive species. Limited administrative flexibility is provided to allow alternative ratios where ecological conditions, nursery stock availability, or site constraints justify deviation without compromising canopy resilience.

5. Canopy Retention and Pre-Clearing Restrictions

A minimum twenty-five percent (25%) tree canopy retention requirement is established for qualifying developments. The ordinance expressly prohibits pre-clearing prior to permit approval and clarifies that wetlands, hazard trees, diseased trees, invasive species, and illegally disturbed buffers do not qualify toward required canopy calculations.

6. Tree Removal Permits and Documentation

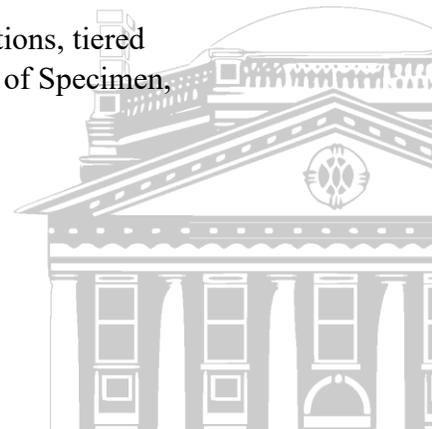
The redline amendments eliminate prior waiver provisions and require permits for removal of all Protected Trees, including Specimen, Landmark, and Champion Trees. Tree Protection Assessments or professional surveys are required to document existing tree resources and support permit review.

7. Mitigation, Replacement, and Canopy Credit Framework

Mitigation standards are comprehensively revised to establish DBH-based calculations, tiered replacement credits, and enhanced mitigation ratios for high-value trees. Removal of Specimen,

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Landmark, or Champion Trees requires increased mitigation. Replacement trees receive canopy credit based on size classification and minimum caliper standards.

8. Tree Fund Valuation and Financial Assurance

Where on-site or off-site replacement is not feasible, the ordinance establishes a Tree Fund valuation methodology based on the Trunk Formula Method (TFM) and installed unit costs, ensuring equitable and enforceable mitigation through financial contribution.

Enforcement and Administration

The amendments also strengthen enforcement tools by clearly prohibiting pre-clearing activities prior to permit approval, establishing measurable standards for violations, and providing clear valuation and financial assurance mechanisms through the Tree Fund when required mitigation cannot be achieved on-site. These provisions improve consistency, transparency, and enforceability while ensuring equitable treatment across development projects.

Determination:

Upon review, the revisions improve regulatory clarity, enhance enforceability, establish measurable canopy preservation standards, and better support the County’s goals for orderly development and long-term canopy conservation.

Conditions for Consideration:

The amendments clarify applicability, definitions, and permitting requirements while strengthening canopy retention, mitigation, and enforcement provisions.

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