



MAYOR
Rick E. Roquemore

CITY ADMINISTRATOR
Michael E. Parks

CITY COUNCIL
Taylor J. Sisk
Jamie L. Bradley
Joshua Rowan
Johnnathen Eggleston

**CITY OF AUBURN
MAYOR AND COUNCIL
MEETING IN COUNCIL CHAMBERS
June 11, 2026
6:00 PM
Council Chambers
1 Auburn Way
Auburn, GA 30011**

Present: Mayor: **Richard Roquemore**
Council Member: **Taylor Sisk**
Council Member: **Jamie L. Bradley**
Council Member: **Joshua Rowan**
Council Member: **Johnnathen Eggleston**

City Staff in Attendance: Michael Parks, Amanda Vinson, Brooke Haney, Sgt Pharr. Chief Hodge
Mayor Roquemore called the meeting to order at 6:00 pm.

Rev. Marshall Clack gave the Invocation.

Mayor Roquemore led the pledge.

Mayor Roquemore asked for any Citizen comments. There were none.

COUNCIL REPORTS & ANNOUNCEMENTS

Mayor Roquemore asked for staff and Council Reports or announcements.

Michael Parks gave an update on upcoming paving of Mt. Moriah Road.

Council Member Rowan gave an update on the usage of the Disc Golf course at Shackleford Park.

Mayor Roquemore asked to make a move to the agenda to have the Consent Agenda moved to the beginning of the meeting if there was no objection. There was none.

New Business

Item 1: Voting Items

- a. Harmony Phase 3A Final Plat

Sarah McQuide Presented

Mayor Roquemore asked if there were any questions on this item. There were none.

Mayor Roquemore asked for a motion to approve Harmony Phase 3A Final Plat.

Motion: Made by **Council Member Sisk** to approve Harmony Phase 3A Final Plat.

Second: by **Council Member Eggleston**

Mayor Roquemore asked for any discussion, there was none. Vote taken with

Council Members Eggleston, Rowan, and Sisk Voting yes and **Council Member Bradley** voting no.

- b. Code Updates: CH 16.43 – Trees and Landscaping (see attachment)

Sarah McQuade Presented

Mayor Roquemore asked if there were any questions on this item.

Council Member Bradley asked about the arborist making the final decisions, the Planning and Zoning role, EPT, where do our rules and ordinances fit into the state's rules of the 50 acres, Specimen Trees, and is City property and land protected.

Mayor Roquemore asked for a motion to approve Code Updates: CH 16.43 – Trees and Landscaping

Motion: Made by **Council Member Rowan** to approve Code Updates: CH 16.43 – Trees and Landscaping

Second: by **Council Member Sisk**

Mayor Roquemore asked for any discussion, there was none. Vote taken with

Council Members Eggleston, Rowan, and Sisk Voting yes and **Council Member Bradley** voting no.

- c. Code updates: CH 16.20 – Procedures, Plans, and Plat (see attachment)

Sarah McQuade Presented

Mayor Roquemore asked if there were any questions on this item.

Mayor Roquemore asked about if they would need to come to Council for a plat update.

Sarah McQuade gave an explanation.

Councilmember Bradley asked if that takes planning and zoning out of the loop as well.

Sarah McQuade gave an explanation.

Mayor Roquemore asked for a motion to approve Code Updates: CH 16.43 – Trees and Landscaping

Motion: Made by **Council Member Rowan** to approve Code Updates: CH 16.43 – Trees and Landscaping

Second: by **Council Member Sisk**

Mayor Roquemore asked for any discussion, there was none. Vote taken with all members voting yes.

Item 2: Consent Agenda

- a. Council Special Called Meeting Minutes – May 14, 2026
- b. Council Business Meeting Minutes – May 14, 2026
- c. Council Special Called Meeting Minutes – May 28, 2026
- d. Council Workshop Meeting Minutes – May 28, 2026
- e. Raw Water Storage Pond Piping Change Orders
- f. Keck & Wood Stormwater Contract
- g. Gwinnett Solid Waste Plan
- h. FY 2027 Budget Schedule
- i. Upstairs Room Build Out

Council Member Bradley asked to remove item g and i.

Mayor Roquemore asked for a motion to approve the consent agenda with items g and i removed.

Motion: Made by **Council Member Rowan** to approve the consent agenda.

Second: by **Council Member Eggleston**

Mayor Roquemore asked for any discussion, there was none. Vote taken with all members voting yes.

Item g: Gwinnett Solid Waste Plan

Council Member Bradley asked about recycling funding.

Michael Parks gave an explanation.

Mayor Roquemore asked for a motion to approve the Item g.

Motion: Made by **Council Member Rowan** to approve the Item g.

Second: by **Council Member Bradley**

Mayor Roquemore asked for any discussion, there was none. Vote taken with all members voting yes.

Item i: Upstairs Room Build Out

Council Member Bradley asked about the funding.

Michael Parks gave an explanation.

Mayor Roquemore asked for a motion to approve the Item i.

Motion: Made by **Council Member Sisk** to approve the Item i.

Second: by **Council Member Bradley**

Mayor Roquemore asked for any discussion, there was none. Vote taken with all members voting yes.

Mayor Roquemore Thanked CPL for all the work they do.

Mayor Roquemore asked for any citizen comments.

Rob Yoe spoke on item 1B.

Marsha Lickteig spoke on traffic blocking driveways at stop signs, signage for the municipal building, and communication between government and citizens.

Mayor Roquemore asked for a motion to adjourn.

Motion: Made by **Council Member Sisk** to adjourn

Second: Made by **Council Member Rowan**

Votes were taken with all members voting yes.

Respectfully submitted,

Read and approved this 10th 9 Day of July 2026

Attest:



Mayor Richard E. Roquemore

Chapter 16.20 PROCEDURES, PLAN AND PLAT SPECIFICATIONS

16.20.010 Pre-application conference.

Whenever any subdivision of a tract of land, whether for residential or nonresidential, is proposed to be developed, or whenever a single parcel of land (other than in a subdivision of a one- or two-family dwelling) is proposed, the developer shall present to the city preliminary documents and graphic exhibits to allow early evaluation of the developer's intentions and coordination with the comprehensive plan, zoning ordinance, etc. The conference is intended as an informational session between the subdivider and City staff prior to formal submittal.

(Ord. 05-004 (part), 2005; Ord. 122-01 (part), 2001)

16.20.020 Concept plan approval.

A. Concept Plan Procedures.

1. Application for concept plan approval shall be submitted to the city using an application form and in a number of copies to be determined by the city;
2. The concept plan shall include the entire property being developed. Properties which adjoin the subject property and which are under the same ownership or control as the subject property shall be so indicated.
3. Following the preapplication conference on a proposed subdivision of land not allowed as an exemption as described in Section 16.12.040 of these regulations, the subdivider shall submit the appropriate number of copies of the concept plan, and a letter requesting concept plan approval. The subdivider shall indicate the name and address of the owner and developer of the proposed subdivision and pay a fee, set by the city council.
4. The city shall send copies of the concept plan to the city planner/engineer, (consultant: planner/engineer), who shall forward or direct copies to other appropriate county or state agencies, for review and comment and approval, prior to approval by the city planner/engineer.
5. The city planner/engineer shall review the concept plan submitted by the applicant for conformance to these regulations. The city planner/engineer shall notify the applicant within thirty days of the formal submittal of the concept plan plat as to the comments and/or corrections that will be applied to the plan to gain approval. When comments have been addressed by the applicant and corrections made to the plans to meet these regulations; and all city, county, or state of Georgia agencies, identified to approve the concept plan have approved the plan; the city planner/engineer shall approve the concept plan and forward the plan to the city clerk for administrative approval and the city records.
6. The city planner/engineer shall forward to the city clerk a list of concept plan approvals, which shall be forwarded to the City staff for recordkeeping.
7. Following concept plan approval for a subdivision of land by the city planner/engineer, a clearing and grubbing permit shall be issued at the developer's request for the clearing of street rights-of-way, based on a soil erosion and sediment control plan approved by the appropriate agency.
8. Following concept plan approval by the city planner/engineer for a single parcel of land not involving a subdivision or recombination, a grading permit may be issued at the developer's request based on the

requirements for a clearing and grubbing permit and in addition a stormwater management report (hydrology study) shall be submitted and approved.

9. Copies of the approved concept plan shall be provided to the city for permanent record, in a number as determined by the city.
 - B. Concept Plan Specifications. The concept plan will include a scale of the proposed improvements, right-of-way and lot lines, shown on a boundary survey or other property outline map of the property.
- (Ord. 05-004 (part), 2005; Ord. 122-01 (part), 2001)

16.20.030 Preliminary plat/subdivision development plan.

- A. Procedure for Subdivision Development Plans Approval.
 1. An application for development plans approval and issuance of a development permit shall be submitted to the city using an application form and in a number of copies as determined by the city. The development plans may encompass a portion of a property included within an approved concept plan. The application shall include the preliminary plat, and construction drawings. All construction drawings and other engineering data shall be prepared and sealed by a professional engineer, land surveyor, or landscape architect currently registered in the state of Georgia, in accordance with provisions of Georgia law.
 2. The city planner/engineer shall indicate on a review copy of the drawings or in a written memorandum all comments related to compliance of the development plans with these regulations, principles of good design, the zoning ordinance, conditions of zoning approval, and the regulations of Auburn, Barrow and/or Gwinnett and state agencies as appropriate. The city planner/engineer shall notify the applicant within thirty days of the formal submittal of the Preliminary Plat as to the comments and/or corrections that will be applied to the plan to gain approval.
 3. The city planner/engineer may not approve any preliminary plat whereon is shown a lot which would present particularly unusual difficulties for construction of a building, which would clearly require a variance to be reasonably usable, or which is otherwise unbuildable, whether due to the presence of floodplain, unusual configuration, lack of public utilities or for any other reason. A house location plan (HLP) may be required to be filed as a part of the preliminary plat approval to substantiate the ability to build on any such difficult or unusual lot.
 4. The subdivider shall be responsible for compliance with all codes, regulations, and zoning requirements and for the satisfaction of all of the noted and written comments of the city.
 5. Should an applicant disagree with the findings or final review comments of the city or its designee, concluding that factual or interpretive errors have been made, the following appeal procedure shall be followed to resolve the issues.
 - a. Submit to the city a written statement clearly defining the nature of the disagreement with specific reference to the sections of the regulations (i.e., development regulations, etc.) at issue, and the applicant's own opinion.
 - b. The city clerk shall automatically forward a copy of the appeal to the city council for final action in their normal course of business.
 6. When the city planner/engineer has determined that the plat and other development plans are in compliance with all applicable city regulations and zoning requirements and approval has been received from the city, Barrow and/or Gwinnett County, and state Departments, the city planner/engineer and the city clerk shall approve the development plans, sign, and date a

"CERTIFICATE OF DEVELOPMENT PLANS APPROVAL" stamped or printed on a reproducible copy of the plat. The prescribed number, which the city establishes from time to time, of approved copies of the approved plat and development plans shall be transmitted to the city for its records and retained by the applicant.

7. Following the above approval by all affected city, Barrow and/or Gwinnett County, and state departments, a development permit shall be issued at the developer's request to begin construction activities based on the approved development plans.
8. The city planner/engineer shall forward to the city clerk a list of preliminary plat approvals, which shall be forwarded to the City staff for recordkeeping.

B. Preliminary Plat Subdivision Development Plan Specifications.

1. An application for a development permit for a subdivision shall consist of the preliminary plat, a certified boundary survey, associated slope or construction easements (if any), and such other development plans as may be required by these regulations.
2. The development plans shall generally conform to the concept plan, if any, and may constitute only that portion of the approved concept plan which the subdivider proposes to construct at one time as a single unit, provided that such portion conforms to the requirements of these Rules and regulations. If no concept plan was approved on the property, the development plans shall include the entire property being developed within the same zoning category.
3. Scale. The development plans shall be clearly and legibly drawn at a scale of not less than one hundred feet to one inch. Sheet size shall not exceed twenty-four inches by thirty-six inches. plan and profile sheets shall have a horizontal scale of no less than one inch represents one hundred feet and a vertical scale of no less than one inch represents ten feet.
4. Certified boundary survey. The preliminary plat shall be drawn on, accompanied by, or referenced to a certified boundary survey delineating the entirety of the property contained within the preliminary plat, and tied to a point of reference (tie point) with the same degree of accuracy as the boundary survey itself. The survey shall have an accuracy of no less than one in ten thousand, and shall meet all requirements of Georgia Law regarding the recording of maps and plats.
5. The preliminary plat shall contain the following:
 - a. Proposed name of subdivision;
 - b. Name, address, and telephone number of the owner of record, and of the subdivider (if not the owner);
 - c. Name, address and telephone number of each professional firm associated with the development plans (engineer, surveyor, landscape architect, etc.);
 - d. Date of survey, north point, and graphic scale, source of vertical datum, date of plat drawing, and space for revision dates;
 - e. Proposed use of the site, such as single-family detached residences, duplexes, townhouses, office park, industrial subdivision, etc. For residential, indicate total number of dwelling units within plat;
 - f. Land district, land lot and parcel number(s), Georgia militia district, acreage, and density, if applicable;
 - g. Location sketch locating the subdivision in relation to the surrounding area with regard to well known landmarks such as major thoroughfares or railroads. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than one inch

represents two thousand feet. U.S. Geological Survey maps may be used as a reference guide for the location sketch;

- h. Name of former subdivision, if any, or all of the land in the preliminary plat that has been previously subdivided, showing boundaries of same;
- i. Boundary lines of the perimeter of the tract indicated by a heavy line giving lengths in feet and hundredths of a foot, and bearings in degrees, minutes, and seconds. Bearing and distance to designated tie point;
- j. Directional flow arrows for street drainage;
- k. Contour lines based on sea level datum, or other datum acceptable to the city. These shall be drawn at intervals of not more than two feet. Contour lines shall be based on field surveys or photogrammetric methods from aerial photographs. The basis for the topographic contour shown shall be specified and dated;
- l. Natural features within the proposed subdivision, including drainage channels, bodies of water, and other known significant features such as extensive exposed rock. On all water courses leaving the tract, the direction of flow shall be indicated. The FEMA one hundred-year floodplain shall be outlined and the source of the depicted floodplain information shall be indicated. For those lots containing floodplain, a floodplain lot chart shall be provided showing the area (in square feet) of each lot lying inside and outside of the floodplain as though the land disturbance activity were completed;
- m. Man-made and cultural features existing within and adjacent to the proposed subdivision including existing right-of-way measured from centerline, pavements widths, and names of existing and platted streets; all easements, city, and county jurisdiction lines; existing structures on the site and their disposition, and other significant information. Location and dimensions of existing bridges; water, sewer, and other existing utility lines and structures; culverts and other existing features should be indicated;
- n. Proposed layout including lot lines, lot numbers, and block letters; proposed street names, roadway and right-of-way lines; and, sites reserved through covenants, easement, dedication, or otherwise for public uses. Lots shall be numbered in numerical order and blocks lettered alphabetically. The minimum building setback line from all streets. Streets shall be dimensioned to show right-of-way and roadway widths, central angles, intersection radii, and cul-de-sac roadway and right-of-way radii. Centerline curve data shall be provided for all roadway curves [radius, length, amount of superelevation (if any), point of curvature (P.C.), point of tangency (P.T.), etc.] if not shown separately on construction drawings.
- o. Identify unit number, division or stage of development, if any, as proposed by the subdivider;
- p. Existing zoning of the property. Rezoning and variance case numbers, dates of approval and conditions (as applicable). Note minimum lot size and minimum yard setback requirements, and other applicable zoning requirements. Show the dimension of required buffers, landscape strips, no-access easements, etc. Note any approved waivers from these regulations;
- q. All adjoining property owners, subdivision names, lot numbers and lot lines, block letters, and zoning;
- r. Location of all known existing or previously existing landfills.
- s. Proposed recreation area, if any; area of the site; area and percent of site within the one hundred-year floodplain; proposed disposition of the site (public ownership, homeowners association, etc.).

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- t. Such additional information as may be reasonably required to allow an adequate evaluation of the subdivision;

- u. Each preliminary plat shall carry the following certificate printed or stamped thereon:

ALL REQUIREMENTS OF THE CITY OF AUBURN DEVELOPMENT REGULATIONS RELATIVE TO THE PREPARATION AND SUBMISSION OF A SUBDIVISION DEVELOPMENT PERMIT APPLICATION HAVING BEEN FULFILLED; SAID APPLICATION AND ALL SUPPORTING PLANS AND DATA HAVING BEEN REVIEWED AND APPROVED BY ALL AFFECTED CITY, COUNTY OR STATE DEPARTMENTS AS REQUIRED UNDER THEIR RESPECTIVE AND APPLICABLE REGULATIONS; AND THE CITY ENGINEER/PLANNER OF AUBURN HAVING APPROVED SAID APPLICATION ON _____; APPROVAL IS HEREBY GRANTED, ON THIS PRELIMINARY PLAT AND ALL OTHER DEVELOPMENT PLANS ASSOCIATED WITH THIS SUBDIVISION, SUBJECT TO ALL FURTHER PROVISIONS OF SAID DEVELOPMENT AND OTHER EXISTING CITY REGULATIONS.

PLANNER/ENGINEER, CITY OF AUBURN

CITY CLERK, CITY OF AUBURN

THIS CERTIFICATE EXPIRES TWELVE MONTHS FROM THE DATE OF APPROVAL UNLESS A DEVELOPMENT PERMIT IS ISSUED.

NOTE: The boundaries of the lots shown on this Plat have not been surveyed and this Plat is not for recording.

6. The preliminary plat shall be accompanied by other development plans showing the following information when same is not shown on, or evident from the preliminary plat. The various plans may be combined where appropriate, and where clarity can be maintained.
- a. Erosion control plan prepared in accordance with the requirements of the soil erosion and sediment control ordinance. Erosion control measures may be shown on the grading plan, if desired.
 - b. Grading Plan prepared in accordance with the requirements of Chapter 16.36 of these regulations if grading is proposed beyond the street right-of-way.
 - c. Stormwater Drainage Construction Data:
 - i. Location and size of all proposed drainage structures, including detention ponds, catch basins, grates, headwalls, pipes and any extensions thereof, energy dissipaters, improved channels, and all proposed drainage easements to be located outside of existing or proposed street rights-of-way.
 - ii. Profiles of all storm drainage pipes and slope of receiving channels. On storm drainage profiles a pipe chart will be shown which will include pipe numbers, pipe size, pipe material, pipe slope, pipe length, contributing drainage area, design flow, design storm frequency, runoff coefficient and velocity. The hydraulic grade line will be shown on all pipes for the required design flow.
 - iii. Profiles of all open channels and ditches including Mannings' twenty-five-year storm normal depth and velocity. On storm drainage profiles, an open channel chart will be shown which will include open channel numbers, conveyance size, lining material, length, channel slope, contributing drainage area, design storm frequency, runoff coefficient and velocity.
 - iv. Hydrological study used in determining size of structures, including map of all contributing drainage basins and acreage.

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- c. If sanitary sewers are required by the city of Auburn, Barrow and/or Gwinnett County Department of Public Utilities; or the Barrow and/or Gwinnett County Health Department; sanitary sewer plans, including the location and size of all proposed sewer lines, manholes, and any easements required therefore, together with sufficient dimensions to locate same on the ground; shall be shown.
 - d. Public water system plans. Potable water plans, including the location, size, valve and hydrant location as required by the adopted requirements of the city of Auburn and the state of Georgia Department of Natural Resources, Environmental Protection Division.
 - e. Construction data for new streets and street widenings.
 - i. Centerline profiles and typical roadway sections of all proposed streets, as well as plans and profiles for all proposed major thoroughfares. Typical roadway sections shall be provided for street widenings.
 - ii. Where sanitary or storm sewers are to be installed within a street, the grade; size, location, and bedding class of pipe; location and invert elevation of manholes shall be indicated on the road profile.
 - iii. Profiles covering roadways that are extensions of existing roadways shall include: elevations of the existing street at fifty foot intervals for such distance as may be adequate to provide continuity consistent with the standards required by the regulations for street improvements, but the existing street profile shall be no less than two hundred feet.
 - iv. All elevations shall be coordinated and tied into U.S. Coast and Geodetic Survey, or Department of Transportation benchmarks where feasible, or into reference monuments established by the Federal Emergency Management Agency, or other elevation method which must be approved by the city.
 - v. Stub streets shall be profiled at least two hundred feet onto adjoining property (no tree cutting).
 - f. Floodplain Management Plans. If any floodplain areas are located on the property, such data as is required by these regulations shall be submitted.
7. Encroachments. Where construction is proposed on adjacent property, an encroachment agreement or easement shall be submitted to the city.

(Ord. 122-01 (part), 2001)

16.20.040 Site development plans.

A. Site Development Plan Approval Procedure.

1. An application for development plan approval and issuance of a development permit shall be submitted to the city using an application form and in a number of copies as determined by the city. The development plans may encompass a portion of a property included within an approved concept plan. However, if no concept plan has been approved, the development plans must include the entire property being developed and having similar zoning. The application shall include the site plan and construction drawings, as appropriate to the project. All construction drawings and other engineering data shall be prepared and sealed by a professional engineer or landscape architect currently registered in the state of Georgia, in accordance with the provisions of Georgia law.
2. The city planner/engineer shall indicate on a review copy of the drawings or in a written memorandum all comments related to compliance of the development plans with these regulations, principles of

good design, the zoning ordinance, conditions of zoning approval, and the regulations of other city and Barrow and/or Gwinnett departments, and state agencies as appropriate. The city planner/engineer shall have final staff authority to determine the applicability of any and all comments under these development regulations, the zoning ordinance or conditions of zoning approval. The city planner/engineer shall notify the applicant within thirty days of the formal submittal of the site development plan as to the comments and/or corrections that will be applied to the plan to gain approval.

3. The developer shall be responsible for compliance with all codes, regulations, and zoning requirements and for the satisfaction of all of the noted and written comments of the city and county or state agency.
4. Deeds to lands dedicated to city in fee simple, shall be submitted to the city for review by the city attorney prior to acceptance, approval and recording.
5. Should an applicant disagree with the findings or final review comments of the city planner/engineer, concluding that factual or interpretive errors have been made, the following appeal procedure shall be followed to resolve the issues.
 - i. Submit to the city, a written statement clearly defining the nature of the disagreement, the specific reference to the sections of the regulations (i.e., development regulations, etc.) at issue, and the applicant's own opinion.
 - ii. The city clerk shall automatically forward a copy of the appeal to the city council for final action in their normal course of business.
6. When the city planner/engineer has determined that the site plan and other development plans are in compliance with all applicable city regulations and zoning requirements, and approval has been received from Barrow and/or Gwinnett County departments, or state departments, as required, the city planner/engineer and city clerk shall approve the development plans and shall sign and date a "Certificate Of Development Plans Approval" on a reproducible copy of the plan. Approved copies of the approved development plans shall be transmitted to the city for its record.
7. Following the above approval by all affected governmental agencies, a development permit shall be issued at the developer's request to begin construction activities based on the approved development plans. Said permit may include clearing, grubbing, and grading as appropriate and approved as part of the project. A building permit may also be issued on the basis of the approved development permit under the provisions contained in this chapter. A certificate of occupancy may not be issued, however, until Section 16.20.060, site plan project closeout and continuing maintenance, of these regulations has been completed.
8. The city planner/engineer shall forward to the city clerk a list of site development plan approvals, which shall be forwarded to the city staff for recordkeeping.

B. Site Development Plan Specifications.

1. An application for a development permit for a multi-family or nonresidential site shall consist of the site plan, a certified boundary survey or final plat reference, associated slope or construction easements (if any), and such other development plans as may be required by these regulations.
2. The development plans shall generally conform to the concept plan, if any, and may constitute only that portion of the approved concept plan which the developer proposed to construct at one time as a single phase, provided that such portion conforms to the requirements of these rules and regulations and all setbacks, maximum density, and other zoning restrictions. If no concept plan was approved on the property, the development plans shall include the entire property being developed having the same zoning category.

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3. Scale. The development plans shall be clearly and legibly drawn at an engineering scale convenient to illustrate the details of the project. Sheet size shall not exceed thirty-six inches by twenty-four inches. Plan and profile sheets, if any, shall have a horizontal scale of no less than one inch represents one hundred feet and a vertical scale of no less than one inch represents ten feet.
 4. Project boundary data. The site plan shall be drawn on, accompanied by, or referenced to a boundary survey of a lot as recorded on a final subdivision plat or on a certified boundary survey delineating the entirety of the property contained within the project, and tied to a point of reference (tie point) with the same degree of accuracy as the boundary survey itself. The survey shall have an accuracy of no less than one in ten thousand, and shall meet all requirements of Georgia law regarding the recording of maps and plats.
 5. The site plan shall contain the following (on one or more sheets):
 - a. Proposed name of development. If the project is located within a subdivision, the name of the subdivision, lot, and block number must also be shown;
 - b. Name, address and telephone number of the owner of record, and of the developer (if not the owner);
 - c. Name, address, and telephone number of each professional firm associated with the development plans (engineer, surveyor, landscape architect, etc.);
 - d. Date of survey, north arrow and graphic scale, source of datum, date of plan drawing, and space for revision dates;
 - e. Proposed use of the site, including gross square footage for each different use type or building;
 - f. Location (tax map page and parcel number(s) and G.M.D.), acreage or area in square feet, and density (if applicable);
 - g. Location sketch locating the development in relation to the surrounding area with regard to well known landmarks such as major thoroughfares or railroads. Sketches may be drawn in freehand and at a scale sufficient to show clearly the information required, but not less than one inch equal to two thousand feet. U.S. Geological Survey maps may be used as a reference guide for the location sketch;
 - h. Size and location of all buildings, building setback lines, minimum yard lines, and distances between buildings and from buildings to property lines; location of outdoor storage areas; parking and loading areas, driveways, curb cuts and designated fire lanes. Each building shall be identified with a number or letter;
 - i. Boundary lines of the perimeter of the tract indicated by a heavy line giving lengths to the nearest one-hundredth of a foot and bearings to the nearest second. Bearing and distance to designated tie point;
 - j. Directional flow arrows for street drainage;
 - k. Contour lines based on sea level datum. These shall be drawn at intervals of not more than two feet and shall include the entire site and all abutting public streets. Contour lines shall be based on field surveys or photogrammetric methods from aerial photographs. The basis for the topographic contours shown shall be specified and dated.
 - l. Natural features within the proposed development, including drainage channels, bodies of water, and other known significant features such as extensive exposed rock. On all water courses leaving the tract, the direction of flow shall be indicated. The one hundred-year floodplain shall be outlined and the source of the depicted floodplain information shall be indicated. The acreage or area in square feet within the floodplain shall be indicated;

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- m. Man-made and natural features existing within and adjacent to the proposed development including existing right-of-way measured from centerline, pavement widths, and names of jurisdiction lines; existing structures on the site and their disposition, and other significant information. Location and dimensions of existing bridges; water, sewer, and other existing utility lines and structures; culverts and other existing features should be indicated;
 - n. Proposed street names, roadway and right-of-way lines and widths and sites reserved through covenants, easement, dedication or otherwise for public uses;
 - o. Identify unit number, division or stage of development, if any, as proposed by the developer;
 - p. Show all adjoining property owners, subdivision names, lot numbers, lot lines and block letters and zoning;
 - q. Show the location and number of parking spaces according to the size of the building on the plans. Show factors used in determining number of spaces as required in the zoning ordinance. Handicapped parking spaces must be shown as required by the Georgia handicap law;
 - r. Zoning district, rezoning case number, date of approval and conditions as applicable. Variances obtained on the property should be shown with the case number, date of approval and conditions (if applicable). Note any approved waivers from these regulations;
 - s. If buffers or other landscaping or screening treatments are required, show the location, size, and type (natural or planted) on the plans;
 - t. Location, height, and size of all freestanding signs to be erected on the site, and an indication whether lighted or unlighted;
 - u. Location of all known existing landfills and proposed on-site bury pits (state EPD permit and city special use permit or other approval may be required);
 - v. Such additional information as may be reasonably required to permit an adequate evaluation of the project.

6. Certificate of development plans approval. Each site plan shall carry the following certificate printed or stamped thereon:

ALL REQUIREMENTS OF THE CITY OF AUBURN DEVELOPMENT REGULATIONS RELATIVE TO THE PREPARATION AND SUBMISSION OF A SITE PLAN DEVELOPMENT PERMIT APPLICATION HAVE BEEN SATISFIED. APPROVAL IS HEREBY GRANTED SUBJECT TO ALL FURTHER PROVISIONS OF SAID DEVELOPMENT AND OTHER EXISTING CITY REGULATIONS.

PLANNER/ENGINEER, CITY OF AUBURN

CITY CLERK, CITY OF AUBURN

THIS CERTIFICATE EXPIRES TWELVE MONTHS FROM THE DATE OF APPROVAL UNLESS A DEVELOPMENT PERMIT IS ISSUED.

7. Public Notice—Drainage. Every site plan shall contain the following statement:

NOTE: THE CITY OF AUBURN ASSUMES NO RESPONSIBILITY FOR OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, OR FOR THE EXTENSION OF CULVERTS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED SUBDIVISION PLAT. THE CITY OF AUBURN DOES NOT ASSUME THE RESPONSIBILITY FOR THE MAINTENANCE OF PIPES IN DRAINAGE EASEMENTS BEYOND THE STREET RIGHT-OF-WAY.

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8. The site plan shall be accompanied by other development plans showing the following information when same is not shown on, or evident from the site plan. The various plans may be combined where appropriate and clarity can be maintained.
- a. Erosion control plan prepared in accordance with the requirements of the Auburn soil erosion and sediment control ordinance. Erosion control measures may be shown on the grading plan, if desired.
 - b. Grading plan, prepared in accordance with the requirements of Chapter 16.36.
 - c. Storm water drainage construction data:
 - i. Location and size of all proposed drainage improvements, and all proposed drainage easements to be located outside existing or proposed street rights-of-way.
 - ii. Profiles of all storm drainage pipes and slope of receiving channels. Hydraulic grade line is to be shown for all pipes (except roof drains) for the required design flow. On storm drainage profiles a pipe chart will be shown which will include pipe numbers, pipe size, pipe material, pipe slope, pipe length, contributing drainage area, design flow, design storm frequency, runoff coefficient and velocity. On all pipes, the hydraulic grade line shall be shown. Profiles of all open channels and ditches including the design flow normal depth and velocity.

On storm drainage profiles an open channel chart will be shown which will include open channel numbers, conveyance size, lining material, length, channel slope, contributing drainage area, design flow, design storm frequency, runoff coefficient and velocity for the required design flow.
 - iii. Acreage of drainage areas and hydrological study used in determining size of structures, including map of all contributing drainage basins and acreages.
 - d. Public water system plans.
 - i. Potable water plans, including the location, size, valve and hydrant location as required by the adopted requirements of the city and the state of Georgia Department of Natural Resources, Environmental Protection Division.
 - ii. Private water system plans, if any, indicating proposed water main size and location, with fire hydrants, on the site. The distance and direction to all other fire hydrants within five hundred feet of the site or buildings along existing streets or other access drives shall also be indicated.
 - e. Sewage disposal plans.
 - i. Sanitary sewer plans, including the profiles and other information as may be required by the Barrow County water and sewer authority, Gwinnett County public utilities department, or the city adopted waste-water (sewer) collection system construction standards and the state of Georgia Department of Natural Resources, Environmental Protection Division.
 - ii. For projects proposed to be served by on-site sewage disposal systems, location and extent of septic tank, drain field and attendant structures, and other information required by the Barrow and/or Gwinnett County health department.
 - f. Street widening and construction data.
 - i. Centerline profiles and typical roadway sections of all proposed streets, as well as plans and profiles for all proposed major thoroughfares. Profiles (and plans, where required)

shall be drawn on standard plan and profile sheet with plan section showing street layout, pavement and right-of-way width, curvature, and required drainage facilities. Typical roadway sections shall be provided for street widenings.

- ii. Where sanitary or storm sewers are to be installed within a street, the grade, size, location and bedding class of pipe; location and invert elevation of manholes shall be indicated on profiles.
 - iii. Profiles covering roadways that are extensions of existing roadways shall include: elevations of the existing street at fifty foot intervals for such distance as may be adequate to provide continuity consistent with the standards required by the regulations for street improvements, but the existing street profile shall be no less than two hundred feet.
 - iv. All elevations shall be coordinated and sighted into U.S. Coast and Geodetic Survey, or Department of Transportation benchmarks, or, where feasible, into reference monuments established by the Federal Emergency Management Agency, or other elevation method which must be approved by the city.
 - g. Buffer and landscape plan, if any such areas exist within the site.
 - h. Floodplain management plans; if any floodplain areas are located on the property.
 - i. Private water system plans, if any, indicating proposed water main size and location, with fire hydrants, on the site. The distance and direction to all other fire hydrants within five hundred feet of the site or buildings along existing streets or other access drives shall also be indicated.
 - j. Street striping plan, showing striping in accordance with the manual on uniform traffic control devices, for any street newly constructed to four or more lanes, and all newly constructed or widened major thoroughfares.
9. Encroachments. Where construction is proposed on adjacent property, an encroachment agreement or easement shall be submitted to the city.

(Ord. 122-01 (part), 2001)

16.20.050 Initiation of development activities.

- A. Initial Activities. Following the issuance of any permit authorizing clearing and grading of a site:
- 1. Required erosion control measures must be installed where practical by the developer and inspected and approved by the city prior to actual grading or removal of vegetation. All control measures shall be in place as soon after the commencement of activities as possible and in coordination with the progress of the project.
 - 2. Soil sedimentation facilities must be installed and operational prior to major grading operations.
 - 3. Areas required to be undisturbed by the zoning ordinance, conditions of zoning approval, or other ordinance or regulation shall be designated by survey stakes, flags, or other appropriate markings and shall be inspected and approved by the city prior to the commencement of any clearing or grading activities.
 - a. For those trees which are not to be removed, all protective fencing, staking, and any tree protection area signs shall be in place. These barriers must be maintained throughout the land disturbance process and should not be removed until landscaping is begun.
 - b. The buffers or tree protection areas shall not be utilized for storage of earth and other materials resulting from or used during the development process.

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- c. Construction site activities such as parking, materials storage, concrete washout, burning, etc. shall be arranged to prevent disturbances within the buffer or tree protection areas.
 - B. Development Inspections. Oral notification shall be made by the developer or contractor to the city or appropriate agency at least twenty-four hours prior to commencement of activity for each of the following phases as authorized by any permit for site work or development. Inspections shall be made by the city and passed prior to continuation of further activity or proceeding into new phases.
 - 1. Clearing or clearing and grubbing of the site or any portion included under the permit.
 - 2. Grading. Installation of slope stakes shall be required. Upon completion of roadway grading, the water certificate shall be submitted to the city certifying that the centerline of the road and the offset centerline of the water line is within six inches of that shown on the approved plans or revised plan submittal. Inspection and approval shall be required prior to trenching or continuation with sub-base preparation.
 - 3. Installation of storm drainage pipe, detention or other storm water facilities.
 - 4. Curbing of roadways, if required. Inspection should be requested before the forms have been set (if used). Roadway width will be spot checked by string line between curb stakes.
 - 5. Sub-base or sub-grade of streets. After compaction, the sub-grade will be string-lined for depth and crown. The sub-grade shall be roll tested and shall pass with no movement, to the satisfaction of the city.
 - 6. Street base. The base will be string-lined for depth and crown, and shall pass a roll test with no movement to the satisfaction of the city.
 - 7. Paving. A city inspector shall be on site during the paving process to check consistency, depth, and workmanship, as applicable. For asphalt paving, the temperature of the material will be spot-checked, and the roadways may be cored after completion to check thickness, at the owners expense.
 - C. Responsibility for Quality and Design. The completion of inspections by city officials or employees and authorization for work continuation shall not transfer responsibility for the quality of the work performed or materials used from the contractor or developer, and shall not imply or transfer acceptance of responsibility for project design or engineering from the professional corporation or individual under whose hand or supervision the plans were prepared.
 - D. Stop Work Orders. Work which is not authorized by an approved permit, or which is not in conformance to the approved plans for the project, or which is not in compliance with the provisions of these regulations or any other adopted code, regulation or ordinance of city, and/or the state of Georgia, shall be subject to immediate stop work order by the city. Work which proceeds without having received the necessary inspections by the city shall be halted until all inspections of intervening work is completed.
 - E. Stabilization for Erosion Control. If for any reason a clearing and grubbing, grading, or development permit expires after land disturbance activities have commenced, the developer shall be responsible for stabilizing the site for erosion control, under the direction of the appropriate state of Georgia agency or city.

(Ord. 122-01 (part), 2001)

16.20.060 Site plan project closeout and continuing maintenance.

- A. Development Performance and Maintenance Agreement. The owner shall file a final development performance and maintenance agreement with the city, along with any required certificate of corporate ordinance and performance or maintenance surety, as a prerequisite to the issuance of a certificate of occupancy for any part of a project included in the development permit, except for single-family and two-

family residential structures. The development performance and maintenance agreement shall be in a form as required by the city, and shall include the following:

1. A list of required improvements yet to be completed (e.g., grassing, topping, sidewalks, required landscaping) and performance bonding. Final landscaping shall be provided in accordance with a schedule acceptable to the city. The developer may be allowed up to three months in which to finish the other designated improvements, after the date of approval of the certificate of occupancy.
2. Maintenance of the public streets and drainage facilities within public streets or easements for the bonding period. Repairs shall be made for any deficiencies identified within the bonding period or the bonds shall be called to complete same.
3. Indemnification of the city against all liability for damages arising as a result of errors or omissions in the design or construction of the development for a period of ten years. If liability is subsequently assigned or transferred to a successor in title or other person, a copy of such legal instrument shall be filed with the clerk to Superior Court, Barrow and/or Gwinnett County.

B. Maintenance and Performance Surety.

1. The development performance and maintenance agreement shall be accompanied by a bond, letter of credit or other acceptable surety providing for the maintenance of all public improvements and installation required by these regulations in the development for a period not to exceed twenty-four months (two years) following the date of approval of development conformance. The Maintenance Bond period of application may be extended by the city at the request of the Developer, provided it is in the best interest of the health, safety and welfare of the public.
2. The city shall further determine that either:
 - I. All public improvements required to be constructed and dedicated under the rules and regulations of city have been completed in accordance with the appropriate specifications;
 - II. For those required public improvements not yet completed, within areas to be dedicated (grassing, pavement topping, required landscaping, sidewalks, etc.), a performance bond shall have been filed by the developer with the development performance and maintenance agreement, which performance bond shall:
 - (A) Be conditioned upon the faithful performance by the Developer of all work required to complete all public improvements and installation required to be dedicated for the development, or approved portion thereof, in compliance with these rules and regulations within a specified time, not to exceed three months;
 - (B) Be payable to, and for the indemnification of, the city;
 - (C) Be in an amount equal to the cost of construction of the required public improvements required to be dedicated not yet completed plus an additional ten percent of said costs, as calculated by the city on the basis of yearly contract prices or city contracts, where available;
 - (D) Be with surety by a company entered and licensed to do business in the state of Georgia;
 - (E) Be in a form acceptable to the city council.
3. Payment for materials for the installation of traffic control and street name signs shall be made to the city, prior to approval of the development performance and maintenance agreement with the city. Payment of the cost of striping major thoroughfares or required signalization if required and not completed by the developer shall also be received by the city prior to approval of the development performance and maintenance agreement with the city. A performance surety may be posted with the

city covering the not completed requirements provided a schedule of completion is acceptable to the city.

4. Once the city has approved the performance and maintenance agreement and accepted the performance and maintenance bonds which may be required, and all other affected departments and agencies of government, as required, have certified compliance, the city shall issue a certificate of occupancy for the site for the use as proposed within the approved plans. The certificate of occupancy shall indicate all of the requirements of these regulations, the zoning ordinance, and the conditions of zoning approval have been met or what, if any, improvements shall be completed.

(Ord. 122-01 {part}, 2001)

16.20.070 Approval of final subdivision plat.

The approval shall reflect the owner's certification that all site work and construction has been accomplished according to the terms of approved plans and permits, and that all facilities intended for maintenance, supervision and/or dedication to the public are in compliance with appropriate standards, regulations, codes and ordinances. Such approval shall be revoked in cases of fraud or whenever unauthorized changes are made to the site without the benefit of required permits.

A. Final Plat Submission and Approval Procedures.

1. Upon completion of the project as authorized for construction by the development permit, the owner shall submit a final plat, in a number of copies as determined by the city, along with record drawings of all storm water detention facilities and modifications to the limits of the one hundred-year floodplain (if any), and an application for final plat approval, using a form provided by the city. An "as-built" hydrology study shall be submitted for the project with the actual parameters from the record drawing of the detention facilities. A record drawing of the sanitary sewer facilities, if any were constructed, shall also be prepared, separately or included with the above. The final plat submittal shall be in a form as required by the city and shall be accompanied by a development performance and maintenance agreement completed in draft form. If the owner is a corporation, the documents shall be signed by the president or vice president, be affixed by the corporate seal, and either the corporate secretary shall attest to the signature and affix the corporate seal, or a certificate of corporate resolution shall be submitted.
2. At the request of the Mayor, the city planner/engineer shall provide a written memorandum containing all comments and constructive feedback related to compliance of the final plat with this Municipal Code, conditions of zoning approval, Barrow and/or Gwinnett County departments, and state agencies as appropriate.
3. The city shall not approve any final plat whereon is shown or by which is otherwise created a lot which would present particularly severe and unusual difficulties for construction of a building, which would clearly require a variance to be reasonably usable, or which is otherwise "unbuildable" due to the presence of floodplain, unusual configuration, lack of health department approval, or for any other justified reason.
4. Lots which would appear to be buildable under certain circumstances and would require further study or additional information before a building permit could be issued, but which present problems or unusual difficulties which can reasonably be addressed or overcome by the lot owner, may be included in the Plat with the appropriate notation of the steps necessary to allow issuance of a building permit (See Chapter 16.24).
5. The subdivider shall be responsible for compliance with all codes, regulations, and zoning requirements and for the satisfaction of all of the comments of the city.

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6. Final approval by the city shall not be shown on the final plat, until all requirements of these and other applicable regulations have been met, and the city has received a completed request for approval of the final plat and an executed development performance and maintenance agreement. The agreement shall be accompanied by a bond, letter of credit or other acceptable surety providing for the maintenance of all installations and improvements required by these regulations in the subdivision for a period not to exceed twenty-four months following the date of approval of the final plat for subdivisions. The maintenance bond period of application may be extended by the city council at the request of the developer, provided it is in the best interest of the health, safety and welfare of the public.
 7. The city shall further determine that either:
 - i. The installation of all improvements within the subdivision, required for approval of the preliminary plat (construction plans), have been completed in accordance with the required or approved specifications; or
 - ii. All of the storm water drainage and detention facilities, water and sewer utilities, street base and curbing construction required for approval of the final plat have been properly installed and completed and, for those required improvements not yet completed (grassing, pavement topping, required landscaping, sidewalks, etc.) a performance bond shall have been filed by the subdivider with the development performance and maintenance agreement, which performance bond shall:
 - (A) Be conditioned upon the faithful performance by the subdivider or developer of all work required to complete all improvements and installations for the subdivision, or approved portion thereof, in compliance with these rules and regulations within a specified time, not to exceed three months;
 - (B) Be payable to, and for the indemnification of, the city;
 - (C) Be in an amount equal to the cost of construction of the required improvements not yet completed plus an additional ten percent of said costs, as calculated by the city on the basis of yearly contract prices or city contracts, where available;
 - (D) Be with surety by a company entered and licensed to do business in the state of Georgia;
 - (E) Be in a form acceptable to the city council or their designee, or the city attorney.
 8. Payment for materials for the installation of traffic control and street name signs shall be made to the city, prior to approval of the final plat. Payment of the cost of striping major thoroughfares or required signalization if required and not completed by the developer shall also be received by the city prior to approval of the final plat. A performance surety may be posted with the city covering the not completed requirements provided a schedule of completion is acceptable to the city.
 9. Payment of the required plat recording fee shall be made to the city prior to approval of the final plat.
 10. Once all other affected departments and agencies of government, as required, have certified compliance the mayor shall certify, by his/her signature on the original of the plat, that all of the requirements of these regulations, the zoning ordinance, and the conditions of zoning approval have been met, and that all other affected departments have approved the plat. The final plat shall not be deemed approved until it has been signed by the mayor and where use of septic

tanks is proposed, by a duly authorized representative of the Barrow and/or Gwinnett county health department.

11. Once the final plat has been so certified, the city shall authorize it to be recorded with the clerk of the Superior Court of Barrow County and/or Gwinnett County. The subdivider shall provide the city with an appropriate number of copies of the recorded plat, as determined by the city. Deeds to lands dedicated to city in fee simple, or to property owner associations for park or recreational use, shall be recorded simultaneously with the final plat.
12. The city planner/engineer shall forward to the city clerk a list of final plat approvals, which shall be forwarded to the city staff for recordkeeping.
13. The final plat shall be clearly and legibly drawn in black ink on tracing mylar or other permanent reproducible material. The scale of the final plat shall be one inch represents one hundred feet (one inch represents one hundred feet) or larger. Sheet size shall not exceed forty-eight inches by thirty-six inches. (Any sheet that is larger than seventeen inches by twenty-two inches must be photographically reduced to no more than seventeen inches by twenty-two inches in order to be recorded with the clerk of Superior Court of Barrow and/or Gwinnett County).
14. The final plat shall be based on a certified boundary survey which delineates the entire property contained within the final plat, and tied to a point of reference (tie point) with the same degree of accuracy as the boundary survey itself. The survey shall have an accuracy of no less than one in ten thousand, and shall meet all requirements of Georgia law regarding the recording of maps and plats.
15. The final plat shall substantially conform to the preliminary plat and it may constitute only that portion of the approved preliminary plat which the subdivider proposes to record at any one time, provided that such portion conforms to the requirements of these regulations, and said portion is not inconsistent with the public health, safety, or welfare. Any substantial deviation from the preliminary plat shall require revision and re-approval of the preliminary plat.
16. The final plat shall contain the following information:
 - i. Name of the subdivision, unit number, tax map page and parcel number(s) and/or Georgia militia district.
 - ii. Name, address and telephone number of the owner of record, and the subdivider (if not owner).
 - iii. Name, address and telephone number of each professional firm associated with the portion of the subdivision within the final plat (engineer, surveyor, landscape architect, etc.).
 - iv. Date of plat drawing, graphic scale, north point; notation as to the reference of bearings to magnetic, true north or grid north, and indication whether bearings shown are calculated from angles turned.
 - v. Location sketch of tract showing major surrounding features.
 - vi. Name of former subdivision, if any or all of the final plat has been previously recorded.
 - vii. Case number and date of approval for any applicable rezoning, special use permit, variance or waiver affecting the property.
 - viii. Location and dimension of any buffer, landscape strip, special setback, no-access easement, etc., required by the zoning ordinance or these regulations.

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- ix. Boundary lines of the tract, to be indicated by a heavy line, giving distances to the nearest one-hundredth foot and bearings to the nearest second. Bearing and distance to designated tie point shall be shown. The plat shall have a closure precision of one foot in no less than ten thousand feet.
 - x. Municipal or county jurisdictional lines approximately tied to the lines of the subdivision by distance and angles when such lines traverse or adjoin the subdivision; land lot and district or Georgia militia district lines traversing or adjoining the subdivision shall also be indicated.
 - xi. Locations, widths and names of all streets and alleys within and immediately adjoining the plat, the location and widths of all internal public crosswalks, and other public rights-of-way.
 - xii. Street center lines showing angles of deflection and standard curve data including radii, length of arcs and tangents between curves, point of curvature (P.C.) and point of tangency (P.T.).
 - xiii. Lot lines with dimensions to the nearest one-tenth of a foot and bearings to the nearest second, and radii of rounded corners, as necessary to delineate each lot.
 - xiv. Building setback lines along streets with dimensions.
 - xv. When lots are located on a curve or when side lot lines are at angles other than ninety degrees, the lot width measured in accordance with the provisions of the zoning ordinance may be required to be shown, if deemed necessary by the city for clarity.
 - xvi. Lots numbered in numerical order and blocks lettered alphabetically.
 - xvii. Location and size of all drainage pipes, location and extent of detention ponds, the location and size of all public water mains and fire hydrants, and the location, dimensions and purpose of any easements, including construction or slope easements if required.
 - xviii. Location of any areas to be reserved, donated, or dedicated to public use with notes stating their purpose and limitations. Location of any areas to be reserved by private deed covenant for common use of all property owners, or dedicated to a homeowner's association.
 - xix. A statement of private covenants, if any, if they are brief enough to be put directly on the plat; otherwise, if covenants are separately recorded, a statement as follows:

THIS PLAT IS SUBJECT TO THE COVENANTS SET FORTH IN THE SEPARATE DOCUMENT(S) RECORDED IN DEED BOOK ____ PAGE ____ ATTACHED HERETO DATED _____, WHICH HEREBY BECOME A PART OF THIS PLAT, AND WHICH WERE RECORDED AND SIGNED BY THE OWNER.

- xx. Accurate location, material, and description of monuments and markers (all monuments shall be in place prior to approval of the final plat.)
- xxi. Certificates and statements specified in these regulations, below.
- xxii. Extent of the one hundred-year floodplain and a floodplain chart showing the area within and outside the floodplain for each lot containing any portion of the one hundred-year floodplain. Origin of the floodplain data shall be indicated.
- xxiii. Street address numbers and block number designations for street names signs on abutting streets, where appropriate.

xxiv. Individual lots shall be designated HLP (house location plan), RDP (residential drainage plan) and/or RDS (residential drainage study) if such are required by the city to be approved prior to issuance of a building permit.

xxv. All other notes or notations as may be required by the city.

17. If any lands are shown on the final plat for dedication to the city other than street rights-of-way or easements, a warranty deed transferring title to said land in fee simple, in a form acceptable to the city, shall be submitted with the final plat application.
18. If any lands are shown on the final plat for dedication to a property owners association, a copy of the deed of transfer for such dedication and a copy of the instrument of incorporation of the property owners association shall be submitted with the final plat application.
19. Each final plat shall carry the following certificates or statements printed or stamped thereon as follows:
 - i. Final surveyor's certificate.

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AS TO THE PROPERTY LINES AND ALL IMPROVEMENTS SHOWN THEREON, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST, AND THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE CORRECTLY SHOWN. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN _____ FEET AND AN ANGULAR ERROR OF _____ PER ANGLE POINT, AND WAS ADJUSTED USING _____ RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN _____ FEET, AND CONTAINS A TOTAL OF _____ ACRES. THE EQUIPMENT USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS HEREIN WAS _____.

BY: _____

REGISTERED GA LAND SURVEYOR # _____ EXPIRES _____

- ii. Owners acknowledgment and declaration.

(STATE OF GEORGIA)

(COUNTY OF BARROW AND/OR GWINNETT)

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, AND IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, ACKNOWLEDGES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, AND DEDICATED BY THIS DECLARATION TO THE USE OF THE PUBLIC FOREVER ALL STREETS, SEWER COLLECTORS, LIFT STATIONS, DRAINS, EASEMENTS, AND OTHER PUBLIC FACILITIES AND APPURTENANCES THEREON SHOWN, AND TRANSFERS OWNERSHIP OF ALL PUBLIC USE AREAS IN FEE SIMPLE BY DEED, FOR THE PURPOSES THEREIN EXPRESSED.

SUBDIVIDER/
OWNER

DATE
DATE

- iii. Final plat approval.

THIS FINAL PLAT HAS BEEN REVIEWED FOR GENERAL COMPLIANCE WITH THE ZONING ORDINANCE AND DEVELOPMENT REGULATIONS OF THE CITY OF AUBURN, GEORGIA, AND IS DEEMED SATISFACTORY.

CITY OF AUBURN PLANNER/ENGINEER

DATE

THE MAYOR OF THE CITY OF AUBURN, GEORGIA, CERTIFIES THAT THIS PLAT COMPLIES WITH THE CITY OF AUBURN ZONING ORDINANCE, AND THE CITY OF AUBURN DEVELOPMENT REGULATIONS, AND HAS BEEN APPROVED BY ALL OTHER AFFECTED CITY, COUNTY, OR STATE DEPARTMENTS. THE MAYOR HEREBY ACCEPTS ON BEHALF OF THE CITY OF AUBURN THE DEDICATION OF ALL PUBLIC RIGHT-OF-WAY AND EASEMENTS, AND PUBLIC WATER, SEWER, STORM DRAINAGE, AND OTHER PUBLIC FACILITIES AND APPURTENANCES SHOWN THEREON. THIS PLAT IS APPROVED, SUBJECT TO THE PROVISIONS AND REQUIREMENTS OF THE DEVELOPMENT PERFORMANCE AND MAINTENANCE AGREEMENT EXECUTED FOR THIS PROJECT BETWEEN THE OWNER AND THE CITY OF AUBURN.

DATED THIS ____ DAY OF _____, ____.

MAYOR, CITY OF AUBURN

iv. Health department certification (for subdivisions served by septic tanks).

THE LOTS SHOWN HEREON HAVE BEEN REVIEWED BY THE BARROW AND/OR GWINNETT COUNTY HEALTH DEPARTMENT AND WITH THE EXCEPTION OF LOTS ____ ARE APPROVED FOR DEVELOPMENT. EACH LOT IS TO BE REVIEWED BY THE BARROW AND/OR GWINNETT COUNTY HEALTH DEPARTMENT AND APPROVED FOR SEPTIC TANK INSTALLATION PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

DATED THIS ____ DAY OF _____, ____.

BY: _____

TITLE: _____

BARROW AND/OR GWINNETT COUNTY HEALTH DEPARTMENT

v. Public notice—drainage.

(A) Every residential final plat shall contain the following statement:

NOTE: THE CITY OF AUBURN ASSUMES NO RESPONSIBILITY FOR OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, OR FOR THE EXTENSION OF CULVERTS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED SUBDIVISION PLAT.

(B) Every nonresidential final plat shall contain the following statement:

NOTE: THE CITY OF AUBURN ASSUMES NO RESPONSIBILITY FOR OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, OR FOR THE EXTENSION OF CULVERTS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED SUBDIVISION PLAT. THE CITY OF AUBURN DOES NOT ASSUME THE RESPONSIBILITY FOR THE MAINTENANCE OF PIPES IN DRAINAGE EASEMENTS BEYOND THE STREET RIGHT-OF-WAY.

vi. House location plans (HLP).

On any final plat containing a lot for which a house location plan approval will first be required prior to issuance of a building permit, the following statement shall be included:

HLP—HOUSE LOCATION PLAN

A HOUSE LOCATION PLAN SHALL BE REQUIRED TO BE APPROVED BY THE CITY PRIOR TO ISSUANCE OF A BUILDING PERMIT ON THOSE LOTS LABELED "HLP". A HOUSE LOCATION PLAN IS A SCALE DRAWING SUBMITTED BY THE BUILDER AT THE TIME OF A REQUEST FOR A BUILDING PERMIT. IT IS NOT REQUIRED THAT THIS PLAN BE PREPARED BY A LAND SURVEYOR OR PROFESSIONAL ENGINEER. THE

PURPOSE OF THIS PLAN IS TO ENSURE THAT THE HOUSE IS PROPERLY LOCATED ON THE LOT. PLEASE REFER TO THE CITY OF AUBURN DEVELOPMENT REGULATIONS OR CONTACT THE CITY OF AUBURN FOR FURTHER INFORMATION.

vil. Residential drainage plan (RDP) or study (RDS).

On any final plat containing a lot for which a Residential Drainage Plan (RDP) or Residential Drainage Study (RDS) will first be required prior to issuance of a Building Permit, the following statement shall be included, as applicable:

RDP—RESIDENTIAL DRAINAGE PLAN OR RDS—RESIDENTIAL DRAINAGE STUDY

A RESIDENTIAL DRAINAGE PLAN OR RESIDENTIAL DRAINAGE STUDY SHALL BE REQUIRED TO BE APPROVED BY THE CITY, PRIOR TO ISSUANCE OF A BUILDING PERMIT ON THOSE LOTS LABELED "RDP" OR "RDS", RESPECTIVELY. PLEASE REFER TO THE CITY OF AUBURN DEVELOPMENT REGULATIONS AND CONTACT THE CITY OF AUBURN FOR FURTHER INFORMATION.

(Ord. 122-01 (part), 2001)

16.20.080 House location plan (HLP).

- A. House Location Plan (HLP) Requirement. The city requires that a house location plan be approved by the city clerk prior to the issuance of a building permit. House location plans shall be drawn to scale and may be shown on a certified boundary survey of the lot or any other drawing showing the information required below. The city may accept a house location plan drawn to the same scale as shown on the final plat where sufficient detail can be shown to support an adequate review and approval. The house location plan may be combined with a residential drainage plan (RDP) if an RDP is required for the lot.
- B. House Location Plan Preparation. It is not the intent of the city that the house location plan be prepared by a registered surveyor or engineer, but may be done by the individual proposing the improvements on the lot. It is the intent, however, to receive a drawing with sufficient readability and accuracy to ensure that the proposed improvements will be constructed on the lot in conformance with the requirements of these regulations, the zoning ordinance, or other regulations, as applicable.
- C. House Location Plan Specifications.
 - 1. Boundary lines of the lot, giving distances to the nearest one-tenth of a foot;
 - 2. Location and names of all abutting streets or other rights-of-way;
 - 3. Minimum required front, side and rear building setback lines with dimensions, and notation of the existing zoning on the property;
 - 4. The approximate outline of all buildings, driveways, parking areas, swimming pools, recreational courts, patios, accessory structures and other improvements existing or proposed on the property, and dimensions of buildings and distances between all structures and the nearest property lines;
 - 5. All easements, public water, sewer or storm drainage facilities traversing or located on the property, septic tank, and septic tank drain field;
 - 6. Subdivision name, lot designation, and Georgia militia district.
 - 7. North arrow and scale;
 - 8. Limit of the one hundred-year floodplain and any applicable buffers or special building setback lines;
 - 9. All other applicable requirements of the zoning ordinance or conditions of zoning approval;
 - 10. Name, address and telephone number of the owner and the person who prepared the HLP;

-
11. The house location plan shall contain the following signature block. If the HLP was required because of floodplain on the lot, the language contained within the brackets must be included; otherwise, it should be deleted from the signature block.

THIS HOUSE LOCATION PLAN HAS BEEN REVIEWED FOR GENERAL COMPLIANCE WITH THE ZONING ORDINANCE AND DEVELOPMENT REGULATIONS OF THE CITY OF AUBURN, GEORGIA, AND IS APPROVED FOR ISSUANCE OF A BUILDING PERMIT FOR THE RESIDENTIAL STRUCTURE AND OTHER IMPROVEMENTS SHOWN HEREON. [NO FRAMING INSPECTION WILL BE APPROVED UNTIL A CERTIFICATION OF THE ELEVATION OF THE LOWEST FLOOR, AS BUILT, PREPARED BY A REGISTERED LAND SURVEYOR OR PROFESSIONAL ENGINEER, HAS BEEN RECEIVED BY THE CITY.] THIS APPROVAL IS GRANTED WITH THE PROVISION THAT NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED FOR COMPLETION OF CONSTRUCTION UNTIL CONFORMANCE TO THIS HOUSE LOCATION PLAN HAS BEEN FIELD VERIFIED BY A FOUNDATION SURVEY PREPARED FOR THE BUILDER BY A REGISTERED LAND SURVEYOR.

CITY OF AUBURN

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- D. Verification of House Location Plan Requirements. A certificate of occupancy shall not be issued for the structure or other improvements until conformance to the provisions or other requirements of the house location plan have been field verified by a foundation survey prepared for the builder.

(Ord. 122-01 (part), 2001)

16.20.090 Residential drainage plan (RDP) or study (RDS).

Refer to Section 16.40.020 for why a RDP or a RDS may be required. The city requires that a residential drainage plan be approved by a city official or city designee prior to the issuance of a building permit for the lot on which the residential drainage plan or residential drainage study requirement is noted. Residential drainage plans shall be drawn to scale on a certified boundary survey of the lot prepared by a registered land surveyor, having an error of closure not exceeding one in ten thousand. The residential drainage plan may be combined with a House Location Plan (HLP) if an HLP is required for the lot.

A. Residential Drainage Plan Specifications.

1. Boundary lines of the lot, giving distances to the nearest one-hundredth of a foot and bearings to the nearest second;
2. Location and names of all abutting streets or other rights-of-way;
3. The outline of all buildings, driveways, parking areas, swimming pools, recreational courts, patios, accessory structures and other improvements existing or proposed on the property, and dimensions of buildings and distances between all structures and the nearest property lines as required to locate the major improvements on the lot;
4. All easements, public water or sewer facilities traversing or located on the property, and septic tank drain field;
5. Subdivision name, lot designation, land lot and district and/or Georgia militia district;
6. North arrow and scale;
7. Contour lines based on sea level datum. These shall be drawn at intervals of not more than two feet, and shall be based on a field survey. Proposed grading of the lot shall be shown along with the finished floor elevation of the lowest habitable floor of the house;

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8. Storm water features, including swales, pipes, storm water detention and other structures, all drainage easements (D.E.), and directions of flow;
 9. Floodplain features, including the limits of the flood hazard area, one hundred-year flood high water elevation, origin of the floodplain data, and any proposed modifications to the floodplain limits;
 10. Sedimentation and erosion control measures to be taken or placed on the lot during construction;
 11. Names, address and telephone number of the owner and person who prepared the RDP;
 12. Seal, registration number, and date of expiration of the professional engineer, land surveyor, or landscape architect, registered and licensed in the state of Georgia, who prepared the drainage improvements or modifications shown on the RDP.
- B. Site Visit by City Official Required for Residential Drainage Study (RDS). A residential drainage study (RDS) shall be conducted and submitted to the city for approval by the city planner/engineer or his designee prior to issuance of a building permit on those lots so noted on the final plat. The residential drainage study shall be conducted on the lot after the following has been completed by the builder but prior to the building permit issuance:
1. Rough grading of the lot;
 2. Staking of the corners of the proposed house and driveway location;
 3. Flagging or staking of all property line corners;
 4. Placement of erosion control devices.
- C. Verification of Residential Drainage Plan or Residential Drainage Plan Requirements. A certificate of occupancy shall not be issued for the structure until the provisions or improvements required by the residential drainage plan or as a result of the residential drainage study have been field verified by a foundation survey giving spot elevations in relation to floodplain or drainage elevations on the lot or adjoining lots, prepared for the builder by a state of Georgia registered land surveyor.
- D. Signature Block for Residential Drainage Plan (RDP). The residential drainage plan shall contain the following signature block. If the RDP was required because of floodplain on the lot, the language contained within the brackets must be included; otherwise, it should be deleted from the signature block.

THIS RESIDENTIAL DRAINAGE PLAN HAS BEEN REVIEWED FOR GENERAL COMPLIANCE WITH THE ZONING ORDINANCE AND DEVELOPMENT REGULATIONS OF THE CITY OF AUBURN, GA, AND IS APPROVED FOR ISSUANCE OF A BUILDING PERMIT FOR THE RESIDENTIAL STRUCTURE AND OTHER IMPROVEMENTS SHOWN HEREON. [NO FRAMING INSPECTION WILL BE APPROVED UNTIL A CERTIFICATION OF THE ELEVATION OF THE LOWEST FLOOR, AS BUILT, PREPARED BY A REGISTERED LAND SURVEYOR OR PROFESSIONAL ENGINEER, HAS BEEN RECEIVED BY THE CITY.] THIS APPROVAL IS GRANTED WITH THE PROVISION THAT NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED FOR COMPLETION OF CONSTRUCTION UNTIL CONFORMANCE TO THIS RESIDENTIAL DRAINAGE PLAN HAS BEEN FIELD VERIFIED BY A FOUNDATION SURVEY PREPARED FOR THE BUILDER BY A STATE OF GEORGIA REGISTERED LAND SURVEYOR.

CITY OF AUBURN

DATE

(Ord. 122-01 (part), 2001)

16.20.100 Exemption plat procedures and specifications.

A. Procedure for Exemption Plat Approval.

1. When an applicant for a subdivision has parcel of land which meets Section 16.12.040, a plat shall be submitted to the city in a number of copies as determined by the city.
2. This exemption plat shall be reviewed by the city planner/engineer for compliance with these regulations and the city planner/engineer shall indicate on a review copy of the plat or drawing, or in a written memorandum all comments related to compliance with these regulations.
3. The applicant shall be responsible for compliance with all codes, regulations, and zoning requirements and for the satisfaction of all of the noted and written comments of the city.
4. When the city planner/engineer has determined that the exemption plat complies with all applicable city codes, ordinances or regulations, the exemption plat shall be approved. The city planner/engineer shall sign and date said approval of the exemption plat, and shall authorize by such approval, recording of the exemption plat in the office of the clerk of the Superior Court of Barrow and/or Gwinnett County deed records.

B. Exemption Plat Specifications.

1. Name, address and telephone number of the owner(s) of record of the land to be subdivided;
2. Proposed name, total acreage of the subdivision and acreage of smallest lot;
3. Name, address and telephone number of the licensed land surveyor or registered professional engineer, registered in the state of Georgia;
4. North arrow, graphic scale and date;
5. Present zoning of property and adjacent property;
6. Names of adjoining property owners;
7. The location of streams, lakes, flood hazard or flood prone areas;
8. The location of proposed lots showing dimensions, front yard setbacks and side yard setbacks for corner lots as required by the city zoning ordinance, and total number of lots, with each lot being numbered;
9. Bearings and distances to the nearest existing street lines or bench marks or other permanent monuments (not less than three) shall be accurately described on the plat;
10. Municipal, county and land lot and district lines and/or Georgia militia district lines accurately tied to the lines of the subdivision by distances and angles when such lines traverse or are reasonably close to the subdivision;
11. Exact boundary lines of the tract, determined by a field survey;
12. Name of plat or subdivision;
13. Exact locations, right-of-way widths, and names of all streets adjoining or within the subdivision;
14. Required right-of-way to be dedicated according to the comprehensive plan which includes a thoroughfare plan - functional classification system map;
15. Lot lines with dimensions to the nearest one-tenth foot and bearings to the nearest minute;
16. Lots numbered in numerical order;

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17. Location, dimensions, and purposes of any easements and any areas to be reserved or dedicated for public use;
 18. Accurate location, material, and description of monuments and markers;
 19. A statement directly on the plat of any private covenants or reference to the deed book and page of recording of any covenants;
 20. Subdivision classification (such as residential, no mobile homes, mobile homes, modular homes, commercial, industrial);
 21. The following certifications:

- a. An engineer's or surveyor's certification directly on the plat as follows:

"IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST OR ARE MARKED 'FUTURE' AND THEIR LOCATION, SIZE, TYPE, AND MATERIAL ARE CORRECTLY SHOWN; AND THAT ALL ENGINEERING REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY OF AUBURN, GEORGIA, HAVE BEEN FULLY COMPLIED WITH."

BY _____ REGISTERED P.E., NO. _____

_____ REGISTERED GEORGIA LAND

SURVEYOR, NO. _____

- b. An owner's certification and dedication, directly on the plat as follows:

OWNER'S CERTIFICATION AND DEDICATION:

STATE OF GEORGIA, COUNTY OF BARROW AND/OR GWINNETT

"THE OWNER OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED HERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, CERTIFIES THAT THIS PLAT WAS MADE FROM AN ACTUAL SURVEY, THAT ALL STATE, COUNTY AND CITY TAXES OR OTHER ASSESSMENTS NOW DUE ON THIS LAND HAVE BEEN PAID. I (WE) HEREBY CERTIFY THAT I (WE) ADOPT THIS PLAN OF SUBDIVISION, ESTABLISH THE MINIMUM BUILDING SETBACK LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKWAYS, DRAINAGE EASEMENTS, AND OTHER SPACES TO PUBLIC USE AS NOTED."

_____ DATE _____

OWNER

- c. Certification of individual private water and/or sewer system directly on the plat as follows:

THE LOTS SHOWN HEREON HAVE BEEN REVIEWED BY THE BARROW AND/OR GWINNETT COUNTY HEALTH DEPARTMENT AND WITH THE EXCEPTION OF LOTS _____ ARE APPROVED FOR DEVELOPMENT. EACH LOT IS TO BE REVIEWED BY THE BARROW AND/OR GWINNETT COUNTY HEALTH DEPARTMENT AND APPROVED FOR SEPTIC TANK INSTALLATION PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

DATED _____

HEALTH OFFICER

- d. Certification of community or public water system, directly on the plat as follows (if applicable):

I HEREBY CERTIFY THAT THE COMMUNITY OR PUBLIC WATER SUPPLY AND DISTRIBUTION SYSTEMS ARE TO BE INSTALLED, SHOWN IN THE SUBDIVISION PLAT ATTACHED HERETO, MEET THE REQUIREMENTS OF THE GEORGIA DEPARTMENT OF NATURAL RESOURCES WATER SUPPLY SECTION.

DATED

GEORGIA DEPARTMENT OF NATURAL RESOURCES
WATER SUPPLY SECTION

e. Certification of community or public sewer systems, directly on the plat as follows (if applicable):

I HEREBY CERTIFY THAT THE COMMUNITY OR PUBLIC SEWERAGE COLLECTION AND DISPOSAL SYSTEM INSTALLED OR TO BE INSTALLED, SHOWN IN THE SUBDIVISION PLAT ATTACHED HERETO, MEETS THE REQUIREMENTS OF THE PUBLIC SEWER SYSTEM TO SERVE THESE LOTS.

DATED

OFFICIAL OF THE PUBLIC SEWER SYSTEM PROVIDING
SERVICE TO THE SUBDIVISION

f. Certificate of approval for recording directly on the plat as follows:

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE ZONING ORDINANCE AND SUBDIVISION REGULATIONS OF THE CITY OF AUBURN, GEORGIA, AND THAT IT HAS BEEN APPROVED BY THE CITY OF AUBURN FOR RECORDING IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF BARROW AND/OR GWINNETT COUNTY, GEORGIA.

DATED

PLANNER/ENGINEER OF THE CITY OF AUBURN

(Ord. 122-01 (part), 2001)

Chapter 16.43 TREES AND LANDSCAPING

16.43.010 Applicability.

All utility installation, subdivisions, single- and two-family residential, multifamily, commercial, industrial and institutional developments shall be subject to the requirements and procedures of this Chapter.

(Ord. No. 08-017, 8-7-08)

16.43.011 Intent.

The intent of this chapter is to promote preservation of trees during land development and on all property, public and private. Such preservation shall protect and enhance the city's greenery through tree protection and planting. Benefits include reduced soil erosion, stormwater management costs and flooding potential; moderation of microclimates; improved air and water quality; mitigation of noise and glare; energy conservation through reduced heating and cooling costs; and enhanced property values. These benefits are heightened by the scenic and psychological values associated with the tree canopy and are consistent with the city's emphasis on neighborhood quality and community revitalization. The further purpose of this article is to establish standards necessary to ensure that this objective will be reached and that the city will enjoy the benefits provided by an appropriate tree canopy. It is the objective of the city that there shall be no net loss of trees within the corporate boundaries of the city by creating a means to:

- A. Provide standards for the preservation of trees as part of the land development process.
- B. Prevent mass grading of land, both developed and undeveloped, without at least a minimum provision for protection and replacement of trees.
- C. Protect trees during construction whenever possible in order to enhance the quality of life in the city.
- D. Establish and maintain the maximum amount of tree cover on public and private property in the city by prohibiting destruction and removal of trees except in accordance with standards set forth as well as requiring the planting of trees on all development sites to achieve a specified minimum tree cover.
- E. Maintain trees in the city in a healthy and nonhazardous condition through adoption and enforcement of professional arboricultural practices.
- F. Establish, and revise as necessary, standards for planting and maintaining trees so as to improve the city's economic base by improving property values, to enhance the city's visual quality and its neighborhoods, and improve public health by reducing air pollution and the incidence of flooding.
- G. Provide for the designation of specimen trees.

(Ord. No. 08-017, 8-7-08)

16.43.012 Definitions.

As used in this chapter, unless specifically stated otherwise, the following terms shall be defined as indicated and where any definition herein conflicts with another definition in this Municipal Code, the more restrictive definition shall prevail:

1. "Applicant." Any person seeking approval to take action under this Title.
2. "Basal area." The cross sectional area of a tree trunk at diameter breast height (DBH) expressed herein as "units" per acre.

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3. "Boundary tree." A tree located on a property abutting a site subject to land clearing or development activities which has a critical root zone that extends into the soil of the site subject to land clearing or development.
 4. "Buffer." A natural or planted landscaped area intended to separate and partially obstruct the view of adjacent land uses from one another or from a public right-of-way or for purposes of noise reduction or to provide a visual break.
 5. "Buildable area." The area of a lot that is outside the minimum required front, side or rear yard and which is not subject to the open space requirements or other environmental restrictions of this chapter or other laws, codes or ordinances.
 6. "Caliper." A measure of the diameter of a tree trunk performed at a point on the tree six inches above the natural, adjacent grade for trees up to and including four-inch caliper, and twelve inches above the natural, adjacent grade for trees larger than four-inch caliper. The caliper of multiple-stemmed trees, such as crape myrtle, shall be the sum of the individual stem diameters.
 7. "City arborist." The arborist of the City of Auburn or their designee.
 8. "City planner." The person or designee with the authority to issue permits and administer the ordinance in regards to zoning and development.
 9. "Clearing." Any activity which disturbs the vegetative cover of a parcel including trees.
 10. "Coniferous." Also referred to as "evergreen," any tree which retains its green foliage throughout the year.
 11. "Construction permit." A permit issued on-site by the city planner or designee to allow initiation of any clearing, grubbing and/or grading. This permit is issued only after a land disturbance permit has been issued, and all erosion control and tree protection measures have been installed in accordance with the approved plan.
 12. "Critical root zone" (CRZ). The minimum area beneath a tree, which must remain undisturbed during land development or construction activity to preserve a sufficient root mass, which will afford a reasonable chance of tree survival. CRZ is defined by a circle with a diameter dimension equal in feet to one and one-half the trunk diameter in inches and centered on the tree's trunk. For example, the CRZ of a twenty-inch diameter tree is thirty feet.
 13. "Crown." The upper portion of a tree comprised of branches and leaves.
 14. "Deciduous tree." Also referred to as "broad-leaved" trees, any tree which loses its leaves at the end of the growing season.
 15. "Density factor." A unit of measure used to prescribe the calculated tree coverage on a site. Site density factor for properties within the corporate limits of the city is one hundred units per acre.
 16. "Density factor deficient" (DFD). The volume of tree site density units which are unable to be planted on a given site, in the context of tree banking.
 17. "Drip line." A vertical line extending from the outermost branches of a tree canopy to the ground.
 18. "Drip line area." The total area underneath a tree, which would encompass all drip lines.
 19. "Diameter at breast height" (DBH). A standard measure of tree size performed at a height of four and one-half feet above the natural, adjacent grade.
 20. "Development activity." Any alteration of the natural environment, which requires approval of a site plan, construction drawings or issuance of a development permit. Development activity shall also include the selective cutting, thinning or removal of trees from any undeveloped land, including that performed in

conjunction with a forest management program, as well as removal of trees incidental to land development or to the marketing of land for development.

21. "Development permit." Official, written authorization issued by the city planner or designee in accordance with provisions of this article.
22. "Existing density factor" (EDF). The density value or credit of existing trees to be preserved on a site.
23. "Floodplain, 100-year." An area identified by the U.S. Army Corps of Engineers or other surveying agencies as subject to inundation by surface waters once every one hundred (100) years and deemed necessary for the unrestricted flow of floodwaters.
24. "Growing season." A period of not less than twelve months during which there are at least three contiguous months of dormancy followed by a spring leafing.
25. "Hardwood tree." Any leaf-bearing (not needle-bearing) tree that is not coniferous (cone-bearing).
26. "Land disturbance permit" (LDP). A permit issued by the City Planner or designee that authorizes the clearance or alteration of any lot or lots, the installation of any public or private infrastructure and/or the commencement of any construction activities.
27. "Land disturbing activity." Any land change which may result in soil erosion from water or wind and the movement of sediments into the waters or into land within the city, including but not limited to clearing, grubbing, stripping, dredging, grading excavating, transporting and filling of land.
28. "Landscape area." An area reserved for installation and maintenance of ornamental plant materials.
29. "Landscaping." Any addition to the natural features of a lot intended to restore construction disturbance or to enhance its attractiveness, as by adding trees, shrubs, ground covers or lawns.
30. "Person." Any human being, firm, public agency, public utility, partnership, association, corporation, company, legal entity, organization or society.
31. "Planted density factor" (PDF). The number or portion of tree density units that are satisfied through newly installed trees.
32. "Protection area." All land outside the buildable area of a lot designated as permanent open space; the drip line area beneath a tree or clusters of trees to be retained, and all areas required as landscaping strips or buffers by provisions of Title 17 or as conditions of zoning approval.
33. "Public utility." Any publicly, privately, or cooperatively owned line, facility or system for producing, transmitting or distributing communications, power, electricity, light, heat, gas, oil products, water, steam, waste, storm water not connected with highway drainage and other similar services and commodities, including publicly owned fire, police, traffic signals and lighting systems, which directly or indirectly serve the public or any part thereof.
34. "Radial trunk dieback." A measure of the amount of decay, which identifies the percentage of a tree's trunk, which is visibly damaged by decay.
35. "Replacement density factor" (RDF). The density value or credit of new trees proposed on a site.
36. "Revegetation." Reestablishment of trees and other landscape materials within the minimum required landscape areas, according to standards and provisions of this chapter, or as determined by the zoning ordinance or conditions of zoning approval.
37. "Shrub." A woody plant or bush, usually between one and six feet in height, and distinguished by multiple stems.
38. "Site density factor" (SDF). The minimum tree density to be achieved and maintained on any developed site; 100 units per acre.

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39. "Site density standard." The minimum number of trees, measured in average site density per acre that must be present on a lot following development not exempted from this chapter.
 40. "Softwood tree." Any coniferous (cone-bearing) tree, such as pine, spruce, hemlock, cedar, etc.
 41. "Specimen tree." Any tree which qualifies as being of high value because of its size, species, age, location or historical character.
 42. "Specimen tree stand." A contiguous grouping of trees which qualify as being of high value due to their size, species, age, location or historical character.
 43. "Tree." Any self-supporting, woody perennial plant usually having a single trunk diameter of three inches or more which normally attains a mature minimum height of fifteen feet. Canopy trees are defined as any tree of greater or equal height and crown spread than surrounding trees. Examples include beech, hickory, maple, oak, pecan, pine and sycamore. Understory trees are defined as any tree or woody plant of lesser height and crown spread than surrounding trees. Understory species generally reach a mature height of less than forty feet. Examples include cherry, crab apple, dogwood, magnolia, pear, redbud, holly, sassafras, and red cedar.
 44. "Tree bank." An account of funds, maintained by the accounting department of the city, contributed by developers as an alternate form of compliance with this section. Funds from the tree bank are to be used solely for the purchase and planting of trees on public sites within the city as authorized by the city planner or designee.
 45. "Tree destruction." Any intentional or negligent act which will cause a tree to die within a period of two years, including, but not limited to, cutting or otherwise damaging the trunk, roots or other vital sections of the tree; damage inflicted upon the root system of a tree by the application of toxic substances; damage caused by the operation of heavy machinery or change of natural grade by excavation or filling of the cover area within the drip line; and damage from fire or other injury inflicted on a tree that results in pest infestation.
 46. "Tree protection permit." A written permit issued by the city planner or designee, to an individual, firm, corporation or similar entity certifying that the tree protection plan, as submitted or revised, has been approved.
 47. "Tree protection plan." A scaled drawing depicting the location of all trees to be preserved by species and size. Tree save areas may be identified by a line defining their limits and trees within such limits need not necessarily be individually identified. Such plans shall indicate all planned construction improvements and trees to be retained. The method of protecting trees during land disturbance and construction shall also comprise the tree protection plan.
 48. "Tree removal permit." A permit issued by the city planner or designee allowing for removal of specified trees on a lot.
 49. "Tree replacement plan." A drawing which depicts the location, size, and species of existing and replacement trees on the lot for which a tree permit is sought.
 50. "Tree save area." As pertains to individual trees, the area surrounding a tree that is within the drip line. As pertains to property on which trees are to be preserved, an area designated for the purpose of complying with tree density requirements, saving natural trees, preserving the root system of natural trees and/or preserving natural buffers.
 51. "Topping." The severe or significant pruning of limbs to stubs larger than three (3) inches in diameter within the crown of any tree, to a degree that removes the normal canopy and disfigures the tree.
 52. "Water quality buffer." A designated area of adequate width to provide for protection of the stream bank, channel soils and vegetative cover as determined by the city engineer, adjacent to any state waters,

watercourses, or drainage areas, in which no land disturbing activities shall be undertaken unless approved in land disturbance application or other construction plans. Such activities may include stream crossings for transportation routes or utilities construction; sewer and waterline construction; and minor landscaping or channel improvement activities designed to stabilize critical areas.

- 53. "Zoning buffer." Any area required to be maintained in an undisturbed state as a condition of zoning.
- 54. "Zoning regulations." The city zoning ordinance however designated, as amended, and such other regulations subsequently adopted by the mayor and city council governing the development of land in the city.

(Ord. No. 08-017, 8-7-08)

16.43.013 City arborist.

The City shall designate an arborist to perform the following duties.

- A. Review and approve tree and landscape plans.
- B. Provide knowledge and expertise to City staff in establishing and maintaining a record of historic trees, specimen trees and other unique or environmentally significant trees within the City.
- C. Provide knowledge and expertise in the preparation of amendments to this Title.

(Ord. No. 08-017, 8-7-08)

16.43.014 Application requirements.

Application Requirements. The terms and provisions of this article and these standards shall apply to any activity, which requires issuance of a development permit on all public and private property within the city. No development permit or grading permit shall be issued until it is determined that the proposed development is in conformance with the provisions of this article. No person shall remove, cause to be removed, poison, or damage any tree with a trunk diameter of six (6) inches or more without first obtaining a permit, as provided here in. Applications for development permits subject to this chapter must be accompanied by an application for a tree removal permit providing the following information:

- A. A complete tree survey and inventory, as specified in this Chapter.
- B. A complete tree protection plan, as specified in this Chapter. This plan shall be an integrated site plan showing specimen trees, tree protection areas, those trees to be saved and those to be removed, utilities to be installed, grading, approximate location of all structures, driveways and curb cuts, proposed tree planting and other landscaping;
- C. A complete tree replacement plan as specified in this Chapter. Replacement trees used in the density calculation must be ecologically compatible with the site.
- D. Minor additions to existing developments require only a sketch plan showing proposed changes submitted to the city planner or designee for review and approval. The city planner or designee shall determine whether or not an addition is "minor" based on building codes applicable in the city.
- E. Single- and two-family (duplex) residential projects may include the tree survey, tree protection plan, and tree replacement plan together as a combined plan.

(Ord. No. 08-017, 8-7-08)

16.43.015 Tree survey and inventory.

- A. A tree survey shall be prepared in the form of a scaled site plan sealed by a registered surveyor, professional engineer, landscape architect, certified arborist or registered forester noting the location of all specimen trees plus all other trees to be preserved and credited toward site density standards.
- B. All specimen trees and their critical root zones shall be labeled, indicated on the survey and inventoried by size and species. This includes specimen trees to be preserved as well as those proposed for removal.
- C. All other trees to be credited toward site density standards must be indicated on the survey and inventoried by size and species. Trees with a DBH measurement of three (3) inches or greater shall be eligible for density compliance purposes.
- D. Trees other than specimen trees that are proposed for removal, and thus, cannot be counted toward density requirements, are not required to be counted and shown individually on the plan. Such trees shall be identified as a stand provided estimated number; size and species are identified as part of the total site inventory.
- E. Sampling methods may be used to determine tree densities for forested areas over two (2) acres.
- F. All tree protection zones and tree save areas must be delineated on the tree survey. All buffers with existing trees must be delineated on plans as tree save areas. Land disturbance within any buffer is subject to approval by the city planner or designee.
- G. The tree survey shall provide an accurate list of those trees to be saved and a total value of existing density factor units for the entire property.

(Ord. No. 08-017, 8-7-08)

16.43.016 Tree protection plan.

- A. A tree protection plan shall be submitted to the City concurrent with the application for a land disturbance permit for development of any single-family or two-family residential subdivision lot in excess of one (1) acre and any multifamily, commercial, or industrial lot regardless of size. The tree protection plan must be approved prior to commencement of any site alteration, defoliation or land disturbing activity-requiring issuance of a development permit.
- B. Tree protection plans shall be prepared by a professional landscape architect, registered forester, or certified arborist in accordance with the specifications for such plans contained herein. Performance of professional services in preparation of plans required herein shall comply with state law governing the practice of the applicable profession. Other licensed professionals (e.g., architects, engineers, surveyors, etc.) may be authorized by the City to prepare tree protection plans, provided competency and knowledge in the principles and practices of arboriculture are demonstrated to the satisfaction of the city planner or designee. In the case of land disturbance permit applications for owner-occupied detached, single-family properties; the tree protection plan may be prepared by the owner or contractor applying for the land disturbance permit.
- C. Prior to approval of the tree protection plan, the City may require relocation or replacement of trees as uniformly as possible throughout the site, so that the entire property conforms to the site density standards or other tree coverage objectives are met.
- D. The tree protection plan shall be a detailed plan designed to protect and preserve trees before, during and for a period of two (2) years after, construction. The tree protection plan shall be submitted on a

current survey of the proposed site, drawn to scale, and clearly depicting all required information as outlined by this section. The tree protection plan shall provide the following information:

1. Project name, district, land lot and parcel number; north arrow and scale (not to exceed one inch equals fifty feet).
2. Name, address and phone number of property owner, developer and any tenant of the property.
3. Name, address, and phone number of the professional landscape architect, forester, or arborist responsible for preparation of the plan, and the seal or statement of professional qualifications of said person (qualifications may be attached separately).
4. Total acreage of the site and acreage exclusive of all zoning buffer areas.
5. Delineation of all areas located within a 100-year floodplain and indication of acreage.
6. Location of all specimen trees and their critical root zones indicating those specimen trees proposed for removal or preservation. Any specimen tree proposed for removal is to be identified in terms of exact location, size and species.
7. The location, DBH and species of all trees to be preserved and to be retained to fulfill site density requirements. Five or more trees the drip lines of which combine into one tree protection area may be outlined as a group and their number, size and species listed in a summary table. All tree protection areas are to be outlined and labeled.
8. Existing and proposed utility infrastructure, including but not limited to irrigation and electrical lines. The developer shall coordinate the location of these utility lines with the utility companies in order to prevent root damage within the critical root zones of protected trees, and to minimize damage to trees located in protected zones.
9. Location of any state waters and the limits of any proposed disturbance in a water quality buffer zone.
10. All tree protection zones, natural areas, landscaped areas, buffers and areas of revegetation. Specifications describing tree protection methods shall be indicated for all tree protection areas, including tree fencing, erosion control, retaining walls, tunneling for utilities, aeration systems, transplanting, staking, signs, etc.
11. Location, size and species of all new trees to be planted to fulfill site density standards. Trees grouped in tree planting areas may be listed in a summary table by total number in the grouping, by size and species.
12. A summary table indicating the number of existing trees to remain and trees to be planted, by caliper to the nearest inch, shall be shown along with calculations demonstrating showing the site density achieved. Additional credits shall be noted where applicable. Groupings of trees in tree protection areas and areas for tree planting may be keyed to the summary table by area rather than labeling each tree individually on the plan.
13. A delineation of tree save areas in which trees have been inventoried for site density standards.
14. Location and details for all permanent tree protection measures (tree wells, aeration systems, permeable paving, retaining walls, bollards, etc.).
15. Limits of clearing and land disturbance such as grading, trenching, etc., where these disturbances may affect tree protection zones.
16. Grade changes or other work adjacent to a tree that could adversely impact its survival, with specifications as to how the grade, drainage and aeration will be maintained around the tree.

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17. Boundaries of all required buffer, landscaped and vehicle use areas.
 18. Location of all existing and proposed utility lines or easements; include location of any boring sites for underground utilities.
 19. Indication of staging areas for vehicle and equipment parking, materials storage, concrete washout, debris burn and burial holes and other areas where tree protection may be affected.
 20. Location of existing and proposed structures, paving, driveways, cut and fill areas, detention areas, etc.
 21. Phase lines, if applicable.
 22. Additional information as requested by the city planner or designee.
- E. When a choice is available as to which existing trees to save, emphasis shall be given to the preservation of specimen trees, even isolated individual trees, over the retention of other trees. Non specimen trees, however, should be saved in stands rather than as individual trees scattered over a site.
- F. The following notices shall be shown on the tree protection plan:
1. TREE PROTECTION FENCING MUST BE INSTALLED AND INSPECTED PRIOR TO ANY CLEARING, GRUBBING OR GRADING. CONTACT THE CITY FOR AN INSPECTION.
 2. TREE PROTECTION SHALL BE ENFORCED ACCORDING TO STANDARDS ESTABLISHED IN THE MUNICIPAL CODE OF THE CITY OF AUBURN, GEORGIA.
 3. TREE DENSITY REQUIREMENT SHOWN ON THE PLAN(S) MUST BE VERIFIED PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY OR ACCEPTANCE OF THE FINAL PLAT. CONTACT THE CITY FOR AN INSPECTION.
- G. The following notice shall be shown on the tree protection plan unless the site is less than one (1) acre and is intended for single-family or two-family (duplex) residential development.
1. A TREE MAINTENANCE INSPECTION WILL BE PERFORMED AFTER ONE FULL GROWING SEASON FROM THE DATE OF THE FINAL SITE INSPECTION. PROJECT OWNERS AT THE TIME OF THE MAINTENANCE INSPECTION ARE RESPONSIBLE FOR ORDINANCE COMPLIANCE.

(Ord. No. 08-017, 8-7-08)

16.43.017 Permit procedures.

- A. A tree protection plan must be submitted to the City concurrent with submission of site grading plans. No land disturbance permit shall be issued prior to approval of a tree protection plan upon the subject site.
- B. All tree protection plans and related documentation shall be reviewed by the city arborist for conformance to the provisions of this Chapter.
- C. All tree protection measures shall be installed prior to any land disturbance, and the City shall be contacted for a preconstruction conference prior to land disturbance. Land disturbance may proceed only after a permit is obtained and tree protection measures have been installed and approved.
- D. The City shall make unscheduled inspections prior to and during development to ensure protection of trees, critical root zones and buffer zones.
- E. Upon completion of a development, the City shall conduct an inspection to ensure compliance with the tree protection plan.

(Ord. No. 08-017, 8-7-08)

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{Supp. No. 22}

16.43.018 Tree protection requirements.

Minimum Tree Density Standard Guidelines. The following guidelines and standards shall apply to trees retained for credit toward the minimum tree density standard.

- A. Tree Protection Areas. The following guidelines and standards shall apply to trees proposed to be retained for credit toward the minimum site density standard and to protect the critical root zones:
 - 1. The root system within the drip line is generally considered to be the critical root zone. To protect these critical root zones, a tree protection area shall be established around each tree or group of trees to be retained.
 - 2. The tree protection area shall include no less than the total area beneath the tree canopy as defined by the drip line of the tree or group of trees, collectively. In some instances, an area greater than the drip line area may be required to be designed as a tree protection area as determined by the city planner or designee.
 - 3. Layout of the project site utility and grading plans shall avoid disturbance of tree protection areas. Whenever utilities must be installed within a tree protection area and such installation will encroach into the drip line of any tree to be saved, the utility shall be installed by tunneling at a minimum depth of thirty-six inches. Reasonable efforts shall be made to save as many trees as possible, including avoiding utility routing which would endanger the taproot of certain species.
 - 4. Construction site activities such as vehicle or equipment parking, materials storage, concrete washout, burn pit placement, etc., shall be arranged so as to prevent damage to trees within tree protection areas.
- B. Protective Barriers.
 - 1. Prior to any land disturbance, all protective tree barriers shall be installed and maintained until completion of site landscaping. Authorization to remove protective barriers shall be in writing by the building inspector or by issuance of a final certificate of occupancy. Inspection of tree protection barriers is required prior to any land disturbance or development activity and the building inspector shall be contacted to schedule an inspection.
 - 2. Tree fencing shall be a minimum four feet high, constructed in a post and rail configuration.
 - 3. Where approved, other forms of tree protection may be utilized to delineate tree save areas, which are remote from areas of land disturbance. These areas must be completely surrounded with continuous rope of flagging (heavy mil. minimum four inches wide).
 - 4. All tree protection areas must be protected from soil sedimentation intrusion through the use of silt fencing or other acceptable measures placed upslope from tree protection areas. No construction of any structure or improvement, or any construction activity, shall encroach or place solvents, materials, construction machinery or temporary soil deposits within six feet of the drip line, as defined herein, of any specimen tree or any tree within a tree protection zone.
 - 5. All protective tree measures must be maintained throughout land disturbance and construction, and shall not be removed until final landscaping is installed.
- C. Encroachment. If encroachment is anticipated within the critical root zones of exceptional trees, stands of trees, or otherwise designated tree protective zones, the following preventive measures shall be utilized:
 - 1. Clearing Activities. Establish minimum two-foot trenches along the limits of land disturbance, so as to cut rather than tear roots. Trenching may be required for the protection of exceptional specimen trees.

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2. **Soil Compaction.** No parking, material storage or traffic shall be permitted within the designated tree protective zones.
 3. **Utility Installation.** The installation of utilities through a protective zone shall occur by way of tunneling.
 4. **Grade Changes.** A decrease in grade is best accomplished with the use of retaining walls or through terracing.
 5. **Removal and Replacement Due to Damage.** Where the City has determined that irreparable damage has occurred to trees within tree protective zones, the trees shall be removed and replaced.

D. Trees to be Retained.

1. Canopy trees with a drip line area within twenty feet of a proposed structure shall be removed and replaced with an appropriate tree species. When such canopy trees are to be saved, special attention shall be given to protection of the drip line area.
2. Where design constraints require placement of paved surfaces within ten feet of the drip line area of a canopy tree, such trees shall be removed and replaced with an appropriate tree species.
3. All reasonable efforts shall be made to save specimen trees. Reasonable effort shall include, but not be limited to, alteration of building design; alternate location of building, parking area, water retention drainage pipes; or relocation of utilities.

(Ord. No. 08-017, 8-7-08)

16.43.019 Tree protection plan.

The following standards shall govern the review, approval, and issuance for tree protection plans.

- A. No land disturbance permit shall be issued until the tree protection plan (tree protection plan) has been reviewed and approved.
- B. The City shall approve or provide feedback for a tree protection plan no greater than thirty (30) days following receipt. Upon approval of the tree protection plan, a permit shall be issued to the applicant. If no action is taken within thirty (30) days of the submission of the tree protection plan, it shall be considered approved. In the event the tree protection plan is not issued within the thirty (30) day window following submittal, the reasons therefore shall be reported, in writing, to the applicant.
- C. The fee for a land disturbance permit shall be twenty-five dollars per acre or any portion of an acre and shall be paid at the time of application for the permit. Said fee shall be nonrefundable.
- D. All tree preservation and/or replacement plans must be approved and stamped by a certified arborist prior to the issuance of any permits. The review fee shall afford no more than two plan reviews, one pre-grading, one site visit, and a final inspection without incurring additional cost. All other reviews and/or inspections shall be paid at-cost per incurred City expenses.
- E. The City shall conduct a final inspection of the property to ensure compliance with the tree protection plan prior to granting a certificate of occupancy. The city planner or designee shall have the authority to revoke, suspend or void a land disturbance permit, stop all work on a site or any portion there, or withhold a certificate of occupancy in the event of a violation of any provision of this chapter.
- F. Any revisions to the proposed development of a property, and any changes reflected in a subsequently submitted tree protection plan, shall be shown on a revised tree protection plan and be approved as a part of the new or revised tree protection plan prior to commencement of site work.

(Ord. No. 08-017, 8-7-08)

16.43.100 Tree replacement plan.

- A. Tree replacement plans shall be prepared by a professional landscape architect, registered forester, or certified arborist in accordance with specifications for such plans contained herein. Performance of professional services in preparation of plans required herein shall comply with state law governing the practice of the applicable profession.
- B. The tree replacement plan shall be shown on a site plan, as appropriate to the proposed development, drawn to the same scale as other plan documents prepared for a land disturbance permit application on the property, and shall cover the same area.
- C. Following submission of the plan, the city arborist shall perform a site inspection. The tree replacement plan shall provide sufficient information and detail to clearly demonstrate that all applicable requirements and standards of this chapter will be fully satisfied.

(Ord. No. 08-017, 8-7-08)

16.43.101 Documentation.

- A. A tree replacement plan shall include the following information.
 - 1. All tree protection zones, and areas of revegetation.
 - 2. Approximate location of all specimen trees or stands of tree.
 - 3. Exact location of all specimen trees that may impact site design.
 - 4. Indication of those specimen trees to be removed
 - 5. Limits of clearing and land disturbance where these disturbances may affect tree protection zones.
- B. Methods of tree protection shall be indicated for all tree protection zones, including but not limited to tree fencing, erosion control, retaining walls, tunneling for utilities, aeration systems, transplanting, staking, and signs.
- C. Staging areas for parking, material storage, concrete washout, and debris burn and burial holes where these areas might affect tree protection.
- D. Compliance with the required site tree density factor shall be demonstrated on the tree replacement plan. Existing trees used in the density calculation must be indicated.
- E. Replacement trees used in density calculations must be ecologically compatible with the intended growing site rather than ornamental.
- F. Planting schedule showing the type (common and botanical names), size, and quantity of trees to be planted, and any special planting notes.
- G. The locations of all trees to be planted on the site to meet density requirements.
- H. Indication of the type of irrigation to be used.
- I. Additional information as required by the City.
- J. The following notices shall be shown on the tree replacement plan.
 - 1. TREE DENSITY REQUIREMENTS SHOWN ON THE TREE REPLACEMENT PLAN MUST BE VERIFIED PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY OR ACCEPTANCE OF THE PROJECT. CONTACT THE CITY FOR AN INSPECTION.

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2. ALL PLANT MATERIALS ARE TO CONFORM TO THE AMERICAN STANDARD FOR NURSERY STOCK 1980 EDITION AMERICAN ASSOCIATION OF NURSEYMEN.

K. The following notice shall be shown on the tree replacement plan unless the site is approved for single-family residential development.

1. A TREE MAINTENANCE INSPECTION WILL BE PERFORMED AFTER ONE FULL GROWING SEASON FROM THE DATE OF THE FINAL CONSTRUCTION INSPECTION. PROJECT OWNERS AT THE TIME OF THE MAINTENANCE INSPECTION ARE RESPONSIBLE FOR ORDINANCE COMPLIANCE.

(Ord. No. 08-017, 8-7-08)

16.43.102 Standards and revegetation.

- A. Tree replacement plans shall be prepared with appropriate consideration given to the function of trees in the landscape, maximizing the environmental benefit of the plant material.
- B. A tree replacement plan indicating the location of all trees proposed for re-vegetation is required. This plan may be included as part of the tree protection plan or may be submitted as a separate drawing.
- C. Trees proposed for replanting shall be an acceptable species pursuant to this Chapter. Trees selected must be free from injury, pests, disease, nutritional disorders or root defects, and must be in good vigor to ensure a reasonable expectation of survival. Standards for transplanting shall be consistent with those established in the International Society of Arboriculture publication, Tree and Shrub Planting Manual, or similar publication.
- D. Spacing and the potential size of species chosen shall be compatible with spatial limitations of the site.
- E. Replanted trees shall be ecologically compatible with the site and neighboring sites. Accordingly, the replanted trees shall be of the same or similar species as those removed whenever practical.
- F. At minimum, sixty percent (60%) of minimum required replanted trees shall be of a canopy species.
- G. Trees shall be compatible with the extent of crown and root systems at maturity with nearby utilities.
- H. Where trees must be added to achieve the one hundred-tree density units per acre, pine trees shall not comprise greater than fifty percent (50%) of the minimum required density units. Where preexisting pine trees comprise greater than fifty percent (50%) of the minimum required density units, no pine trees shall be planted for the purpose of satisfying density unit requirements.
- I. The use of flowering ornamental trees or plants classified as tree-form shrubs may be included in the tree replacement plan, but shall not be used for the purpose of fulfilling density requirements.
- J. All replanted canopy trees shall measure, at minimum, eight (8) feet tall and two and one-half (2.5) caliper inches at the time of planting. All replanted understory trees shall measure, at minimum, six (6) feet tall and one and one-half (1.5) caliper inches at the time of planting. The following minimum criteria must be observed to provide sufficient growing area for planted trees.
 1. For canopy trees, two hundred square feet of previous root zone.
 2. For understory trees, seventy-five square feet of previous root zone.
- K. Planting and staking details must be provided on the plan.
- L. Trees must be relocated or replaced on site in accordance with the provisions of this action.

(Ord. No. 08-017, 8-7-08)

16.43.103 Tree planting specifications.

Applicants for permits under this chapter shall submit tree planting specifications. Generally, these specifications shall conform to those established by the International Society of Arboriculture, as included in the Tree and Shrub Transplanting Manual, latest edition, or similar publication as determined by the city arborist.

- A. Tree species selected for replacement plantings shall consist of an appropriate mix of tree species native to the region.
- B. Trees shall not be planted less than fifteen feet from any structure nor within ten (10) feet of any paved driveway. This requirement shall not be construed as to prohibit tree plantings less than ten (10) feet from paved parking or loading spaces.
- C. Trees shall not be planted less than fifteen feet from any freestanding sign that has a maximum height greater than three (3) feet above ground level.
- D. Trees shall not be planted less than fifteen feet from the base of any power utility pole, including streetlights and similar illumination fixtures.
- E. The National Arbor Day Foundation (NADF) recommends that conifers (evergreens) be planted closely together on the northwestern and northern perimeters of buildings to buffer structures from northern, winter winds. Deciduous (broad leaf) canopy trees shall be planted along the southwestern and eastern perimeters of buildings to shade structures in the summer and allow sunlight penetration in the winter.
- F. Specimen trees shall meet one or more of the following criteria, as determined by the city arborist or state forestry commission.
 - 1. Minimum twenty-four (24) inch DBH: large hardwood trees, such as beech, oaks, hickories, and yellow poplars.
 - 2. Minimum twenty-eight (28) inch DBH: large softwood trees, such as cedars, pines, and spruces.
 - 3. Minimum thirty (30) inch DBH: other deciduous trees.
 - 4. Minimum twenty-four (24) inch DBH: other coniferous trees.
 - 5. Minimum eight (8) inch DBH: smaller tree species, such as crabapples, dogwoods, red buds, and sourwoods.
 - 6. Minimum ten (10) inch DBH: other understory trees.
 - 7. Any tree of a rare or unusual species, of exceptional aesthetic or unique quality, or of historical significance.
 - 8. Any tree specifically used by a builder, developer, or design professional as a focal point in landscape design.
- G. Specimen trees shall satisfy all of the following conditions:
 - 1. A life expectancy greater than fifteen (15) years.
 - 2. A structurally sound trunk, not hollow and having no extensive decay; not to exceed twenty percent radial dieback.
 - 3. Contain no more than one major or several minor dead limbs (hardwoods only).
 - 4. No major insect or pathological challenges.
- H. Specimen tree stands shall satisfy all of the following conditions as determined by the city arborist or state forestry commission.

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1. A relatively mature, even-aged stand.
 2. A stand with purity of species composition or of a rare or unusual nature.
 3. A stand of historical or cultural significance.
 4. A stand with exceptional aesthetic quality.
- I. The designation of a specimen tree or specimen tree stand may be initiated by the city arborist or designee, upon application by the city planner or any other interested person. The City shall maintain and file with the city clerk a complete listing of the location and identifying features of all specimen trees.
 - J. To encourage the preservation of specimen trees and incorporation of these trees into the project design, additional density credits shall be awarded for successful preservation of specimen trees. Credit assigned for any specimen tree preserved shall be double the density unit value as provided in this Chapter.

(Ord. No. 08-017, 8-7-08)

16.43.104 Minimum site density standards.

- A. A minimum site density of one hundred (100) units per acre shall be maintained on all properties subject to this Chapter. Trees contained in the following areas shall not be counted towards site density standard satisfaction.
 1. Located in a minimum required zoning buffer pursuant to Zoning Ordinance Chapter 17.110.
 2. Located in a minimum required buffer pursuant to any conditions of approval adopted as part of a rezoning, variance, or other land use decision.
 3. Located in a minimum required buffer pursuant to the contents of this Chapter.
- B. Tree density requirements shall be satisfied regardless of prevailing site conditions. Trees, both existing and planted, shall be reasonably distributed throughout the site where feasible, with an emphasis on tree groupings to achieve aesthetic results in conformance with professional landscaping standards.
 1. Trees may be planted for credit within a public right-of-way at the discretion of the City.
- C. Density shall be satisfied through credits for preserving existing trees, by planting new trees according to the minimum standards of this article or through a combination of both.
- D. All reasonable efforts shall be made to save specimen trees, including but not be limited to the following.
 1. Alteration of building design
 2. Alternate location of building, parking area, water retention, or drainage pipes
 3. Relocation of utilities.
- E. Property owners shall be subject to the minimum site density requirement set forth in this section. The density calculation shall be based on the net site area, excluding Infrastructure Improvements, such as roads, utility easements, detention ponds, etc. Off-street parking areas shall not be considered as Infrastructure improvements.
- F. Credit shall be given for existing trees to be retained which are a minimum diameter of three (3) inches and/or a minimum caliper of two and one-half (2.5) caliper inches. Additional credits shall be granted under the following circumstances:
 1. A total tree density credit, not to exceed twice the normal credit, may be granted by the City for existing trees to be retained which have greater value as outstanding specimen trees, trees having historic value or being a rare or unique species; and

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2. Existing trees to be retained within a 100-year floodplain shall be granted a bonus credit of fifty percent (50%) of the normal credit unless the trees are located within a required zoning buffer.
 - G. Trees replanted to achieve density requirements shall be an acceptable species pursuant to this Chapter.
 - H. No fewer than twenty-five percent (25%) of replanted trees shall be canopy trees.
 - I. No greater than forty percent (40%) of any one genus may comprise the trees proposed in any replanting plan.

(Ord. No. 08-017, 8-7-08)

16.43.105 Tree survey inspection.

- A. Following receipt of a complete tree removal application, development plan, or tree survey and supporting data, the City shall conduct an inspection of the proposed development site within ten (10) working days. The applicant shall be notified no less than forty-eight (48) hours in advance of the date and time of the inspection.
- B. After the inspection is completed, the City shall advise the applicant of any recommended changes to the proposed tree removal, protection or replanting plans, consistent with the purposes of this Chapter.

(Ord. No. 08-017, 8-7-08)

16.43.106 Alternative compliance.

- A. The following methods of alternate compliance may be accepted at the discretion of the city arborist:
 1. Planting at a location other than the project site.
 2. Contributing to the city tree bank.
- B. The following standards have been established for administering these alternative compliance methods.
 1. The city arborist must review and approve all requests for alternative compliance. In no instance site density be met exclusively through alternative compliance. As many trees as can reasonably be expected to survive must be planted on the site proposed for development. No development permit shall be issued unless the City has approved the request and received the necessary documentation and funds.
 2. Whenever trees are to be planted at an alternate location, a tree replacement plan, meeting all applicable standards, must be reviewed and approved. The following note must be shown on the approved plan.
 - a. A TREE REPLACEMENT PLAN ADDENDUM FOR THIS PROJECT SHALL BE SUBMITTED TO THE CITY PLANNER OR DESIGNEE FOR THE CITY OF AUBURN AT A MINIMUM OF 30 DAYS PRIOR TO REQUESTING A FORMAL INSPECTION. THIS PLAN SHALL INCLUDE THE SPECIES, SIZE AND LOCATION OF TREES TO BE PLANTED OFF-SITE TO CONFORM TO TREE DENSITY STANDARDS OF THIS ARTICLE. RELEASE OF THIS PROJECT IS SUBJECT TO APPROVAL OF THIS PLAN, AS WELL AS VERIFICATION OF THE INSTALLATION OF THE TREES.
- C. The following conditions apply when a tree is removed under the provisions of this Section:
 1. The City may, with the consent of the property owner, relocate the tree at the City's expense to city-owned property for replanting, either for permanent use at the new location, or for future use on other City property.

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2. Credit may be given to the property owner for each relocated tree as though the tree was proposed to remain on the property, provided the tree is relocated to a site designated by the City at the owner's expense.
 3. As an alternate method of compliance, the City may accept monetary donations to the City tree bank. These donations shall be used for the sole purpose of planting trees on public property within City limits.
 - D. The city tree bank shall be administered by the city arborist or designee. A quarterly report shall be submitted to the mayor and city council indicating monies collected, funds expended, and the species, number, size and location of trees planted.

(Ord. No. 08-017, 8-7-08)

16.43.107 Planting and removal sequence.

- A. All tree protection devices shall be installed prior to any clearing, grubbing or grading. The city engineer must inspect the installation of the protection and erosion and sedimentation control devices prior to issuance of the land disturbance permit or other development or construction permit. Tree protection must remain in functioning condition throughout all phases of development.
- B. Tree removal shall be prohibited under any of the following circumstances.
 1. When soil erosion or runoff problems are anticipated due to topography, soil type, or proximity to floodplain areas, expected to impact the existing soils relative to runoff and/or erosion as determined by City officials.
 2. When specimen trees are located on site and cannot be adequately protected or replaced. Additionally, removal may be prohibited if reasonable accommodations can be made to alter the proposed project to save specimen trees and such accommodations have not been made.
- C. Specimen trees removed absent City approval shall be replaced by trees with a total density equal to twice the unit values of the tree removed. Specimen trees must be replaced on an inch-by-inch basis by species with the potential for comparable size and quality.
- D. No person shall directly or indirectly remove or destroy any tree with a DBH no less than six (6) inches absent an approved preliminary tree protection plan, an approved grading plan, and an approved site development plan.
- E. Permits shall be obtained through application in a form prescribed by the City. Each application shall include a written, signed statement citing the necessity for the removal or destruction of any tree, and the criteria set forth in this Section that the applicant contends have been met.
- F. Upon receipt of a complete application, the city planner or designee shall review said application pursuant to the requirements of this chapter. The city planner or designee shall either approve, deny or approve per conditions consistent with this section. An applicant may submit a new application at any time following denial of an application made pursuant to this section.
 1. All applications not acted upon within thirty (30) days of the date of receipt of a complete application by the city planner or designee shall be deemed approved.
- G. Permit may be issued for the removal of a tree pursuant if all following conditions are satisfied.
 1. A tree replacement plan pursuant to this Chapter has been approved.
 2. All other applicable requirements of this Chapter are met.
 3. One or more of the following conditions exists:

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- a. The tree is located within the buildable area of the lot and the applicant has concurrently filed an application for a building permit to make improvements otherwise permissible under all applicable ordinances of the City.
 - b. The tree is diseased or injured to the extent that death is imminent within two (2) years, is in imminent danger of falling, is so close to existing or proposed structures as to endanger them, physically interferes with utility services in a manner that cannot be corrected by anything less than destruction or removal of the tree, or creates a hazardous traffic condition.
- H. Each applicant shall, to the maximum extent feasible, minimize the removal of trees from the site. In any request for a permit for tree removal in which the resulting tree density present on the site will be less than one hundred density units per acre, the City shall require replacement such that the average number of trees on the site is equal to not less than one hundred caliper inches per acre. Where tree removal is unavoidable, trees replanted shall be an appropriate species mix considered native to the region.
- I. It shall be unlawful, as a normal practice, to top any tree.
- (Ord. No. 08-017, 8-7-08)

16.43.108 Exemptions.

- A. Certain exemptions to the contents of the Chapter shall be afforded if any of the following conditions exist.
- 1. The county extension service, state forestry commission, a certified arborist or registered forester shall examine trees believed to be dead, diseased, structurally unsound or infested which constitute a danger to human life or property and submit a report of their findings prior to their removal.
 - 2. No more than five (5) non-specimen trees with a combined DBH not exceeding twenty-four (24) inches may be removed from any lot containing a single-family dwelling, and not greater than two (2) acres within a single calendar year.
 - 3. Provisions of this section only in relation to those trees which are planted and are being grown for sale or intended sale to the general public in the ordinary course of business.
 - 4. Removal of trees from horticultural properties such as farms, nurseries or orchards.
 - 5. Necessary removal of trees by a utility company within dedicated utility easements.
 - 6. Removal of trees on public rights-of-way conducted by, on behalf of, or for any activity to be dedicated to a federal, state, county, municipal or other government agency in pursuit of its lawful activities or function in the construction or improvement of public rights-of-way, including public streets, drainage and utilities.
 - 7. Removal of trees, other than specimen trees, from detention ponds and drainage easements.
 - 8. Activities which do not require a land disturbance permit (LDP) upon the subject site.
 - 9. None of the above exemptions shall be interpreted to include tree removal or timber harvesting incidental to development of the land. Notwithstanding the foregoing, all reasonable efforts shall be made to save specimen trees.
- B. This contents of this Section shall not apply to any portion of a property included within the limits of an issued land disturbance permit issued prior to the effective date of this Chapter, provided that all time constraints relating to the permit issued shall be observed. In no event shall any such project be extended greater than twelve (12) months from the date of enactment of this Chapter.

(Ord. No. 08-017, 8-17-08)

16.43.109 Land disturbance and building construction permits.

- A. Compliance With Site Density Factor. When seeking a limited land disturbance permit (i.e., clearing, clearing and grading, or grading only), it is necessary for applicants to show compliance with the required site density factor. Trees existing on site may be used to meet the required tree density. A tree replacement plan must be a part of the approved clearing and/or grading plan.
- B. Phased Projects and Reduced Net Site Areas. Where development is scheduled to occur in phases, density calculations must be based on the site area defined by an established phase line. Similarly, a reduced net site area may be achieved by using only the area of actual site disturbance, provided that a limit of construction line is clearly shown on the plan.
- C. Criteria. The following criteria are applied to existing trees:
 - 1. Existing trees to be counted toward meeting the density requirements shall be within the phase line or limits of construction.
 - 2. If the tree save areas must be established outside these areas, they shall be proven to be reasonably safe from future and anticipated development.
 - 3. Trees located in such saved areas outside the phase line or limits of construction shall not be counted toward the density requirement of subsequent phases or new projects.

(Ord. No. 08-017, 8-7-08)

16.43.110 Tree removal by utility and construction companies.

All provisions of this section shall apply to any person removing trees on behalf of any other person, including all tree removal companies, utility companies or persons in the business of removing trees or construction.

- A. It shall be unlawful for any person or company to remove or cause to be removed any tree, or undertake any work for which a development permit is required pursuant to this section, unless a valid permit thereof is in effect and displayed pursuant to this Chapter. If any such work or removal is performed without the permit being displayed as required, such removal or work shall constitute a violation of this Chapter and shall subject the person or company violating this section to all penalties provided herein.
- B. Utility companies may provide emergency work without formal approval; provided, however, that such emergency work is reported in writing to the City within three (3) business days following completion of all emergency work. Further, the permit taken by any person, company or utility under this section shall include defined areas of tree cutting and trimming under a single permit.
- C. All tree removal companies, utility companies or persons in the business of removing trees or construction shall remove from the site any trees, stumps, limbs or debris caused by activities allowed by the issuance of a permit under this Chapter.
- D. All utility companies shall be required to obtain an annual City-issued permit. All applications for an annual permit shall include a list of subcontractors with names, addresses, telephone numbers and business licenses. Periodic work schedules indicating the location and extent of tree work shall be submitted to the City.
- E. All tree trimming and pruning to be performed by public utilities, public agencies, and their subcontractors on trees growing on private or public rights-of-way shall be done according to the National Arborist Association Standards for Pruning of Shade Trees.

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- F. The routing of all public and private utility easements shall be subject to review and comment by the city arborist.

(Ord. No. 08-017, 8-7-08)

16.43.111 Debris disposal.

- A. Any land disturbing activity, including clearing, grading or logging, all biodegradable debris, including but not limited to tree stumps, trunks, limbs or brush, shall be hauled off-site to an appropriate disposal location.
- B. All debris from trees cut shall be removed from the site in a timely manner, including the removal of any portion of the tree stump above the original natural grade.
- C. Under no circumstances shall such materials be stored or buried on-site.

(Ord. No. 08-017, 8-7-08)

16.43.112 Enforcement.

The City shall enforce this section, and may withhold issuance of a certificate of occupancy, or permits and inspections, for any development as required until the provisions of this chapter have been fully met. For purposes of enforcement of this section, the City code enforcement officer is hereby clothed with police power to perform all acts necessary to ensure that the provisions of this section are not violated, including, but not limited to, the issuance of citations for violation of any provision of this section.

- A. **Preconstruction Inspection.** Prior to or concurrent with the issuance of a permit for clearing, grubbing and grading, site development or road construction, the city arborist must inspect all tree protection devices for compliance with the approval plans. Failure to adhere to the standards set forth in this section will constitute noncompliance and will subject the project to enforcement procedures found in this Code.
- B. **Construction Inspection.** During construction, the City may periodically inspect all projects to assure the adequacy of tree protection fencing. Failure to adhere to applicable regulations shall constitute ordinance noncompliance and will subject the project to enforcement procedures found in this Code.
- C. **Final Inspection.** Prior to the release of the project for final platting or certificate of occupancy, or other form of the city's acceptance, the city arborist shall inspect for compliance with all the requirements of this section. Any disturbances in tree save areas or deficiencies in the required site density factor (SDF) will be cited at this time. Tree save area disturbances and/or SDF deficiencies must be corrected with new tree plantings prior to project release. Existing trees which are not expected to survive will not be counted toward meeting density requirements. Conversely, any existing trees not shown to remain on plans but which have been preserved, utilizing all tree preservation standards through field adjustments to the project may be counted toward density requirements, provided that all changes are recorded.
- D. **Maintenance Inspection.** One full growing season after the date of the inspection of new tree installations, the city arborist shall inspect all trees on the project site. Any trees planted to meet the required site density factor which are dead or near death must be replaced. Trees preserved to meet the required site density, which are dead or near death at the time of the maintenance inspection, must be replaced if there is evidence that the demise of such trees was due to construction injury. Project owners at the time of the maintenance inspection are responsible for compliance. Trees which count toward site density requirements shall be maintained for fewer than two (2) years following the date of final inspection. The developer or builder will be responsible for identifying newly planted trees to any entity to which they sell a subject property and inform them of maintenance procedures and best practices. Any

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trees to be replaced by this inspection must be planted within thirty (30) days of receipt of notification by the current owner. New tree plantings may be postponed for up to six (6) months by posting a performance bond in the amount of one hundred ten percent (110%) of the planting cost. Failure to plant new trees in accordance with these provisions will constitute ordinance noncompliance, and will subject the project to possible civil penalties found in this Code.

E. Issuance of Certificate of Occupancy.

1. All trees used to fulfill the site density standard shall be planted prior to issuance of a certificate of occupancy (CO).
2. Upon final installation of new trees planted under the requirements of this section, and following acceptance by the City, the owner shall warrant the new trees and provide for replacement of those that do not survive for less than two (2) years.
3. In the event that new trees proposed to be planted to achieve the site density standard are not installed upon application for a CO or final plat approval, as appropriate, a performance bond or other acceptable surety in an amount equal to one hundred ten percent (110%) of the value of the new trees and their installation shall be posted in accordance with performance bonding requirements. The term of the bond shall not exceed one (1) year.
4. An inspection of all tree plantings shall be made by the city arborist to assure compliance with plan requirements prior to release of the performance bond. The bond will be drawn upon by the City at the time of expiration if the planting requirements have not been fulfilled, or if the owner has not requested an extension. One six (6) month extension is permitted with documented justification. Any inspections performed after the final inspection (for project release) are subject to re-inspection fee schedules.

- F. Restoration of Disturbed Tree Save Areas. Once a tree save area has been established, any destruction of trees in that area must be mitigated by planting new trees to restore the required site density or to achieve the intended effect of the buffer as appropriate.
- G. Remedial Care. Trees in the tree save areas which have been adversely impacted by the construction process may be subject to remedial care. Remedial care will be performed at the discretion of city arborist and may include tree pruning, soil aeration, fertilization, and supplemental watering.
- H. Administrative Variances. Front, side and rear yard setbacks may be reduced by an amount not to exceed fifty percent where it is determined by the city planner or designee to be necessary in order to preserve existing specimen or significant trees. Appropriate conditions to said administrative variances shall be imposed so as to ensure the continued health of said trees following the granting of such variances, including mandatory replacement requirements. Such administrative variances shall be considered and decided consistent with the procedures and criteria contained in this section. Appeals of final decisions regarding administrative variances may be made to the mayor and city council.
- I. Display of Permit and Inspections. The applicant shall prominently display the permit in a conspicuous location on the job site. Such permit shall be displayed continuously while trees are being removed or replaced or work done as authorized on the permit. As a condition for issuance of a permit, the applicant shall agree in writing to entry onto their premises by representatives of the city as designated by the city planner or designee to inspect the permit and activities at any time, and such entry shall be lawful. Failure to allow such entry shall be unlawful and shall constitute a violation of this chapter.
- J. Stop Work Orders. Upon notice from the issuing authority, work on any project that is being done contrary to the provisions of this section shall be immediately stopped. Such notice shall be in writing; shall state the specific violations; shall be given to the applicant, his authorized agent, or the person or persons in charge of the activity on the subject property; and shall state the conditions under which work may resume. Where an emergency exists, no written notice shall be required.

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- K. Emergencies. During the period of any emergency, such as a hurricane, windstorm, ice storm, flood or other disaster, the requirements of this section may be waived by the mayor, or other designated official, upon a finding that such waiver is necessary so that public and/or private work to restore order in the city will not be impeded.

(Ord. No. 08-017, 8-7-08)

16.43.113 Fees.

- A. Each applicant requesting a permit under the provisions of this section shall deposit with the city a fee of two hundred dollars, which shall be nonrefundable. Provided, however, no fee shall be charged on any application filed solely for work within a public right-of-way.

(Ord. No. 08-017, 8-7-08)

16.43.114 Violations and penalty.

- A. Any person, firm or corporation violating a provision of this section shall be deemed guilty of violating a duly adopted ordinance of the city and, upon conviction by a court of competent jurisdiction, may be punished as provided in this Municipal Code, as amended, and in addition thereto may be enjoined from continuing the violation.
- B. The court shall have the power and authority to place any person found guilty of a violation of this section on probation, and to suspend or modify any fine or sentence. As a condition of said suspension, the court may require payment of restitution or impose other punishment allowed by law which may include mandatory attendance at an educational program concerning tree preservation. Each day's continuance of a violation may be considered a separate offense. Each tree cut, damaged or poisoned shall constitute a separate offense.
- C. The owner of any property wherein a violation exists, and any architect, developer, builder, contractor, tenant or agents who commits or may have assisted in the commission of any such violation, shall be guilty of a separate offense.

(Ord. No. 08-017, 8-7-08)

16.43.115 Density factor.

All properties subject to this article must maintain a minimum of one hundred (100) tree density units per acre. Tree density requirements shall be satisfied regardless of prevailing site conditions. Density requirements may be achieved through credits for preserving existing trees, by planting new trees according to the minimum standards of this section or through a combination of both.

The site density factor (SDF) of a site shall be the sum of the existing density factor (EDF) and the replacement density factor (RDF); $SDF = EDF + RDF$.

- A. The minimum required tree preservation or tree replacement density shall be calculated pursuant to the following sequence.
1. Calculate the Site Density Factor (SDF).
 2. SDF is calculated by multiplying the gross site acreage by one hundred (100) (i.e. a 2.5-acre site has an SDF of 250; $2.5 \times 100 = 250$).
 3. Calculate the EDF by adding the DBH of each tree on the premises.

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4. Calculate the RDF by subtracting the EDF from the SDF (i.e. a SDF of 250 minus an EDF of 98 results in a RDF of 152, which exceeds the minimum required SDF of 100).
 5. Calculate a sample plan for achieving the required RDF.
- B. The tables below shall be used to calculate site density for existing trees by diameter.

Diameter (Inches)	Density Units
3	4
4	7
5	9
6	12
7	15
8	20
9	25
10	30
12	35
14	40
16	45

Diameter (Inches)	Density Units
18	50
20	55
22	60
24	65
28	70
32	75
36	80
40	85
44	90
48	95
≥ 50	100

- C. The density factor credit for each replacement tree, by caliper size, is provided in the table below. An identical credit schedule applies to existing trees which are to be transplanted within the site.

Diameter (Inches)	Density Units
2½	2.5
3	3.5
3½	4.5
4	6
5	7
6	8
7	9
8	10

- D. Basis of Site Density Tables. Site density is based on a reservation of twenty-five percent (25%) of the total area of each development site as open space. Tree planting quantity and caliper standards shall also satisfy the provisions of Title 17 of this Municipal Code.

1. The basis for replacement tree diameter conversion shall be a total of 40 trees in the 2.5-inch size class.

(Ord. No. 08-017, 8-7-08)

16.43.116 Acceptable tree species.

- A. The tree species provided in the table below shall be acceptable overstory tree species to plant. Any overstory tree species not referred to by scientific name or common name therein shall not be considered an acceptable tree species unless otherwise provided pursuant to this Code.

	Scientific Name	Common Name
1.	<i>Acer floridanum</i>	Florida Maple or Southern Sugar Maple
2.	<i>Acer rubrum</i>	Red Maple
3.	<i>Betula nigra</i>	River Birch
4.	<i>Carya</i>	Pecan, Hickory
5.	<i>Castanea mollissima</i>	Chinese Chestnut
6.	<i>Celtis occidentalis</i>	Hackberry
7.	<i>Cercidiphyllum japonicum</i>	Katsura Tree
8.	<i>Cladrastis kentukea</i>	American Yellowwood
9.	<i>Cunninghamia lanceolata</i>	Common Chinafir
10.	<i>Fagus sylvatica</i>	European Beech
11.	<i>Fagus grandifolia</i>	American Beech
12.	<i>Fraxinus americana</i>	White Ash
13.	<i>Fraxinus pennsylvanica</i>	Green Ash
14.	<i>Ginkgo biloba</i>	Ginkgo
15.	<i>Halesia carolina</i>	Carolina Silverbell
16.	<i>Betula Papyrifera</i>	Paper Birch
17.	<i>Liriodendron tulipifera</i>	Yellow Tulip Poplar
18.	<i>Magnolia grandiflora</i>	Southern Magnolia
19.	<i>Metasequoia glyptostroboides</i>	Dawn Redwood
20.	<i>Nyssa sylvatica</i>	Black Gum, Black Tupelo
21.	<i>Pinus elliotii</i>	Slash Pine
22.	<i>Pinus virginiana</i>	Virginia Pine
23.	<i>Platanus occidentalis</i>	American Sycamore
24.	<i>Robinia pseudoacacia</i>	Black Locust
25.	<i>Styphnolobium japonicum</i>	Japanese Pagoda Tree
26.	<i>Taxodium distichum</i>	Bald Cypress
27.	<i>Ulmus parvifolia</i>	Chinese Elm
28.	<i>Zelkova serrata</i>	Japanese Zelkova
29.	<i>Picea</i>	Spruce
30.	<i>Cryptomeria</i>	Japanese Cedar

- B. In addition to the content provided in this Section, all oak tree species, excluding live oaks, shall be acceptable canopy trees to plant, unless otherwise provided in this Code.
- C. The tree species provided in the table below shall be acceptable understory tree species to plant. Any understory tree species not referred to by scientific name or common name therein shall not be considered an acceptable tree species unless otherwise provided pursuant to this Code.

	Scientific Name	Common Name
1.	<i>Acer buergerianum</i>	Trident Maple
2.	<i>Amelanchier arborea</i>	Serviceberry
3.	<i>Carpinus caroliniana</i>	American Hornbeam
4.	<i>Cercis canadensis</i>	Eastern Redbud
5.	<i>Crataegus phaenopyrum</i>	Washington Hawthorn
6.	<i>Oxydendrum arboreum</i>	Sourwood

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- D. In addition to the content provided in this Section, all myrtle, dogwood, and holly tree types shall be acceptable understory trees to plant, unless otherwise provided in this Code.

(Ord. No. 08-017, 8-7-08)

16.43.117 Unacceptable tree species.

The following tree species are considered inappropriate and shall not be used to comply with the requirements of this Chapter. This Section shall not be construed as to deem any tree species not listed herein as acceptable.

- A. Eastern white pine.
- B. Lombardy poplar.
- C. Mimosa.
- D. Silver maple.
- E. Spruce.
- F. Box Elder.
- G. Black willow.
- H. Royal paulownia.
- I. Tree of heaven.
- J. Leyland cypress.
- K. Bradford pear.

(Ord. No. 08-017, 8-7-08)

16.43.118 Boundary Trees

- A. The City finds that land clearing and development activities may have negative impacts on the health and viability of trees that exist nearby on adjacent properties. These land clearing and development activities may damage the roots of trees whose trunks are fully located on adjacent property, but that have root systems that cross the property boundary underground.
- B. It is the intent of this chapter to protect trees located immediately adjacent to sites which are being cleared or developed, and to provide property owners with compensation for those boundary trees which cannot be reasonably protected.
- C. Prior to the approval of any land clearing or development activities that require a tree survey, the applicant must provide documentation as to any boundary trees on abutting sites that may be destroyed or negatively impacted as a result.
 - 1. If the documentation provides that substantial impacts to any boundary trees are possible, the owners of all properties that contain boundary tree roots shall complete and sign a Boundary Tree Agreement form.
 - 2. The Boundary Tree Agreement form shall be kept by the City of Auburn Community Development Department.
 - 3. Upon completion of a Boundary Tree Agreement form by all applicable parties, the form must be provided to the City for recordkeeping purposes. The City shall not accept incomplete or inaccurate Boundary Tree Agreements.

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16.43.119 Waivers and appeals.

- A. Administrative authority. The city planner is authorized to issue waivers from the requirements of this Chapter. No public hearing or public meeting is required as part of the administrative waiver procedure. An administrative waiver may only be granted in individual cases of hardship, pursuant to all conditions existing as provided in subsection C herein. All waivers issued by the city planner shall be within the following scope.
 - 1. Use of ornamental trees to satisfy minimum site tree density requirements, at a rate not to exceed ten (10) tree density units per acre.
 - 2. Use of tree-form shrubs to satisfy minimum site tree density requirements, at a rate not to exceed ten (10) tree density units per acre.
 - 3. The planting and replanting of trees that are not an acceptable tree species pursuant to this Chapter, at a rate not to exceed ten (10) tree density units per acre.
 - 4. Reduction of the minimum required pervious root zone area for canopy or understory trees by no greater than twenty percent (20%).
 - 5. The topping of a tree that is damaged or may cause an obstruction to infrastructure.
 - 6. Retention of a tree stump above the normal grade.
- B. Mayoral authority. The mayor of the City of Auburn is authorized to waive the enforcement procedures of this Chapter during a period of emergency or natural disaster.
- C. Waiver criteria. A waiver from the requirements of this Chapter may only be granted upon finding that all of the following conditions exist.
 - 1. There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape or topography.
 - 2. The application of this Chapter to this particular piece of property would create an unnecessary hardship.
 - 3. Said conditions are particular to the piece of property involved.
 - 4. Said conditions are not the result of any actions of the property owner.
 - 5. Relief, if granted, would not cause substantial detriment to the public good nor impair the purposes or intent of this Chapter.
- D. Appeals. Any person adversely affected by a decision of city staff in the enforcement or interpretation of any of the terms or provisions of this Chapter may appeal the decision to the mayor and city council. Such appeal shall be made by filing written notice thereof with the city planner or city arborist within ten (10) business days following the issue date of the decision being appealed.

16.43.200 Tree bank.

- A. In any circumstance where the city arborist determines the minimum required replacement trees cannot be feasibly accommodated on the project site, the applicant shall deposit funds in the designated tree bank account.
 - 1. Calculations for valuing contributions to the tree bank shall be based on two and one-half (2.5) inch caliper replacement trees. Values may be updated semi-annually as recorded by the parks and recreation department, as determined by the cost of materials, labor, and guarantee for trees planted in the City.

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2. The density factor deficient (DFD) shall be calculated by subtracting the sum of the EDF and the PDF from the SFD; $DFD = SFD - (EDF + PDF)$.
 3. The tree bank contribution dollar amount shall be calculated by dividing the DFD by the density unit credit amount (per 2.5-inch caliper trees), multiplied by two hundred (200); contribution dollar amount = $(DFD / 2.5) \times 200$. No less than the contribution dollar amount shall be contributed to the tree bank pursuant to the circumstances provided in this Section.
- B. The tree bank shall not effectively reduce the minimum number of trees required on any development site by greater than forty percent (40%).
- C. The table below provides unit costs and compliance costs pursuant to tree caliper size.

Caliper Size (Inches)	Unit Cost	Compliance Cost
2½	\$200.00	\$8,000.00
3	\$250.00	\$7,142.00
3½	\$300.00	\$6,666.00
4	\$350.00	\$5,833.00
5	\$450.00	\$6,428.00
6	\$600.00	\$7,500.00
7	\$775.00	\$8,611.00
8	\$1,000.00	\$10,000.00

(Ord. No. 08-017, 8-7-08)