



## Staff Report

Subject: Amendments to the Tree Protection & Preservation Ordinance  
Author: Jennifer Rose, Planner I  
Department: Development Services – Planning & Zoning  
Meeting Date: January 20, 2026

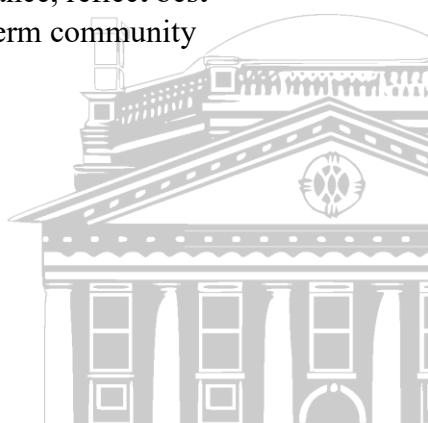
Proposed Zoning: N/A  
Existing Zoning: N/A  
Map & Parcel: County-wide application  
Parcel Size: N/A  
Proposed Use: The proposed amendments will guide staff in reviewing development applications, evaluating tree removal requests, and administering canopy retention and protection standards. Collectively, the revisions clarify expectations for applicants and strengthen consistent, responsible development practices countywide.  
Applicant: Effingham County Board of Commissioners  
Owner(s): Effingham County  
Location: County-wide

### Background:

Staff proposes amendments to clarify the ordinance's applicability, establish measurable canopy standards, and strengthen enforcement provisions to ensure tree protection is applied consistently across all development projects.

### The Proposed Development:

The proposed amendments and revisions address deficiencies in the existing ordinance, reflect best practices in land development and environmental management, and support long-term community sustainability goals.



## 1. Applicability Section Added

A new Article I now clearly outlines where the ordinance applies, including exemptions for:

- Owner-occupied single-family residential removals (excluding protected high-value trees)
- Diseased or infested trees with professional verification
- Trees located within ROW
- Agricultural Operations
- Forestry operations conducted under state-recognized management plans

This section improves transparency and reduces misinterpretation.

## 2. Revised & Expanded Definitions

Key terms were added or clarified to support more consistent interpretation and enforcement, including:

- **Conservable Tree Canopy Cover** updated to clearly identify canopy types and conditions that do not qualify as conservable.
- **Protected Trees** (with a defined protected-species list)
- **Pre-Clearing** definition added
- **Tree Protection Assessment (TPA)** definition added

Standardizing these definitions ensures that developers and staff apply the ordinance uniformly.

## 3. Minimum 25% Canopy Retention Requirement

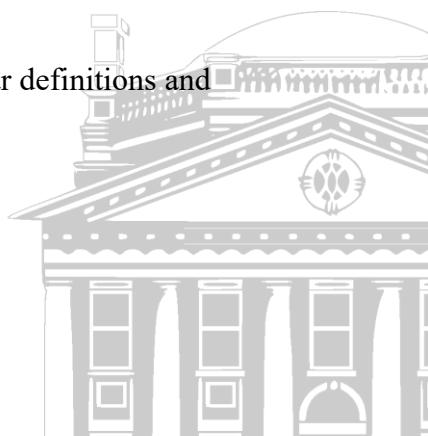
All new development must preserve at least **25% of existing Conservable Tree Canopy** unless approved mitigation is provided. This requirement:

- Establishes a measurable baseline for tree preservation
- Prevents excessive clearing before review

## 4. New Pre-Clearing Restrictions & Updated Clear-Cutting Standards

### Section 4.10 – Pre-Clearing Restrictions and Mitigation Requirements

The ordinance now prohibits **all pre-clearing prior to permit approval**, with clear definitions and penalties.



## Section 4.11 – Clear-Cutting Regulations

**(b)** Clear-cutting definition revised to exclude wetlands **and** to clarify that the following **do not count toward the 25% tree canopy requirement**: hazard trees, unhealthy/diseased trees, invasive species, illegally disturbed or removed buffers, and trees in areas where preservation is not feasible.

**(e)** Clear-Cutting for Forestry Operations revised to provide clarity and structure

## 5. Revised Tree Removal Permit Requirements

- Removal waiver system eliminated
- Permits required for any Protected, Specimen, Landmark, or Champion tree removal
- All development-related removals require a permit
- Tree surveys prepared by certified professionals required for Protected Tree removals

This ensures accountability and provides accurate site documentation.

### **Determination:**

Upon review, Staff has determined that the proposed amendments are appropriate, necessary and better support the County’s goals. The revisions enhance regulatory clarity, strengthen enforcement mechanisms, and advance the County’s objectives for orderly development and long-term canopy conservation.

### **Conditions for Consideration:**

The amendments and revisions strengthen canopy preservation requirements, clarify applicability and definitions, and improve permitting and enforcement procedures.

