RESOLUTION
TO ADOPT AMENDMENTS TO THE
UNIFIED DEVELOPMENT CODE OF OCONEE COUNTY, GEORGIA

WHEREAS, the Oconee County Board of Commissioners has adopted a Unified Development Code on October 4, 2006; and

WHEREAS, it is necessary to make certain Amendments to the Unified Development Code (UDC): to delete and replace UDC Article VIII in its entirety with Amendments attached hereto as "Exhibit A;" and

WHEREAS, on July 15, 2019, this Amendment was first presented and discussed at the public hearing conducted by the Oconee County Planning Commission in its regular meeting. On August 6, 2019, this amendment was presented and discussed at a public hearing conducted by the Oconee County Board of Commissioners;

NOW THEREFORE, be it resolved that the Oconee County Board of Commissioners adopts the amendments to the Unified Development Code of Oconee County which are attached hereto in said "Exhibit A" and incorporated herein by reference, to become effective on adoption; and

BE IT FURTHER RESOLVED, that the Oconee County Planning Director is directed to make the changes set forth in Amendments to the Unified Development Code as provided for in said "Exhibit A" and to renumber any such sections, paragraphs, or pages as are necessary to reflect said amendments; and

BE IT FURTHER RESOLVED, that the Unified Development Code of Oconee County, Georgia, as Amended, is hereby Ratified, Confirmed and Readopted as of this **6th day of August, 2019.**

OCONEE COUNTY BOARD OF COMMISSIONERS

BY: _____
John Daniell, Chairman

_____
Mark Thomas, Member

_____
Chuck Horton, Member

_____
William E. Wilkes, Member

_____
Mark Saxon, Member

ATTEST:

_____
Kathy Hayes
Clerk, Board of Commissioners

Oconee County Memorandum

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Planning and Code Enforcement Department

DATE: July 26, 2019

TO: Oconee County Board of Commissioners

CC: Kathy Hayes
Gabriel Quintas
Deanna Ruark

FROM: Guy Herring, Director, Planning & Code Enforcement

RE: Text Amendments to Articles 6, 7, and 8 of the UDC

Attached is a copy of the proposed amendments to Articles 6, 7, & 8 of the Unified Development Code for consideration at the August 6, 2019, Board of Commissioners meeting.

In Article 6, the following edits have been made:

- Addition of uses to the off-street parking ratio table
- Update ADA requirements to comply with federal law
- Clarification of ambiguous language

In Article 7, the following edits have been made:

- Elimination of pole signs

In Article 8, the following edits have been made:

- Elimination of outdated provisions from past ordinances
- Addition of prohibited species
- Organization of allowed plant species
- Increase caliper and tree count requirements
- Clarification of ambiguous language

The Planning Commission considered the proposed amendments at the July 15, 2019, PC meeting. Recommendations from the Planning Commission are attached here, along with additional staff recommendations. Comments from the County attorney have been incorporated into the attached text and all changes have been highlighted. Please feel free to contact me if you have any questions or would to discuss the proposed amendments.

Number	Recommendation from Planning Commission	Staff Notes
1	Sec. 607.01.a.1, page 6-11: increase minimum size of parking spaces to 10 feet wide and 20 feet deep.	No objection – see recommendation below
2	Sec. 802, page 8-2: retain "or synthetic landscaping materials" under the definition of "Mulch"	Objection

Number	Additional Staff Recommendations
1.	Sec. 607.01: Add a provision for up to 10% of required off-street parking spaces to measure 10 feet wide and 20 feet deep to accommodate large vehicles. Add a provision for up to 10% of required off-street parking spaces to measure 8 feet wide and 16 feet deep to accommodate compact vehicles.

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Article 8. Landscaping and Buffers

Sec. 801. Purpose of Article 8.

The purpose of this Article is to improve the aesthetic qualities of the County and to protect and preserve the appearance, character and value of its neighborhoods and business areas by:

a. Providing for quality and consistency in the design of landscaping and screening; and

b. Providing for the separation of incompatible types of land use.

c. Providing a landscape appearance in keeping with the existing natural and rural farmland environment of Oconee County.

Sec. 802. Definitions related to landscaping and buffers.

Buffer, Landscape: A landscape buffer is an area of natural/planted vegetation and/or man-made construction that is intended to provide a visual and dimensional separation between dissimilar land uses. In contrast, see "Buffer, Stream" in Article 11.

1. *Natural Buffer:* A visual screen created by undisturbed vegetation of such density so as to present an opaque visual separation when viewed from one side to the other throughout the year.

2. *Structural Buffer:* A visual screen created through construction of a solid wooden fence, decorative masonry wall, earthen berm, or combination of fence or wall with an earthen berm, which may be supplemented with existing or planted vegetation, so as to present an opaque visual separation when viewed from one side to the other throughout the year.

Caliper: The diameter of a tree (usually nursery stock) measured at a point 6 inches above the ground or top of root ball for up to and including 4-inch caliper trees, and at a point 12 inches above the ground or top of root ball for larger sizes.

Common Open Space: See "Open Space."

Dead Tree or Plant: Any living plant material that has lost 33% or more of its branches or leaves, as determined by the Planning Director or other qualified designee, shall be considered dead.

Diameter Breast Height (Dbh): The diameter of an existing tree trunk measured at a height of 4½ feet above the ground. If a tree splits into multiple trunks below 4½ feet, the trunk is measured at its most narrow point beneath the split.

Drip Line: A perimeter formed by the points farthest away from the trunk of a tree where precipitation falling from the branches of that tree lands on the ground.

Heavily Landscaped Area: An area planted with a combination of shade and flowering trees, deciduous and evergreen shrubs, and flowering perennials such that the entire area is covered with landscape materials. The green space designated to be heavily landscaped shall have no more than 25% of its area covered in turf (seed or sod). The remaining 75% shall contain shade trees (2 inch caliper minimum), flowering trees (2 inch caliper minimum), evergreen shrubs (3 gallon minimum), deciduous shrubs (3 gallon minimum), and perennials or non-turf groundcovers (2½ inch pot minimum). All plant materials shall be mulched.

Landscape Buffer: See "Buffer, Landscape."

Landscape Materials: Any combination of living plant materials and nonliving materials such as rock, pebbles, wood chips, mulch and pavers, and decorative features, including sculpture, patterned walks, fountains, and pools. Synthetic landscaping materials acceptable to the Development Review Committee may also be used.

Mulch: Pine straw, pine bark, pebbles, lava rock, or processed cypress trees acceptable to the Development Review Committee may also be used. By products of unprocessed grinding operations may not be used for mulching under landscape plants or trees.

Natural Buffer: See under "Buffer, Landscape."

Opaque: Impenetrable to view, or so obscuring to view that features, buildings, structures, and uses become visually indistinguishable.

Open Space: An area of land or water that is permanently set aside through dedication, designation or reservation to remain in a natural and unimproved state or that may be improved only for active or passive recreation or enjoyment. Open space can be defined as:

1. *Common Open Space:* Land or water areas within a development project that are available to or benefit all occupants of the development on a continuing and permanent basis, such as walking trails, community centers or clubhouses, golf courses and other recreation areas, protected flood plains or wetlands, and fishing or boating lakes. Common open space does not include any streets or public or private rights-of-way, or yard areas or landscape areas located on private property.
2. *Public Open Space:* Land reserved for preservation, leisure or recreational use but dedicated in fee simple to a governing body or agency to be responsible for operation and maintenance. Public open space may not be reserved for or dedicated to the exclusive use of the residents of a particular development.
3. *Greenspace:* Permanently protected areas of a site that are preserved in a natural state.

Shrub: A self-supporting woody plant that normally reaches a height of less than 15 feet.

Structural Buffer: See under "Buffer, Landscape."

Structural Soil: Highly porous engineered aggregate mix designed to be used under asphalt and concrete pavements as the load-bearing and leveling layer as a means to providing a soil component beneath impervious surfaces to facilitate the root growth of trees.

Tree Harvesting: The planting, cultivating and harvesting of trees in a continuous cycle as a regular agricultural practice on a tract of land; not including the removal of trees for purposes of development or the removal of trees without replanting.

Tree, Large: A shade tree that has a single trunk and which will reach at least 35 feet in height and 35 feet in spread at maturity. In defining such trees, reference may be made to the latest editions of Landscape Plant Materials for Georgia (Cooperative Extension Service, The University of Georgia College of Agriculture, Bulletin No. 625) and the Manual of Woody Landscape Plants (Michael Dirr, 1983, Castle Books).

Tree, Medium: A medium tree has a single trunk and which will reach at least 25 feet in height at maturity. In defining such trees, reference may be made to the latest editions of Landscape Plant Materials for Georgia (Cooperative Extension Service, The University of Georgia College of Agriculture, Bulletin No. 625) and the Manual of Woody Landscape Plants (Michael Dirr, 1983, Castle Books).

***Tree, Small*:** A small tree may have single or multiple trunks and which will reach at least 15 feet in height at maturity. In defining such trees, reference may be made to the latest editions of Landscape Plant Materials for Georgia (Cooperative Extension Service, The University of Georgia College of Agriculture, Bulletin No. 625) and the Manual of Woody Landscape Plants (Michael Dirr, 1983, Castle Books).

Vehicle Use Area: Vehicle use areas include any areas designated as automobile, truck, or van parking spaces, including access aisles and driveways. Vehicle use areas also include the driveways and access aisles associated with mini storage warehouses, truck loading and unloading spaces, and impoundment yards.

Visual Screen: Vegetation or a decorative structure that creates an opaque visual block or obscures an unattractive view. Screening may consist of any combination of the following, as approved by the Planning Director: Fencing constructed of cedar, redwood, treated

wood, vinyl replicating wood, or other suitable all-weather material; masonry walls of brick or stone; planted or natural vegetation; or earthen berms.

DIVISION I. VEHICLE USE AREA LANDSCAPING.

Sec. 803. Vehicle Use Area Plantings.

Any vehicle use area designed or intended as a parking lot to accommodate 5 cars or more for any purpose, or to accommodate the parking of any number of light trucks or vans, which is located adjacent to any residential zoning district or located adjacent to a public or private street, must provide a buffer adjoining such district or visual screening from such street in accordance with the requirements of this Section. Landscaped planting areas are also required throughout the vehicle use area under the requirements of this Section.

Sec. 803.01. Landscape planting and maintenance plan required.

A Landscape Planting and Maintenance Plan including provisions for watering, maintenance and replacements is to be submitted to the Planning Director and approved prior to the issuance of a building permit. Installation of plant materials shall have been completed or bonded prior to the issuance of a certificate of occupancy. If bonded, such plant materials shall be installed within 30 days of the bond date.

Sec. 803.02. Vehicle use area screening.

a. Required vehicle use area screening.

(1) Any vehicle use area which is visible from a public or private street, must provide a landscaped visual screen that meets the requirements of this Section. Any vehicle use areas planned as a parking lot designed or intended to accommodate less than 5 cars for any purpose is exempt from this code section.

(2) Decorative visual screening shall be provided to a height of 3 feet above the elevation of the vehicle use area (measured at the edge or top of curb nearest the adjacent street) or the adjacent street (measured at the right-of-way line), whichever is highest.

(3) The screening may be included within any frontage landscape strip required by this Development Code, but in no case shall be less than 10 feet wide.

b. Screening alternatives.

The decorative visual screening may be provided in any of (or any combination of) the following ways that achieves a total height of 3 feet:

(1) *Planted only*. A planting consisting of shrubs spaced appropriately for their width at maturity but not exceeding six feet on center that will spread into a continuous visual screen within two growing seasons. Shrubs must be at least 24 inches tall at the time of planting, be of a species that will exceed 3 feet in height at maturity and be adapted for vehicle use area conditions. Where space allows, plants shall be planted in multiple, staggered rows. A maximum of 20% of these shrubs may be deciduous. Plantings must be set back at least 4 feet from the street right-of-way line. See chart for allowable species and varieties.

(2) *Recessed Vehicle Use Area*. If grading permits such that the proposed parking lot pavement, excluding curb and gutter, will sit 3 feet or more below the adjacent road grade, then recessed parking is allowed in lieu of planted material as a screening alternative.

(3) *Wall*. A wall of brick, stone or finished and textured concrete, landscaped with plant material to achieve a decorative effect to the reasonable satisfaction of the Planning Director. The wall must be set back at least 4 feet from the street right-of-way line.

(4) *Decorative Fence*. A fence constructed of imitation-wood vinyl pickets, or of wrought iron with masonry columns, landscaped with plant material to achieve a decorative effect to the reasonable satisfaction of the Planning Director. "Open design" decorative fencing of wood or imitation-wood vinyl, such as split rail or slat fencing, are allowed with supplemental plantings to achieve the required screening effect. Fences must be set back at least 4 feet from the street right-of-way line.

(5) *Combination*. Any combination of hedge, recessed parking, wall or fence that effectively provides a visual screen of the parking lot or loading area to a height of 3 feet and achieves a decorative effect through appropriate use of landscaping and plant material.

Sec. 803.03. **Vehicle use area planting requirements.**

a. Trees required.

An average of at least one large tree (as defined in this Development Code), occupying a planting area of at least 300 square feet is required per each 3600 square feet of vehicle use area. Trees located in any required buffer and/or landscape strip that is within 20′ of a vehicle use area may be counted toward this requirement.

(1) Trees must be placed in or around the parking lot such that every parking space is within 50 feet of a large tree. The 50-foot distance is measured from the center of the tree to any point within the parking space. However, in no case shall any large tree be placed within 25 feet of any other large tree.

(2) New large trees shall have a caliper of no less than 2 inches and a height of no less than 10 feet upon planting, and shall be maintained in good condition. Trees that must be removed as a result of disease, damage or death, must be replaced.

b. Standards for vehicle use area plantings.

(1) Landscape islands, strips, or other planting areas shall be landscaped with any combination of such plant materials as large, medium, or small trees, shrubs, grass,ground cover. Such planting areasshall be well drained and contain suitable soil and natural irrigation characteristics for the planting materials they contain.

(2) As a minimum, a landscaping island shall be located at the end of every parking bay between the last parking space and an adjacent travel aisle or driveway. The island shall extend the length of the parking bay and shall be no less than nine feet wide from the face of curb to the face of curb for at least one-half the length of the adjacent parking space.

(3) Landscape islands between side-by-side parking spaces shall be no less than nine feet in width from the face of curb to the face of curb and extend for at least one-half the length of the adjacent parking space. Landscaping strips between head-to-head parking spaces shall be no less than 8 feet in width face of curb to face of curb without wheel stops, or 5 feet in width when provided with wheel stops in the parking spaces such that no vehicular overhang is permitted.

c. Reduction to vehicle use area planting requirements.

(a) Permeable or porous pavements may be used within a parking lot or paved access in which case the required vehicle use area planting requirement may be reduced by up to 20 percent. Reduction shall be a 1:1 ratio of percentage of porous pavement in the overall lot to percentage of vehicle use area planting reduction. A plan shall be submitted demonstrating the required landscaping without the reduction and shall be the starting point for the potential 20% reduction.

(b) The required planting area may be reduced by up to 50 percent if an approved structural soil mix containing 80 percent rock aggregate, 15 percent mineral soil and a sticking agent is used. At least 700 cubic feet of total rooting volume for small and medium trees shall be required as listed in the Suggested Species List in Table 8-2.

Sec. 804. Obstructions to sight distance.

All landscaping and other screening devices placed along street rights-of-way and driveways must be designed and installed in a manner consistent with the requirements of this Development Code regarding visibility clearance.

DIVISION II. LANDSCAPE STRIPS

Sec. 805. Landscape Strips.

Landscape strips shall be required along any developed portion of the property adjacent to private or public streets or rights-of-way.

a. Plant materials shall consist of at least one large tree (as defined in this Development Code) for each 40 linear feet of landscape strip. These large trees are not required to be planted in a uniformly spaced single row, but may be clustered and/or staggered as space allows within the landscape strip as long as the total number of trees required is met and no large tree is within 25 feet of any other large tree. For purposes of this section, such tree may be any large tree which, when planted, is a minimum height of 10 feet. When approved by the Planning Director, medium or small trees may be substituted when permanent obstructions are present that prevent a large tree from growing to its natural size or where a visual hazard is created by a large tree and not by a medium or small tree. Existing trees which are preserved within the landscape strips and properly protected during construction by keeping 75% of the tree's existing dripline undisturbed may be counted toward tree planting requirements.

b. Plant materials shall not be planted any closer than 4 feet to the public right-of-way.

DIVISION III. LANDSCAPE BUFFERS BETWEEN INCOMPATIBLE LAND USES.

Sec. 806. Buffers; where required.

A buffer meeting or exceeding the following widths shall be required between any multi-family or nonresidential development project along a side or rear lot line that abuts a less intense land use, as follows:

Table 8.1: Situations Where Buffer Required

	① Provide a buffer on the lot of this use ↓	↓	↓	↓	↓
② Along a side or rear lot line next to this less intense use or zoning ↓	**1- or 2-Family Residence**	**Multi-Family**	**Office or Institutional**	**Commercial**	**Industrial**
AG Agricultural land, or Active Agricultural use in any zoning district	N/A[1]	15 feet [1]	15 feet	15 feet	25 feet
1- or 2-Family Residential[2]	None	25 feet	25 feet	50 feet	100 feet
Multi-Family Residential	None	None	25 feet	25 feet	50 feet
Office, Institutional, Commercial or Industrial	None	None	None	None	None

[1] See separation requirements for certain uses in Article 3.
[2] Includes any land zoned AR-3, AR, R-1 or R-2, and any 1- or 2-Family Residential use zoned AG or R-3.

a. A buffer must be provided between any multi-family use (townhouses, apartments or mobile home park) and any agricultural zoning district or single-family or two-family use or zoning district;

b. A buffer must be provided between any office, institutional or commercial use and any agricultural zoning district or any single-family, two-family or multi-family use or zoning district; and

c. A buffer must be provided between any industrial use and any agricultural zoning district or any single-family, two-family or multi-family use or zoning district.

Sec. 807. Buffers; timing of installation.

Buffers are required to be created at the time of construction of any infrastructure or new development of a building or site.

Sec. 808. Buffer design standards.

Sec. 808.01. General.

a. Buffer areas shall contain no driveways, access easements, parking areas, patios, storm water detention facilities, or any other structures or accessory uses except for a fence,

wall, or earthen berm constructed to provide the visual screening required to meet the standards of this Ordinance.

b. Underground utilities including closed storm drains are permitted to cross a buffer if the screening standards of this Ordinance will be subsequently achieved.

c. Vehicular access through a buffer may be allowed only as a condition of rezoning, Special Use or Master Planned Development approval by the Board of Commissioners.

Sec. 808.02. **Width of buffer.**

a. Buffers required along any lot line shall be no less than the minimum required width as shown on Table 8.1, or as may be reduced under 808.04.c.3.

b. When a proposed development adjoins an existing development of a higher intensity, but the full width of the required buffer does not exist on the existing development, the new development shall provide a buffer of adequate width to meet the full width required on Table 8.1 when considered in combination with any existing buffer on the property of the adjoining existing development.

Sec. 808.03. **Minimum required screening.**

a. A buffer shall be provided that creates a barrier between differing land uses or adjoining properties which substantially blocks the sight lines, noise transmission, and the transfer of artificial light and reflected light between said differing land uses or adjoining properties including all components of said differing land uses or adjoining properties.

b. A buffer, as defined herein, shall also incorporate optimal placement of the foregoing components on the property and in relationship to the adjoining property, so as to provide the most effective barrier described above. This shall include particular consideration to the vertical relationship, lines of sight and resulting view angles between differing land uses and adjoining properties and may involve the grading design, building heights, architectural styles, and placement of design elements on the property being developed.

Sec. 808.04. **Types of buffers allowed.**

a. Natural buffers

(1) An existing natural buffer may be incorporated into the required buffer area. When necessary, as determined by the Planning Director or their designee, supplemental evergreen plant materials shall be installed within the natural buffer area to create an effective barrier between incompatible land uses.

(2) Natural buffers may contain deciduous, evergreen or perennial vegetation, but shall contain shrubs and trees suitable to local growing conditions that will provide an opaque visual screen during all seasons of the year. To protect existing natural buffers, retaining walls will be allowed to be installed to maintain the natural grade for the health of these trees and shrubs, however, the retaining walls cannot obstruct utility elements within this barrier.

(3) Additional buffer width may be provided, if necessary, to achieve the visual screen.

b. Structural buffers

(1) Structural buffers shall meet the following criteria:

(a) Structural buffers shall be vegetated throughout the minimum area required for the buffer including around any fences, walls and upon any earthen berms. This vegetation may include ground covers, grasses, shrubs and trees.

(b) Trees shall be located or planted within all structural buffers at a density of no less than one large tree for each 40 feet of buffer length or portion thereof. Exclusions to this include areas where topographical, geotechnical, or soil constraints exist that would prohibit material to be installed or newly planted material to become established. Examples of such locations include rocky outcrops, floodplains, wetlands/low lying areas or utility corridors, above or below ground. Newly planted deciduous large trees shall have a caliper of no less than two inches upon planting and newly planted evergreen trees grown full to the ground shall be at least six feet tall and a minimum of 1 inch caliper when planted. In no case shall any large tree be placed within 25 feet of any other large tree.

(2) A structural buffer, as defined herein, shall incorporate all of the following components:

(a) The required width as shown in Table 8.1

(b) Trees as specified in 808.04.b.1.b.

(c) At least one of the following components:

(i) Fence

(ii) Berm

(iii) Free-standing wall

(iv) Evergreen plant material

(3) Requirements as they relate to the specific structural buffer components.

(a) Fences

i. Fences shall present a finished and decorative appearance to the abutting property and shall be located no closer to the property line than three feet.

ii. Shrubs, ground covers, or other vegetation shall be provided between the fence or wall and the property line so as to provide a decorative effect, following professional landscaping standards for spacing, location and design.

iii. Fences used in buffers must be made of rot-resistant material or protected from deterioration with waterproofing material.

iv. Fences may not be woven wire mesh (chain link).

v. Fences shall be a minimum of 6 feet tall.

(b) Berms

i. All earthen berms shall have a maximum side slope of 50 percent [one foot of vertical rise to two feet of horizontal run].

ii. Earthen berms shall be 2-6 feet tall and varying in height, except where the berm tapers and in areas necessary for drainage purposes.

iii. Berms may be tapered and offset to create a visual aesthetic. In the gaps created, 6 foot tall evergreen shrubs are required to create a visual screen.

iv. Berms are required to be vegetated throughout. The combination of the berm and the density of the planting are to be determined by the natural growth pattern of the different species and required to be staggered to create a 6-foot tall opaque visual screen within two years of installation. All shrubs must be evergreen with the exception of a maximum of 20% flowering, deciduous plants.

(c) Free-standing walls

i. Freestanding walls shall present a finished and decorative appearance to the abutting property, and shall be located no closer to the property line than three feet.

ii. Shrubs, ground covers, or other vegetation shall be provided between the fence or wall and the property line so as to provide a decorative effect, following professional landscaping standards for spacing, location and design.

iii. Walls shall be a minimum of 6 feet tall

(d) Evergreen plant material

i. All large shrubs must be evergreen with the exception of a maximum of 20% flowering, deciduous plants.

ii. All large shrubs must have a minimum install height of 3.5 feet.

iii. The density of the planting is to be determined by the natural growth pattern of the different species.

iv. Large shrubs shall be staggered to create a 6 feet tall opaque visual screen within 2 years of planting.

Sec. 809. Maintenance of buffers.

Every buffer required under this Division II shall be maintained by the owner of the property where the buffer is located, so as to provide an opaque visual screen to a height of 6 feet on a continuous, year-round basis. Dead or dying plants or trees must be replaced immediately with the same or an equivalent species.

Sec. 810. Waiver or reduction for unnecessary buffers.

a. Following a review and recommendation by the Planning Department, the Board of Commissioners may waive a landscape buffer otherwise required by this Section, or reduce its extent to an appropriate dimension, upon a finding that all of the following are met::

(1) The proposed buffers are adequate to protect the health, safety or general welfare of the public;

(2) All reasonable objections from adjoining property owners have been considered in making such waiver or reduction; and

(3) The comprehensive plan anticipates future development on the adjoining property in a land use category such that a zoning buffer would not be required by this Development Code once the adjoining property is rezoned or developed.

b. Removal of established zoning buffers between two compatible land uses may be approved by the planning department on a case-by-case basis upon the finding that all of the following are met:

(1) Such removal shall provide an adequate balance between the protection of the health, safety, and welfare of the general public and the right to unfettered use of private property; and

(2) Such removal shall foster beneficial development of the County in the public interest.

DIVISION IV. LANDSCAPING PLANS, INSTALLATION AND MAINTENANCE.

Sec. 811. Site landscaping plans.

Sec. 811.01. Site landscaping plans; when required.

a. Site landscaping plans are required upon application for a development permit or for a building permit for new construction of buildings in any development to which landscaping, screening or buffer requirements apply.

b. The location and detail of all zoning buffers and screening shall be depicted on the required site landscaping plan.

Sec. 811.02. Site landscaping plans; criteria.

The technical specifications for site landscaping plans are found under the Procedures and Permits Article of this Code.

Sec. 811.03. Exemptions from site landscaping plan requirements.

a. The provisions of this Section shall not apply to structures for which site landscaping plans previously have been submitted and approved.

b. Site landscaping plans shall be required for only that phase of development for which the development permit or building permit is being requested.

Sec. 812. Plant materials; standards.

Sec. 812.01. Acceptable plant materials.

The following are the minimum plant sizes and conditions to be used in satisfying the requirements of this Article. Acceptable plant materials for landscaping, screening and zoning buffers shall be as approved by a Georgia registered Landscape Architect.

a. New plant materials.

(1) Parking lot screening plants: must primarily be evergreen, however a maximum of 20% of these shrubs may be deciduous, minimum of 24 inches tall at the time of planting and must mature to 3 feet within 2 years of planting. 18 x 24 inch balled and burlapped or 2-gallon container plant material is acceptable.

(2) Shrubs for buffers between incompatible uses: minimum of 3½ feet tall at the time of planting and must mature to 6 feet within two years of planting. 24 x 30 inch balled and burlapped or 3-gallon container plant material is acceptable. See chart for allowable species and varieties.

(3) Ground cover, 4 inch pot.

(4) Large Trees: minimum 2-inch caliper and 10 feet in height. Large evergreen trees grown full to the ground: minimum 6 feet tall and minimum 1inch caliper. See chart for allowable species and varieties.

(5) Small to Medium Trees: minimum one inch caliper and 6 to 8 feet in height. See chart for allowable species and varieties.

(6) No more than 40 percent of any one tree species shall be planted on a lot site.

b. The *American Standard for Nursery Stock*, published by the American Association for Nurserymen, may be referred to for the determination of plant standards.

c. Existing trees that are to be retained to satisfy the requirements of this Code shall meet the following standards:

(1) Trees shall be free from mechanical and natural injuries, insect infestations and disease.

(2) Trees shall be protected from injury to roots, trunks and branches during grading and construction. Protective fencing, tree wells, or retaining walls shall be utilized where necessary to ensure tree vigor upon completion of construction.

Sec. 812.02. **Approval of plant materials.**

Approval of a proposal to use a specific landscaping or buffer material shall be subject to a determination by the Planning Director that the proposed material is the most appropriate for:

a. The specific location, given surrounding land uses and the type of screening used on nearby properties, and

b. The specific topography, soil, existing vegetation, and other factors that may influence the effectiveness of a screen material.

c. The following table includes allowable plant materials that may be appropriate for various applications. The planning department may be consulted if clarification is required.

Table 8.2 Allowable Species List for Proposed New Trees and Shrubs

Large Trees (35' in height by 35' in width):

Scientific Name	Common Name	Example Cultivars
Acer barbatum	Southern (Florida) Sugar Maple	
Acer x freemanii	Freeman Maple	Autumn Blaze
Acer leucoderme	Chalkbark Maple/Chalk Maple	
Acer rubrum	Red Maple	Brandywine, Florida Flame, Summer Red, October Glory, Red Sunset
Acer saccharum	Sugar Maple	Green Mountain, Legacy
Betula nigra	River Birch:	Dura-Heat, Heritage
Carpinus betulus	European Hornbeam	Fastigiata
Carpinus caroliniana	American Hornbeam	
Cladrastis kentukea	American Yellowwood	
Fagus grandifolia	American Beech	
Fraxinus pennsylvanica	Green Ash	Oconee
Ginkgo biloba (male only)	Gingko	Golden Globe, Princeton Sentry
Lirodendron tulipfera	Tulip Poplar	
Metasequoia glyptostroboides	Dawn Redwood	
Nyssa sylvatica	Black Gum, Water Tupelo	Wildfire
Ostyra virginiana	Iron wood, Musclewood	
Oxydendrum arboretum	Sourwood	
Pistacia chinensis	Chinese Pistache	
Quercus acutissima	Sawtooth Oak	
Quercus alba	White Oak	
Quercus bicolor	Swamp White Oak	
Quercus coccinea	Scarlet Oak	
Quercus lyrata	Overcup Oak	
Quercus michauxii	Swamp Chestnut Oak	
Quercus myrsinifolia	Chinese Evergreen Oak	
Quercus nigra	Water Oak	
Quercus nuttallii	Nuttall Oak	
Quercus palustris	Pin Oak	
Quercus phellos	Willow Oak	Hightower, Upperton
Quercus rubra	Red Oak	
Quercus shumardii	Shumard Oak	
Quercus virginiana	Live Oak	
Sophora japonica	Japanese Pagodatree	

Taxodium ascendens	Pond Cypress	
Taxodium distichum	Bald Cypress	
	American Elm	Princeton
Ulmus parvifolia	Elm:	Allee, Everclear, Bosque, Drake
Zelkova serrata	Japanese Zelkova	Green Vase

Additional Large Trees for Buffer Zones:

Scientific Name	Common Name	Example Cultivars
Magnolia macrophylla,	Big Leaf Magnolia	Ashei, Fraseri
Platanus occidentalis	Sycamore	
Salix alba	White Willow	Tristis
Salix babylonica	Weeping Willow	

Additional Large Trees (evergreen, full to the ground):

Scientific Name	Common Name	Example Cultivars
Cedrus deodara	Deodar Cedar	Bill's Blue Ice, Montana Verdea
Cryptomeria japonica	Japanese Cedar	Radicans, Yoshino
Cupressocyparis leylandii	Leyland Cypress	Murray, Good Hedges
Cupresso glabra	Cypress:	Silver Smoke
Cupressus arizonica	Arizona Cypress	Blue Ice, Carolina Sapphire
Ilex attenuata	Foster's Holly	East Palatka, Foster No. 2, Savannah
Ilex cornuta	Chinese Holly	Burford
Ilex x Emily Brunner	Emily Brunner Holly	
Ilex x Mary Nell	Mary Nell Holly	
Ilex x Nellie R Stevens	Nellie R Stevens Holly	
Ilex koehneana	Wirt L. Winn Holly	
Ilex vomitoria	Pendula	
Juniperus chinensis	Chinese Juniper	Hetz Column, Robusta Green, Hollywood
Magnolia grandiflora	Southern Magnolia	DD Blanchard, Claudia Wannamaker, Little Gem, Bracken's Brown Beauty, Alta
Pinus thunbergil	Japanese Black Pine	
Thuja plicata	Western Red Cedar	Green Giant
Thuja x Steeplechase	Steeplechase Arbovitae	
Thuja occidentalis	Eastern Arborvitae/American Arborvitae	DeGrout Spire, Emerald, Malonyana

Small Trees to Medium Trees (15' to 25' in height):

Scientific Name	Common Name	Example Cultivars
Acer barbatum	Southern Sugar Maple	
Acer buergerianum	Trident Maple	
Acer japonica	Large Leaf Japanese Maple	
Acer palmatum	Japanese Maple	Osakazuki, Bloodgood, Coral Bark
Amelanchier grandiflora	Downy Serviceberry	Autumn Brilliance
Carpinus betulus	European Hornbeam	Fastigiata

Carpinus caroliniana	American Hornbeam Ironwood, Musclewood	
Cercis canadensis	Redbud	Forest Pansy, Hearts of Gold
Cercis reniformis	Redbud	Oklahoma
Chionanthus retusus	Chinese Fringe Tree	
Chionanthus virginicus	Fringe Tree	Grancy Gray Beard
Cornus x Rutacan	Dogwood	Constellation
Cornus florida	Dogwood	
Cornus kousa	Kousa Dogwood	
Cupressus sempervi-rens	Italian Cypress	
Ilex opaca	American Holly	
Ilex attenuata	Foster Holly	East Palatka, Savan-nah
Ilex vomitoria	Yaupon Holly	Shadow's Female
Juniperus virginiana	Eastern Red Cedar:	Brodie, Burkii, High Shoals
Koelreuteria panicula	Golden Rain Tree	
Lagerstroemia indica	Crape Myrtle	Acoma, Catawba, Tonto, Dynamite, Natchez, Muskogee
Magnolia liliiflora	Woody Orchid, Lily Magnolia, Japanese Magnolia	Little Girl Hybrids, Jane, Betty
Magnolia loebneri	Loebner Magnolia	Leonard Messel, Alex-andrina, Dr. Merrill
Magnolia soulangiana	Saucer Magnolia	
Magnolia virginiana	Sweetbay Magnolia	Moonglow
Malus – many cultivars	Crabapple	
Osmanthus fragrans – tree form	Fragrant Tea Olive	
Parrotia persica	Persian Ironwood	
Prunus campanulate	Okame Cherry	
Prunus caroliniana	Cherry Laurel:	Bright & Tight
Prunus yedoensis	Yoshino Cherry	
Stewartia koreana, monodelpha, pseudo-camellia	Koreana, Tall Stewartia, Japanese Stewardia	
Quercus georgiana	Georgia Oak	
Vitex agnus-castus	Vitex Tree	Shoal Creek

Shrubs for Buffers Between Incompatible Land Uses (6' minimum height at maturity):

Scientific Name	**Common Name**	**Example Cul-tivars**
Evergreen		
Abelia chinensis	Chinese Abelia	
Agarista populifolia	Leucothoe	
Camellia sasanqua	Sasanqua	
Chamaecyparis pisifera	False Cypress	Gold Mop, Crippsii, Well's Special, Gold Spangle
Cryptomeria japonica	Japanese Cedar	Radicans, Yoshino
Cupressocyparis leylandii	Leyland Cypress	Murray, Good Hedges

Cupressus arizonica	Arizona Cypress	Blue Ice, Carolina Sapphire
Eriobotrya japonica	Japanese Loquat	
Ilex cornuta	Chinese Holly	Dwarf Burford Holly
Ilex glabra	Inkberry Holly	
Ilex latifolia	Lusterleaf Holly	
Ilex x	Holly	Mary Nell, Nellie R. Stevens, Emily Brunner
Ilex attenuata	Foster Holly	Savannah, E. Palatka Holly
Illicium floidanum	Florida Anise	
Illicium parviflorum	Anise	
Ligustrum japonicum	Japanese Privet: Recurvifolium, Rotundifolium	
Lorapetulum chinensis	Chinese Fringe:	Zhuzhou Fuchsia [tall var.]
Magnolia grandiflora	Southern Magnolia	DD Blanchard, Claudia Wannamaker,
Myrica cerifera	Southern Wax Myrtle	
Osmanthus fortunei	Fortune's Tea Olive	
Osmanthus fragrans	Fragrant Tea Olive	
Podocarpus macrophyllus maki	Podocarpus	
Raphiolepsis minor	Indian Hawthorn – tall variety	
Rhododendron	Rhododendron, Azalea	Southern Indica cultivars
Ternstroemia gymnanthera	Japanese Cleyera	
Thuja plicata 'Green Giant'	Green Giant Arbovitae	
Thuja x Steeplechase	Steeplechase Arbovitae	
Viburnum awabuki	Awabuki Viburnum	
Viburnum pragense	Pragense Viburnum	
Viburnum rhytidophylum	Leatherleaf Viburnum	
Deciduous:		
Calycanthus floridus	Sweet Shrub	
Chimonanthus praecox	Winter Sweet	
Cotinus coggygria	Smoke Tree	Grace
Exochorda racemosa	Common Pearlbush	
Forsythia intermedia	Forsythia	Lynwood
Hamanelis virginiana	Witch Hazel	
Hydranagea paniculata	Panical Hydrangea	Limelight
Hydrangea quercifolia	Oakleaf Hydrangea: large cultivars	
Lonicera fragrantissima	Winter Honeysuckle	
Magnolia liliiflora	Woody Orchid, Lily Magnolia, Japanese Magnolia	Little Girl Hybrids: Jane, Betty
Magnolia loebneri cultivars	Loebneri Magnolia	Leonard Messel
Magnolia stellata	Star Magnolia	
Magnolia virginiana	Sweet Bay Magnolia	
Miscanthus sinensis and other grasses	Gracillimus, Variegatus, Zebrinus Strictus	
Philadelphus coronaries	Sweet Mockorange	

Punica granatum	Pomegranate – tall cultivars	
Spiraea vanhouttei	Vanhoutte Spirea	
Viburnum delatatum 'Michael Dodge'	Michael Dodge Viburnum	
Viburnum macrocephalum	Chinese Snowball Viburnum	
Viburnum plicatum var tor. Double File V	Shasta Viburnum	
Viburnum plicatum var tor. Double File V	Popcorn Viburnum	
Viburnum trilobum	American Cranberry Viburnum	

Shrubs for Vehicle Use Area Screening:

Scientific Name	Common Name	Example Cultivars
EVERGREEN		
Abelia grandiflora	Azalea	Rose Creek
Buxus microphylla		Winter Green
Buxus sempervirens	American Boxwood	
Chamaecyparis pisifera	Sawara Cypress	Golden Mop
Cryptomeria japonica	Japanese Cedar	Globosa Nana
Distylium genus	Distylium	Vintage Jade, Cinnamon Girl
Gardenia jasminoides	Cape Jasmine	August Beauty, First Frost
Ilex crenata	Japanese Holly	Helleri, Soft Touch, Compacta
Ilex cornuta	Chinese Holly	Carissa, Burford Nana Holly
Ilex glabra	Inkberry Holly	Compacta
Ilex vomitoria	Dwarf Yaupon Holly	Schillings
Juniperus chinensis [on 2' berm]	Chinese Juniper	Sargents
Juniperus conferta [on 2' berm]	Shore Juniper	Blue Pacific
Juniperus davurica		Parsonii
Juniperus virginiana	Eastern Red Cedar	Gray Owl
Lorapetalum chinense	Chinese Fringe Flower	Everred, Ruby, Crimson Fare
Pittosporum tobira	Japanese Cheesewood	Variegata
Rhaphiolepis umbellate	Indian Hawthorn	
DECIDUOUS		
Hibiscus syriacus	Althea	Blue Angel
Camellia japonica	Camellia	Endless Summer Snow
Chaenomeles speciosa	Flowering Quince	
Euonymus alatus	Burning Bush	Compactus
Forsythia	Forsythia	Lynnwood Gold
Fothergilla gardenii	Dwarf Fothergilla	Mount Airy
Hydrangea arborescens		Annabelle
Hydrangea macrophylla	Bigleaf Hydrangea	Endless Summer
Hydrangea paniculata	Panicle Hydrangea	Little Lime
Itea virginica	Virginia Sweetsspire	
Jasminum nudiflorum	Winter Jasmine	
Miscanthus sinensis	Eulalia	Adagio, Rigaletto, Gracillimus, Morning Light, Zebrinis, Strictus
Mullenbergia capillaris	Pink Muhlygrass	
Rosa 'Radrazz'	Knock Out Rose	
Rosa 'Meijocos' [on 2 foot berm]	Drift Rose	
Spiraeanipponica, spiraea thunbergii, spiraea arguta	Spirea	Snowmound, Fujino pink, Ogon

Sec. 812.03. **Prohibited Species:**

a. English Ivy, Chinese Wisteria, Bamboo, Empress Tree, Chinaberry, Chinese Privet, Eleagnus, Nandina, non-native Mimosa, Bradford Pear, Chinese Tallow Tree, Cocoyam, Leatherleaf Mahonia, Tussock paspalum.

Sec. 812.04. Alternate species may be approved by the Planning Director provided they meet the required growth criteria and the plans area stamped by a Georgia registered Landscape Architect.

Sec. 813. Installation and maintenance of plant materials.

Sec. 813.01. **Installation of plant materials.**

a. Plant materials, as required by the provisions of this Article, shall be installed prior to issuance of a Certificate of Occupancy. The Planning Director may allow one planting season in a twelve month period in which the installation of plant materials shall be completed, subject to the performance security requirements, below.

b. Performance surety.

(1) In such cases as when planting stock availability is low or weather conditions are not appropriate for planting new trees, the project owner may postpone planting for up to 6 months; provided that performance security is posted with Oconee County in accordance with the following criteria:

(a) Security shall be in cash held in escrow or an irrevocable letter of credit submitted to the Planning Department, with the appropriate documentation.

(b) Security shall be provided in an amount equal to 110 percent of the cost of materials, installation and 2-year guarantee as demonstrated by a signed contract between the owner and a qualified landscape contractor, and as approved by the Planning Director.

(2) An inspection shall be made by the Planning Department of all tree plantings to assure compliance with plan requirements prior to release of the performance security. The performance security will be drawn upon by Oconee County at the time of expiration if the planting requirements have not been fulfilled, or if the owner has not requested an extension. One 6-month extension may be permitted with documented justification acceptable to the Planning Director. Any inspections performed after the final inspection (for project release) are subject to re-inspection fee schedules.

c. Maintenance bond.

(1) Prior to approval of a final subdivision plat or issuance of a certificate of occupancy, or prior to release of a performance surety provided under this Section (whichever last occurs), a maintenance bond, letter of credit or escrow account in a form acceptable to the Planning Director is required for all plant materials installed as a result of the requirements of this Article. The developer shall be responsible for maintenance of all such plant materials for 2 years from the date of acceptance of the maintenance bond.

(2) The value of the Maintenance Bond shall be equal to 25 percent of the actual cost of installation of the plant materials. The cost of installation shall be evidenced by copies of contractor agreements or actual invoices paid, or as otherwise determined by the Planning Director in accordance with generally established costs for the industry.

Sec. 813.02. **Maintenance of required plant materials.**

a. The owner, tenant and their agent, if any, and their successors and assigns shall be jointly and severally responsible for the maintenance in good condition of the plant materials

used to meet the minimum landscaping and buffer requirements of this Article. This responsibility is in addition to and survives the release of any maintenance bond provided for the property by the developer.

b. Plants that are diseased, unsurvivably damaged or are dead shall be removed and replaced with a plant of the same species, variety or cultivar, as acceptable to the Planning Director.

c. Other landscape materials shall be maintained in proper repair and shall be kept clear of refuse and debris.

d. Existing buffer plantings, street tree plantings, or other landscaping installed under previous codes may be thinned or removed if any plant materials are found to be in a dangerous situation or horticulturally distressed, diseased, or dying because of the inherent site situations or incorrect spacing as long as the provisions of the applicable code sections contained herein are met and maintained.