

**STATE OF GEORGIA  
CITY OF RINCON**

**ORDINANCE**

**AN ORDINANCE BY THE MAYOR AND CITY COUNCIL FOR THE CITY OF RINCON AMENDING THE CODE OF THE CITY OF RINCON, GEORGIA AT CHAPTER 90 (ZONING AND GROWTH MANAGEMENT), ARTICLE V (TREE REGULATION), SECTIONS (90-141) THROUGH (90-163) REGARDING LANDSCAPING; TO PROVIDE FOR NOTICE; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.**

**WHEREAS**, the duly elected governing authority of the City of Rincon, Georgia is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs and local government;

**WHEREAS**, the Mayor and Council have authority to amend the City's ordinances from time to time and where necessary to maintain adequate regulations, and have passed a prior Resolution to initiate such change in this instance and;

**NOW THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF RINCON HEREBY ORDAINS**, in a regular meeting assembled and pursuant to lawful authority thereof, as follows:

**ARTICLE V. - LANDSCAPING**

**Sections 90-141 Through 90-163.**

*Sec. 90-141. - Reserved.*

*Sec. 90-142. - Purpose.*

The purpose of this landscape ordinance is to:

Reduce air pollution and carbon dioxide levels in the air, and promote clean air quality by increasing dust filtration;

Prevent reductions in the drainage holding capacity of land;

Minimize increases in temperatures on lands by increasing natural planted tree cover;

Maintain moisture levels in the air of lands by increasing natural tree cover;

Emphasize the importance of trees and vegetation as a visual, sound, and physical buffer;

Minimize liability risks and improve safety for the public;

Increase native tree plantings to increase, defend, and enhance property values;

Protect and enhance the aesthetic qualities of the community to ensure that tree removal does not reduce property values;

Defend historical and social values;

Maintain and improve values and functions received from landscaping for quality of life;

Increase pockets of native plantings that create natural ecosystems and native plant ecosystem corridors that connect them.

*Sec. 90-143. - Findings of fact.*

It is hereby found and determined that:

- (A) Trees are proven producers of oxygen, a necessary element for survival of mankind;
- (B) Trees appreciably reduce the ever-increasing and environmentally dangerous carbon dioxide content of the air and play a vital role in purifying the air;
- (C) Trees play an important role in the hydrologic cycle, transpiring considerable amounts of water each day, thereby precipitating dust and other particulate airborne pollutants from the air;
- (D) Trees play an important role in neutralizing waste water which passes through the ground from the surface to ground water tables and lower aquifers;
- (E) Trees, through their root systems, stabilize the soil and play an important and effective part in city-wide soil conservation, erosion control and flood control;
- (F) Trees are an invaluable physical and psychological addition to the city, making life more comfortable by providing shade and cooling both air and land, reducing noise levels and glare, and breaking the visual monotony of development on the land;
- (G) Trees provide wildlife habitat and play other important ecological roles;
- (H) The protection of trees within the City is not only desirable, but essential to the present and future health, safety, and welfare of all the citizens;
- (I) The loss of trees contributes greatly to increased levels of carbon, dust, and other pollutants in the air; increased pollutants in river drainages, water tables, and aquifers; increased flooding and erosion; an increase in air temperatures; a decrease in wildlife and ecosystems; and a reduced quality of human life;

- (J) Some trees are more beneficial than others as necessary contributors to the City's environment and it is not necessary to protect each and every tree in order to attain the public benefit of a tree protection ordinance;
- (K) Trees have a useable life period and reach old age and die at various ages depending upon the severity of site stresses.

*90-144. Landscaping Requirements*

(A) Tree & Shrub Requirements.

- (1) All medium and large trees planted must be at least 2 inch DBH, at least 8 feet in height, standard single trunk specimen, and shall be 75% native tree species. If container grown trees are used, they must be a minimum of 25-gallon size at the time of planting.
- (2) All small trees planted must be at least 1.75 inch DBH, at least 6 feet in height, standard single trunk specimen, 75% native tree species, and a minimum 15-gallon container for container trees at the time of planting.
- (3) Shrubs shall be spaced according to growth habit. A minimum of 70% of shrubs shall be plants native to the region and which thrive in the interior Coastal Plain of Georgia. A maximum of 30% of shrubs can be locally adapted species, to exclude invasive plants. A minimum of 30% of all of the above-mentioned shrubs shall be deciduous species.
- (4) Ground cover other than grass shall be placed 18 inches on center. Minimally 50% of the number of areas containing ground covers should be of native species. Invasive species shall be prohibited.
- (5) Ornamental grasses shall be a minimum of 12 inches tall at planting. Minimally 50% of ornamental grasses shall be native. Invasive species shall be prohibited.
- (6) If the required number of trees cannot be planted on site, the caliper inch may be increased per tree to reduce the number of trees, but still achieve the same number of required caliper inches.
- (7) All planting of new trees shall be done in accordance with ANSI A-300-1995 or most recent addition.

(B) Standards for commercial, industrial, mixed use, municipal sites and multi-family development.

Commercial, industrial, mixed use, municipal sites, and multi-family sites shall meet the following standards:

- (1) Reasonable efforts to preserve existing stands of mature native trees and the associated plant communities beneath wherever possible. Reasonable efforts include, but are not limited to, alteration of building design, alternative building locations, parking area, detention area, drainage system, or relocation of utilities.
- (2) Parking areas shall have landscaped islands and medians located between parking bays a minimum width of 20 feet, except where the island is an extension of a ten-foot-wide landscape median and then may be reduced to 16 feet, and:

- i. After every 15 parking spaces
  - ii. 350 square feet of unpaved soil for native medium or canopy trees.
  - iii. Light poles, power poles, utility boxes or utility vaults shall be located such that they do not interfere with protected trees and tree area or with the planting and growth of medium and large canopy trees in an around parking lots. This includes, but is not limited to, the restriction of said utility poles and vaults from being located within tree islands or within 20 feet of any such trees along the perimeter of parking areas. All proposed lighting must be shown on the Landscape Plan submitted for review in order to verify no such conflicts exist prior to the final acceptance of a development plan.
- (3) Buffer, as provided in Sec 90-158 when separating a dissimilar or more intense use.
- (4) Exclusions. The following shall not be counted towards the required minimum open space on site, but may be used for tree protection or tree planting purposes:
  - i. Parking islands
  - ii. Retention/detention and drainage areas
  - iii. Buffers within multi-family development
  - iv. Sidewalks, curbing, or other paved and proposed paving or impermeable surfaces within the greenspace area
- (5) Irrigation. All trees and landscape areas shall be provided with a means of delivery of water in a quantity that is sufficient to establish and maintain the viability of the plants. This source shall be within 100 feet of all proposed plantings. Trees within parking lot islands may use watering bags with a watering schedule for their establishment if desired. The watering schedule shall be included in the landscape plan. A water supply is not required for areas of established trees.

(C) Standards for new single-family, two-family, and manufactured housing residential subdivision development.

Single-family, two-family, and manufactured housing residential subdivisions shall meet the following standards:

- (1) No grading, trenching, or sod cutting, filling, or tunneling shall occur within the following distances, except if the work is within the tree protection zone described in Sec. 90-147, if so that section shall apply:
  - i. Five feet minimum for tree diameters of nine inches or less;
  - ii. 10 feet minimum for tree diameters of 10 inches to 14 inches;
  - iii. 12 feet minimum for tree diameters of 15 inches to 19 inches;
  - iv. 15 feet minimum for tree diameters over 19 inches.

- (2) Buffers, as provided in Sec 90-158, when separating a use from a dissimilar or more intense use.
- (3) No building permit shall be issued for any lot or improvement within a subdivision until a landscape plan for all common areas is submitted to and approved by the City.
- (4) Exclusions. The following shall not be counted towards the required minimum open space throughout the development, but may be used for tree protection or tree planting purposes:
  - i. Parking islands
  - ii. Retention/detention and drainage areas
  - iii. Sidewalks, curbing, or other paved and proposed paving or impermeable surfaces within the greenspace area
- (5) Irrigation. All trees and landscape areas, apart from residential lots, shall be provided with a means of delivery of water in a quantity that is sufficient to establish and maintain the viability of the plants. This source shall be within 100 feet of all proposed plantings. Trees within parking lot islands may use watering bags with a watering schedule for their establishment if desired. The watering schedule shall be included in the landscape plan. A water supply is not required for areas of established trees.

(D) Standards for landscaping of new single-family homes.

The landscape site plan, in addition to the requirements of this chapter, shall meet the following standards:

- (1) No grading, trenching, or sod cutting, filling, or tunneling shall occur within the following distances, except if the work is within the tree protection zone described in Sec. 90-147, if so that section shall apply:
  - i. Five feet minimum for tree diameters of nine inches or less;
  - ii. 10 feet minimum for tree diameters of 10 inches to 14 inches;
  - iii. 12 feet minimum for tree diameters of 15 inches to 19 inches;
  - iv. 15 feet minimum for tree diameters over 19 inches

*90-145. Payment in Lieu of Planting*

(A) No tree shall be removed, replaced, or disturbed without compliance with the regulations of this Chapter. In cases where it is impractical to plant the number of required trees on the property, a payment into the tree bank fund shall be made.

(B) Tree Bank Fund.

- (1) The tree bank shall be a fund to receive:
  - i. Monetary contributions for the removal or damage to trees pursuant to Section 90.155;
  - ii. Charitable contribution given to the City for planting trees; and
  - iii. Civil Penalties received for the illegal cutting or damage of trees pursuant to Section 90.155.

- (2) Use of funds. Tree bank funds shall be used solely for purchasing, installing, and replacing trees, or maintenance of trees during their first five years after planting, on public lands such as parks, public open spaces, at community and civic facilities, and within public right-of-way.
- (3) Procedure for contribution to tree bank fund.
  - i. An applicant shall submit a written request to use the tree bank for removal of trees and/or if the applicant cannot plant all required trees on the site.
  - ii. The Director of Planning & Development or designee shall determine the eligibility and extent of contributions during development review and shall forward the recommendation to the applicable review body for consideration as a part of development review consideration.
  - iii. The applicant shall provide the cash contribution payment in the form of a cashier's check payable to City of Rincon prior to the disturbance of any trees.
  - iv. Any amendments to an approved contribution shall be reviewed by the Director of Planning & Development or designee, and if such amendment to the development plan requires applicable review body consideration, then the amendment to the contribution shall be included in such consideration.

*Sec. 90-146. - Protection of trees.*

A regulation of the City of Rincon, Georgia, relating to the protection of trees; providing findings; providing definitions; prohibiting the cutting down, damaging, poisoning, or in any other manner destroying or causing to be destroyed, a tree as defined in the ordinance; providing for exemptions; providing permitting requirements and procedures; providing for fees; providing for tree protection during land development. Requiring replacement or relocation of trees; providing for emergency tree removal; providing penalties; providing for administrative remedies; providing for appeals; providing for severability, and providing an effective date.

- (A) It shall be a violation of this chapter for any person, except in accordance with the provisions of this chapter or if eligible for exclusions as described in this chapter, to remove a tree or trees or cause a tree or trees to be removed in the City, in preparation for, in connection with, or in anticipation of the development or redevelopment of land for development without a permit issued in accordance with this chapter.
- (B) If a tree removal permit is not required, a statement noting compliance with Sec. 90-150, the tree protection during development of land, shall be submitted prior to any site development requiring sketch plan review or site ~~and development~~ plan review by the Planning and Zoning Board and City Council or a building permit under the City's Building Code.
- (C) Trees with an 24 inch DBH or greater shall be considered Champion Trees and shall be preserved to the greatest extent possible and shall not be removed without

a tree permit. The City Manager or designee shall have discretion to determine if a Champion Tree should be removed. The Large Tree species described in Sec. 90-160 are Champion Trees when they have a 24 inch DBH or greater.

*Sec. 90-147. - Tree protection during development.*

Tree protection zones should be established and maintained for each tree preserved on a development site. The area within the tree protection zone must be open and shall not allow storage of equipment, materials, debris or fill to be placed in this area.

The protection zone is defined as a circle with a diameter of one foot per one inch DBH extending outwardly from the tree to be protected. The protective barrier must not be less than four feet in height, be prominent visually, and erected completely around the protection zone. The use of approved safety fencing is required. The barrier must remain in place until the developer has been given permission to take it down by the Building Inspector.

*Sec. 90-148. - Submission of landscape site plan for development.*

A landscape site plan for development or improvement of any tract of land is required for all property located in the City of Rincon excepted:

- (A) Property zoned AR-1 or AR-2.
- (B) A single-family home addition of 500 square feet or less and does not disturb any tree on the preferred list with an eight-inch DBH or larger.

A landscape site plan shall be submitted to the city along with the application for a site plan.

- (A) A landscape site plan shall indicate the following items:
  - (1) A tree survey of all existing trees eight inches DBH or larger and on the preferred tree list.
  - (2) Trees to be removed shall be marked with an 'X'.
  - (3) Specifications for removal or protection of existing trees during the construction.
  - (4) The trees to be preserved and any tree protection areas on the site plan.
  - (5) Plans for replacing the trees that are removed, based upon the preferred list, designated type, size, and completion date for seasonable and timely planting of trees to maintain the minimum number of trees per acre as defined in the applicable sections.
  - (6) A site plan, schedule for planting, and maintenance plan for the removed trees that will be replanted

- (7) Developers of new construction sites shall be required to indicate an average of at least one street tree for every 40 feet, (or fraction thereof) of street frontage. This shall be included in the total trees per acre required
- (8) Street trees shall be planted within the front setback , provided such tree does not conflict with any existing utility, public safety drainage or other easements.
- (9) Developers name and 24-hour contact phone number.
- (10) A replanting program based upon the preferred list of trees specifying size, type, and completion date for seasonal and timely planting of trees. Replacement of trees in lieu of preservation shall provide 3 trees for every one tree removed and not relocated on site.
- (11) The minimum allowable post-development tree cover for all development sites shall be provided as follows and may be placed throughout the subdivision or development site:
  - 15 each of two (2) inches DBH; or
  - 8 each of eight (8) inches DBH; or
  - 4 each of twelve (12) inches DBH; or
  - 2 each of twenty-four (24) inches DBH; or
  - 1 each of thirty-six (36) inches DBH;
  - and larger, per acre of disturbed area (excluding wetlands).
- (12) Buffer including the following:
  - i. Width
  - ii. Materials
  - iii. Number of shrubs and trees
  - iv. Height of berm, if proposed
  - v. Encroachments, if proposed
- (13) The landscape plan and any tree planting plans for sites over one acre shall be prepared by a registered landscape architect. Plans for sites of less than one acre may be prepared by other registered professionals with competency in landscape design.

*Sec. 90-149. - Required permits.*

- (A) A tree removal permit will be issued after an approved landscape site plan has been approved, if applicable. No person or organization shall do any of the following acts



to any trees, not exempted by Sec. 90-150, without first obtaining the proper permit from the City:

- (1) Climb with spikes/hooks, break, damage, remove, kill, or cause to be killed.
- (2) Cut, disturb or interfere in any way with any woody roots within the drip line.
- (3) Apply any toxic chemical so as to kill or cause to be killed.
- (4) Attach or fasten any rope, wire, sign or other device.
- (5) Remove or damage any guard devices placed to protect tree(s).
- (6) Maintain a stationary fire or device which emits noxious fumes deleterious to tree health.
- (7) Pave with concrete, asphalt or other impervious material within the critical root zone, defined according to tree size at maturity.
- (8) Conduct razing, removal, or renovation of any structures if deemed by the Planning and Development Director or designee to be damaging to neighboring trees.
- (9) Trenching, tunneling, topping, hedging, sod cuts, or fills.

(B) A fee shall be assessed for each permit and shall be applicable to the particular job specified by the permit.

(C) Trees to be removed and not relocated or replaced shall be subject to the tree bank requirements in Section 90-145.

*Sec. 90-150. - Permit exemptions.*

The following are exempted from a tree removal permit:

- (A) Property owners who are cutting down, killing, or otherwise destroying trees less than eight inches DBH and not on the preferred list on their own property without an active development permit.
- (B) Cutting down, killing or otherwise destroying any tree which has become or threatens to become a danger to human life or property due to disease, pest infestation, accidental causes, neglect, abuse, or other threatening emergency.
- (C). Cutting down, killing or otherwise destroying trees on property zoned AR-1 and AR-2. This exception shall not be interpreted to include lumber harvesting incidental to imminent (within 6 months) development of the land.
- (D). Cutting down, killing or destroying trees by public service companies and natural gas companies performing normal construction and maintenance pursuant to applicable state or federal safety or construction laws and regulations. However, any underground utility installation that impacts City-owned trees due to underground conflicts with roots are specifically subject to the review and approval of the City prior to project commencement.

(E). Cutting down, killing or otherwise destroying trees by the City of Rincon pursuant to municipal property developed by the City and approved by the Planning and Development Director or designee.

*Sec. 90-151. - Transmitted disease and insect infestations.*

The City Council, shall have the authority to insist that all property owners treat or else allow the City to treat trees, at property owners expense, suffering from transmittable diseases or insect infestations which are on private property but are affecting the health and structure of public trees on public property. If infestation warrants drastic action to curb its spread to healthy and structurally sound public trees, at the direction of the City Manager or designee, the property owner shall remove and dispose of said trees or allow the City to do so.

*Sec. 90-152. - Emergencies.*

In case of emergencies such as windstorms, ice storms or other disasters, requirements may be waived by the City Manager or designee during the emergency period so that the ordinance would in no way hamper private or public work to restore order in the City.

*Sec. 90-153. - Enforcement jurisdiction.*

The Planning and Development Director or designee is authorized to assert violations of this chapter per section 90-157.

*Sec. 90-154. - Cooperation with other departments.*

There shall be close cooperation between the City Manager, Planning and Development Director or designee, the public works department and other appropriate departments when their work affects public tree(s).

*Sec. 90-155. - Violation and penalty.*

Any person, whether as owner, lessee, principal, agent, employee or otherwise, who violates any of the provisions of this chapter or permits any such violation or fails to comply with any of the requirements hereof or who uses any land in violation of any detailed statement or plan submitted by them and approved under the provisions of this chapter shall be subject to punishment as provided by law. Each day upon which such violation continues shall constitute a separate offense. Any use of any land which is conducted, operated or maintained contrary to any of the provisions of this chapter shall be and the same is hereby declared to be unlawful.

Any person or firm failing to comply with any of the provisions of this chapter, shall be guilty, for each offense, of a misdemeanor and upon conviction thereof shall be ordered one or more of the following:

- (A) Fined a sum as determined by the City's adopted fee schedule.
- (B) Must replace the tree with size and species recommended by the Planning and Development Director or designee.
- (C) Be required to take any other action as directed by the court.
- (D) May not develop the parcel of property for 12 months regardless of ownership.
- (E) Shall pay into the tree bank as provided in Sec. 90-145.

*Sec. 90-156. - Street tree trimming guidelines.*

The following guidelines will outline accepted tree trimming and tree maintenance standards to be followed when such work is deemed necessary on street trees. A street tree means any tree on the street right-of-way. These guidelines apply to public utilities, contractors hired by public utilities and tree crews working for the City.

- (A) All trees designated for trimming shall be trimmed according [to guidelines] obtained from the American National Standards Institute (ANSI) standards for tree pruning, ANSI A300.
- (B) The persons trimming the trees are responsible for disposal of residual debris and the safety and control of the area while on site.

*Sec. 90-157. Hazardous tree removal.*

Trees that pose a hazard shall be removed by the property owner at their expense.

*Sec. 90-158- Protective buffer of adjacent property.*

- (A) In order to provide adequate protective screening for residential districts near or abutting non-residential areas or more intensive residential uses, the following regulations shall apply to all new commercial, industrial, and multi-family residential development:

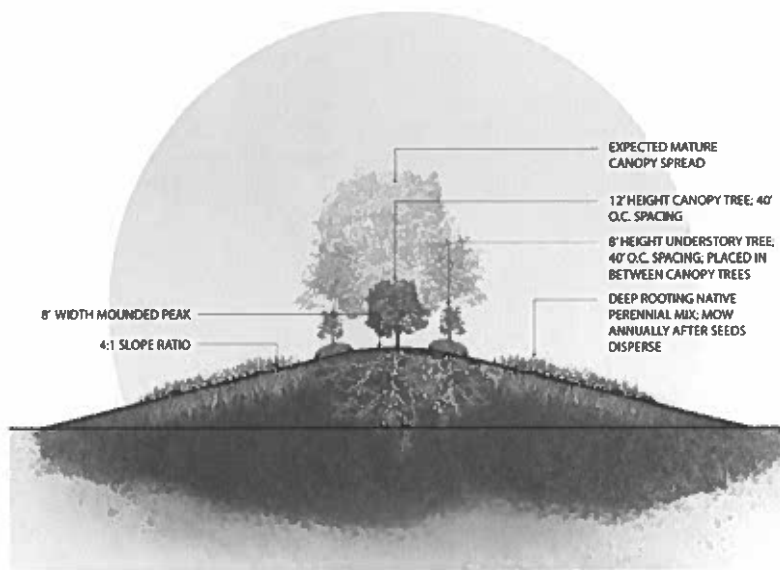
	Single-family Residential	Multi-family Residential	Office	Commercial	Industrial	Agri-cultural	Manu-factured Housing
Single-family Residential	NA	20 ft	20 ft	20 ft	300 ft	20 ft	20 ft
Multi-family Residential	20 ft	NA	20 ft	20 ft	200 ft	20 ft	20 ft
Office	20 ft	20 ft	NA	10 ft	20 ft	20 ft	20 ft

Commercial	20 ft	20 ft	10 ft	NA	20 ft	20 ft	20 ft
Industrial	300 ft	200 ft	20 ft	20 ft	NA	20 ft	200 ft
Agricultural	20 ft	20 ft	20 ft	20 ft	20 ft	NA	20 ft
Manufactured Housing	20 ft	20 ft	20 ft	20 ft	200 ft	20 ft	NA

- (1) Where a commercial, industrial, or multi-family district abuts directly upon a residentially zoned district, arboreal landscaped buffer shall be provided and properly maintained by the property owner along its entire length of the commercial property.
  - (2) Such buffer shall be planted with deciduous trees, evergreens, flowering trees, ornamental trees, or any combination of the same not set further than ten feet apart at any given point along the buffer. At least 60% of shall be native plants. Shrubs and groundcover shall be planted to further enhance the buffer at 6 shrubs for every tree required. An approved privacy fence shall be required in the buffer area when nonresidential is adjacent to residential, in addition to the landscape buffer, unless waived by City Council.
  - (3) The area beneath and between the planted trees shall be free of foreign debris. All landscaping shall be maintained in a healthy growing condition.
  - (4) All planting plans shall be submitted during the site plan review process for approval of the planting materials and arrangement thereof in accordance with the provisions of this chapter.
  - (5) In no case shall a grease trap, garbage dumpsters, containers, or cans be placed within the buffer area abutting a residential land use.
  - (6) For properties other than industrial, if there is an existing, 20 feet landscaped buffer to the adjacent property and it meets or exceeds the existing regulations, an additional buffer is not required.
- (B) *Encroachment:* Buffer areas should remain natural. The following are the only permitted encroachments:
- (1) Drainage ditches, utility and service lines provided that they are approximately perpendicular to the property line.
  - (2) Sidewalks and pathways that connect multiple parcels.
  - (3) Lighting fixtures.
  - (4) Signs.
  - (5) Flagpoles.
  - (6) Structural elements: Privacy fences or walls located in a buffer shall provide a minimum of two feet from the element to the exterior property line to allow for plant material.

- i. Landscaping retaining wall if integrated into the buffer and subject to approval by the Planning and Development Director or designee.
- ii. Berms, subject to the following standards if encroaching within a buffer :
  - a. Maximum slope of 4:1 (see figure 7.1 below).
  - b. Maximum height of the berm shall be based on the width as provided below and shall be reduced by six feet for every one foot of berm height:
    - 25 feet high; 150 foot wide berm. 300 foot buffer – 150 foot berm=150 feet wide total buffer (including berm)
    - 16 feet high; 100 foot wide berm. 300 foot buffer – 100 foot berm=200 feet wide total buffer (including berm)
    - 10 feet high; 60 foot wide berm. 300 foot buffer – 60 foot berm=240 foot wide total buffer (including berm)

Figure 7.1



**Sec. 90-159 Underground Utilities**

(A) Trenches. All trenches shall be as far outside the dripline of trees as possible to avoid serious or fatal root damage. All roots one inch or larger that have been damaged shall be clean cut or sawed off. All trenches shall be filled to original levels and tamped to original firmness. If trenching beyond the dripline is not possible, tunneling is required to lay sections of utilities near and/or between trees.

(B) Tunneling. Tunneling shall be a minimum depth of the following:

- (1) 2.5 feet for tree diameters of 9 inches or less;
- (2) 3 feet for tree diameters of 10 inches to 14 inches;

- (3) 3.5 feet for tree diameters of 15 inches to 19 inches; and
- (4) 4 feet for tree diameters over 19 inches.

*Sec. 90-160. - Official Tree of the City of Rincon, Georgia.*

**CORNUS FLORIDA—DOGWOOD**

*Sec. 90-161. - Preferred tree list.*

This list does not include all species but includes preferred trees per the University of Georgia. Native trees are encouraged.

LARGE TREES		NATIVE
Scientific Name	Common Name	
Acer Floridanum	Florida Maple	X
Acer Rubrum	Red Maple	X
Carya Tomentosa	Mockernut Hickory	X
Carya Myristicaefirmis	Nutmeg Hickory	X
Celtis Laevigata	Sugarberry	X
Fagus Grandiflora	American Beech	X
Fraxinus Pennsylvanica	Green Ash	X
Juniperus Virginiana	Red Cedar	X
Lirodendrom Tulipifera	Tulip Poplar	X
Magnolia Grandiflora	Southern Magnolia	X
Nyssa Sylvatica	Black Gum	X
Quercus Acutissima	Sawtooth Oak	
Quercus Alba	White Oak	X
Quercus Falcata	Southern Red Oak	X
Quercus Laurifolia	Laurel Oak	X
Quercus Michauxii	Swamp Chestnut Oak	X
Quercus Phellos	Willow Oak	X
Quercus Shumardii	Shumard Oak	X
Quercus Virginiana	Live Oak (State Tree)	X
Taxodium Distichum	Bald Cypress	X
Ulmus Parvifolia	Lacebark Chinese elm	
Juglans nigra	Black Walnut	X
Betula nigra	River Birch	X

Platanus occidentalis	American Sycamore	X
Tilia americana	American Linden	X
MEDIUM TREES		
Amerlanchier Arborea	Downy Serviceberry	X
Amerlanchier Canadensis	Shadblow Serviceberry	X
Cercis Canadensis	Eastern Redbud	X
Halesia Silverbell	Carolina Silverbel	X
Ilex Attenuata X Holly	Foster; East Palatka; Savannah Hume	
Ilex Opaca	American Holly	X
Magnolia Virginiana	Sweet Bay Magnolia	X
Osmanthus Americanus	Devil Wood	X
Sassafras Albidum	Sassafras	X
Diospyros virginiana	American Persimmon	X
SMALL TREES		
Chionanthus Virginicus	Fringetree	
Cornus Florida	Flowering Dogwood	X
Hamamelis Virginiana	Witch Hazel	
Ilex Vomitoria	Yaupon Holly	X
Lagerstroemia Indica X Tuscarora Crepe Myrtle	Cherokee; Muskogee; Natchez	
Magnolia Soulangeana	Saucer Magnolia	
Myrica Cerifera	Wax Myrtle	X
Oxdendrum Arboreum X Vaccinium Arboreum	Sourwood Sparkleberry	X
Crataegus phaenopyrum	Washington Hawthorne	X
Halesia carolina	Silverbell	X
Prunus americana	Native American Plum	X

*Sec. 90-162 Preferred Shrub List.*

This list does not include all species but includes preferred shrubs per the University of Georgia. Native shrubs are encouraged.

Scientific Name	Common Name	Native
Abelia X 'Edward Goucher'	Edward Goucher Abelia	

Abelia X Grandiflora 'Sherwoodii'	Sherwood Dwarf Abelia	
Aucuba Japonica 'Nana'	Dwarf Aucuba	
Abelia X Grandiflora	Glossy Abelia	
Aesculus Parviflora	Bottlebrush Buckeye	X
Agarista Populifolia	Florida Leucothoe	X
Aucuba Japonica	Japanese Aucuba	
Berberis Julianae	Wintergreen Barberry	
Buddleia Davidii	Butterfly Bush	
Buxus Microphylla Var. Japonica	Japanese Boxwood	
Buxus Microphylla Var. Koreana	Korean Boxwood	
Buxus Sempervirens 'Suffruticosa'	True Dwarf Boxwood	
Callistemon Citrinus	Crimson Bottlebrush	
Calycanthus Floridus	Sweet Shrub	X
Chaenomeles Speciosa	Flowering Quince	
Clethra Alnifolia 'Hummingbird'	Hummingbird Summersweet	X
Daphne Odora	Winter Daphne	
<i>Fothergilla Gardenii</i> 'Mt. Airy'	Mt. Airy Fothergilla	X
<i>Forsythia X Intermedia</i>	Border Forsythia	
<i>Gardenia Jasminoides</i>	Cape Jasmine	
<i>Gardenia Augusta</i> 'Radicans'	Creeping Gardenia	
Hamamelis Virginiana	Common Witch Hazel	X
<i>Hydrangea Macrophylla</i>	French Hydrangea	
<i>Hydrangea Macrophylla</i> 'Pia'	Pia French Hydrangea	
Hydrangea Quercifolia	Oakleaf Hydrangea	X
Ilex Cassine	Dahoon Holly	X
<i>Ilex Glabra</i> 'Nigra'	Nigra Inkberry	X
<i>Ilex Vomitoria</i> Bordeaux™	Bordeaux Dwarf Yaupon	X
<i>Ilex Vomitoria</i> 'Nana'	Dwarf Yaupon Holly	X
<i>Ilex Vomitoria</i> 'Schillings'	Schillings Dwarf Yaupon	X



<i>Illicium Parviflorum</i>	Small Anise-Tree	X
<i>Illicium Floridanum</i>	Florida Anise	X
<i>Itea Virginica</i> 'Henry's Garnet'	Henry's Garnet Sweetspire	X
<i>Jasminum Floridum</i>	Showy Jasmine	
<i>Jasminum Nudiflorum</i>	Winter Jasmine	
<i>Juniperus Chinensis</i> 'Pfitzeriana'	Pfitzer Juniper	
<i>Leucothoe Axillaris</i>	Coastal Leucothoe	X
<i>Leucothoe Fontanesiana</i>	Drooping Leucothoe	X
<i>Myrica Cerifera</i> 'Fairfax'	Fairfax Waxmyrtle	X
<i>Myrica Cerifera</i>	Southern Waxmyrtle	
<i>Nerium Oleander</i>	Oleander	
<i>Osmanthus Americanus</i>	Devilwood Osmanthus	X
<i>Rhododendron Austrinum</i>	Florida Azalea	X
<i>Rhododendron Canescens</i>	Piedmont Azalea	X
<i>Rhododendron Prunifolium</i>	Plumleaf Azalea	X
<i>Rhododendron</i> Species	Glen Dale Hybrid Azaleas Gumpo Azaleas Kurume  Azaleas Girard Hybrid  Azaleas	
<i>Ruscus Aculeatus</i>	Butcher's Broom	
<i>Yucca Aloifolia</i>	Spanish Dagger	X
<i>Yucca Gloriosa</i>	Mound-Lily Yucca	X

*Sec. 90-163. - Storm damaged tree management.*

The following activities are exempt from the standards in this chapter and the requirements for a tree permit as determined by the Planning and Development Director or designee:

- (A) Removal of severely damaged trees that have an imminent likelihood of failure or pose an immediate risk to person or property following a natural disaster such as

a hurricane, tornado, ice or windstorm, flood, wildfire or any other such act of nature.

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

**Effective Date.** This ordinance shall become effective immediately upon its adoption by the City Council.

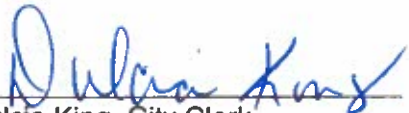
**Repeal.** All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SO ORDAINED this 23 day of April, 2024.

CITY OF RINCON

  
Kevin Exley, Interim Mayor

ATTEST:

  
Dulcia King, City Clerk

