

ORDINANCE NO. O2021-09.C

AN ORDINANCE TO AMEND THE CITY OF POOLER CODE OF ORDINANCES, CHAPTER 42- ENVIRONMENT, ARTICLE VI. - TREE PROTECTION, SECTION 42-198 -SIGNIFICANT TREES; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Pooler that the Code of Ordinances of the City of Pooler, Georgia are hereby amended as follows:

I

That Sec. 42-198 -*Significant trees* be amended by deleting and replacing with the following:

Sec. 42-198. - Significant trees.

While all types of trees are protected under this article, special emphasis is placed on the preservation of large trees and certain more valued significant species listed in this section. The highest priority shall be given to the preservation of trees with a diameter at breast height (dbh) of 24 inches or larger and Live Oaks with dbh of 18 inches or larger, excluding pine tree species and Sweet Gums. Removal of these significant trees can only be permitted by the Mayor and City Council during the site and landscape plan review process. If a significant tree is to be removed, the planting of new trees of the same species, or preferred species if the same species is not available, totaling the same number of inches in diameter will be required. Replacement trees shall have a minimum dbh of six inches. Mayor and Council may provide to the developer an option for payment into a tree fund in lieu of replacement. If the provision is granted, the developer will pay an amount equal to 100 percent of the value of a healthy Live Oak with dbh of six inches multiplied by the calculated number of replacement trees that otherwise would be planted. Payment shall be made by the developer to the City of Pooler prior to issuing a land disturbance activity (LDA) permit or scheduling a pre-construction conference with city staff.

(1) Preferred species list for residential development—

Large species

Medium species

Small species

American Beech

American Holly

Eastern Redbud

American Elm hybrids

Maple, Red

Holly, attenuate hybrids

American Sycamore

Maple, Florida

Holly, Yaupon

Ash, Green

Maple, Trident

Magnolia, Sweetbay

Ash, White

Cedar, Eastern Red

Fringe tree

Cypress, Bald

Cypress, Pond

Ginkgo (male)

Hickory species  
Magnolia, Southern  
Oak, Live  
Oak, Nuttall  
Oak, Overcup  
Oak, Shumard  
Oak, White  
Oak, Willow  
Oak, Southern Red  
Poplar, Yellow

(2) Preferred species list for multi-family, commercial, public institutional or industrial development shall be from the small, medium, and large lists; however, no more than 30% shall be from the small species list. The planting area for each tree shall be five hundred square feet of unpaved soil;

(3) No more than thirty (30%) of replacement trees shall be one species;

(4) Upon recommendation of the city arborist, Mayor and Council may approve species other than on the preferred species list;

## II

All ordinances or parts of ordinances in conflict with the ordinance as hereby repealed.

## III

If any section, clause, sentence, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, the said holding shall be in no way affect the validity of the remaining portions of this ordinance.

## IV

This ordinance shall be effective immediately upon its adoption by the Mayor and City Council of Pooler, Georgia.

1st Reading: 9/7/21

2nd Reading: 9/22/21

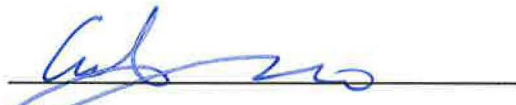
74 This 20TH day of SEPTEMBER, 2021.

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76 CITY OF POOLER, GEORGIA

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81 Rebecca C. Benton, Mayor

82 Attest:

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85 Kiley Fusco, City Clerk

86 Date: 9/21/21