



MAYOR

Richard E. Roquemore

CITY ADMINISTRATOR

Michael E. Parks

CITY COUNCIL

Robert L. Vogel III

Taylor J. Sisk

Jamie L. Bradley

Joshua Rowan

**CITY OF AUBURN
MAYOR and CITY COUNCIL**

Meeting

June 27, 2024

6:00 PM

Council Chambers

1 Auburn Way

Auburn, GA 30011

ANNOUNCEMENTS- Penny Clack will present information on Barrow County's Emergency Notification System

WORKSHOP

1. Tree Ordinance Update- Sarah McQuade
2. Adoption of the Updated Official Zoning Map for the City of Auburn- Sarah McQuade
3. Amendment to Livestock and Animal City Ordinance, Section 17.90.1010 and 19.90.020- Sarah McQuade
4. Approve Donation of Asphalt Millings from Auburn Police Foundation- Chief Hodge
5. Naming of New Firing Range- Chief Hodge
6. PRC Contract Amendment- Michael Parks
7. Closure of 4th Ave for Community Fellowship Event October 4, 2025- Michael Parks
8. Citizen Comments on Agenda Items

Executive Session- Personnel Matters, Pending and Potential Litigation Matters

ADJOURNMENT

Agenda subject to change prior to meeting



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AGENDA ITEM: 1

TO: Mayor and Council

FROM: Sarah McQuade
City Planner

DATE: June 27, 2024

PURPOSE: To update the City's current existing Tree Ordinance.

BACKGROUND: Staff has been asked to revise our current Tree Ordinance. This is a stringent draft model from surrounding communities and is here for review.

RECOMMENDATION: To discuss and offer feedback for an updated tree ordinance if needed.

FUNDING:
N/A

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY OF AUBURN
CODE OF ORDINANCES
TREES AND LANDSCAPING

Chapter 16-43 - Trees and Landscaping

WHEREAS, the City of Auburn adopted an Ordinance in 2008 regarding tree protection, landscaping and related issues; and

WHEREAS, it is necessary to update the Ordinance to make provision for the preservation, improvement and enhancement tree canopy inside the; and

WHEREAS, the preservation of trees and plants is essential to the safety and welfare of the citizens; and

WHEREAS, the City desires to be proactive in balancing the rights and needs of property owners with the interests of the public in maintaining trees inside the City limits;

NOW THEREFORE, THE COUNCIL OF THE CITY OF AUBURN HEREBY ORDAINS that the existing Chapter 16-43 Trees and Landscaping is deleted from the City Code, and the following Chapter 16-43 Trees and Landscaping is substituted in its place:

16-43.010 Applicability.

(a) *Applicability.* The terms and provisions of this article shall apply to any tree removal or land disturbance on real property within the city limits of Auburn, except as excluded in other paragraphs in this section. No development or land disturbance permit shall be issued by the city without it being determined that the proposed development is in conformance with the provisions of these regulations.

(b) *Exemptions.* The following activities shall be exempt from the provisions of this article:

(1) The removal of trees on public rights-of-way conducted by, on behalf of, or any activity pursuant to work to be dedicated to a federal, state, county, municipal or other governmental agency in pursuance of its lawful activities or functions in the construction or improvement of public right-of-way.

(2) *Horticultural and agricultural operations.*

a. All plant or tree nurseries and botanical gardens shall be exempt from the terms and provisions of this article in relation to those trees which are being grown for relocation and continued growth in the ordinary case of business, or for some public purpose.

b. All orchards of trees in active commercial operation shall be exempt from the terms and provisions of this article for bona fide agricultural purposes only.

(3) *Tree thinning.* The thinning of trees (selective cutting only) solely for the purpose of good forestry management, may be permitted upon authorization by the Community Development Director and shall require the submittal and approval of a tree preservation/replacement plan. Permits authorizing tree thinning shall be limited to the following:

a. A 75-foot natural undisturbed buffer (not a zoning buffer) shall be provided and maintained along the entire perimeter of the property, including road frontages, during the land disturbing activity, except for authorized road crossings.

b. The property shall be required to meet a tree density standard of 40 units per acre upon completion of authorized land disturbing activities.

c. The owner/developer shall utilize the recommended best management practices (BMPs) as established by the Georgia Forestry Commission.

(4) Notwithstanding the foregoing, all reasonable efforts shall be made to save specimen trees.

a. *Grandfathered projects.* This article shall not apply to any portion of a property included within the limits of a valid land disturbance permit issued prior to the effective date of this article, provided that all time constraints relating to the permit issued shall be observed.

b. *Exclusions.*

(1) *Credit for zoning buffer plantings excluded.* Existing trees proposed to be retained and new trees proposed to be planted in order to meet the buffer requirements of this article or conditions of zoning, special use or variance approval shall not be considered in fulfilling the requirements of this article and do not count towards meeting the tree density requirement. As such, properties containing required buffers may exclude the land area contained in those buffers from the total acreage of the property in fulfilling the tree density standard of this article. Trees or other vegetation shall not be removed from a zoning buffer area except under the provisions of the zoning ordinance.

(2) *Easement exclusion.* Properties possessing natural gas, petroleum or electric power transmission or distribution easements, or sanitary sewer main (greater than eight inches in diameter) or water lines distribution easements, may exclude the land area contained in said easement from the total acreage of the property in fulfilling the tree density standard of this article provided that no improvements (e.g. parking lots, tennis courts, driveways, stormwater detention facilities, etc.) are proposed within the easement. If any improvements are

proposed within the easement, then the land area so utilized within the easement for the improvement, plus an additional ten feet of land area surrounding the improvements, shall be used to fulfill the tree density standard of this article.

Sec. 16-43.020- Permits.

(a) *Land disturbance permit required.* Land disturbing activities shall not commence until such activities have been authorized by issuance of an appropriate land disturbance permit under the provisions of the development regulations. Once a final plat has been recorded, land disturbing activities on residential lots shall not occur until a building permit has been obtained.

(b) *Tree preservation and/or replacement plan required.* For projects not exempt from the provisions of this article and not included under subsection [16.43.266\(c\)](#) below, a tree preservation and/or replacement plan shall be submitted along with the other documents required by the development regulations for the issuance of a clearing, clearing and grubbing, grading or development permit.

(1) Tree preservation and/or replacement plans and related documentation shall be reviewed by the city for conformance to the provisions of this article along with and at the same time as all other plans required for a requested land disturbance permit under the provisions of the development regulations.

(2) Clearing, grading and development activities shall conform in all aspects with the approved tree preservation and/or replacement plan. Any revisions to the proposed development of a property, and any changes reflected in a subsequently submitted permit application, shall be shown on a revised tree preservation and/or replacement plan and be approved as part of the new or revised permit prior to the commencement of such changed activities.

(3) *Tree removal permit required.* For projects not exempt from the provisions of this article and not included under subsection [16.43.266\(b\)](#) above, a tree removal permit and tree replacement plan shall be required before the removal of any tree except:

(a) Removal of trees on individual, residential lots of greater than one acre, subject to compliance with all other applicable provisions of this chapter; or

(b) Removal of two trees, other than a specimen tree as defined by [section 16.43.270](#), per calendar year on individual residential lots of one acre or less, subject to compliance with all other applicable provisions of this chapter; or

(c) Removal of any tree felled or uprooted by natural causes; or

- (1) Removal of any tree that has been inspected by an ISA certified arborist or registered consulting arborist and determined in a written report, retained by the property owner, to be:
 - (a) Dead or dying due to disease or injury;
 - (b) Dangerous to persons or property; or\
- (2) Tree removal for non-development activity on non-residential lots.
- (3) Removal of any tree included in the list of non-native invasive plants as established by the Georgia Exotic Pest Plant Council, including but not limited to Princess Tree (*Paulownia tomentosa*), Mimosa (*Albizia julibrissin*), Tree-of-Heaven (*Ailanthus altissima*), Tallow Tree (*Triadica sebifera*) and Bradford Pear (*Pyrus calleryana*).
- (4) Removal of ornamental and screening varieties: Crape Myrtle (*genus Lagerstroemia*), Leyland Cypress (*Cupressocyparis Leylandii*), Arborvitae (*genus Thuja*) and Japanese Cedar (*Cryptomeria japonica*), subject to compliance with all other applicable provisions of this chapter.
- (5) Removal of ornamental or edible non-native varieties of fruits such as cherry, apricot, plum, peach, apple, pear and persimmon but excluding native, wild varieties, subject to compliance with all other applicable provisions of this chapter.
- (6) Removal of trees, the trunk of which (at DBH measurement) is wholly or partially within a distance of 10 feet to a structure such as a dwelling, accessory building, swimming pool, retaining wall, driveway, walkway or public infrastructure, subject to compliance with all other applicable provisions of this chapter.

Sec. 16-43.030 Tree removable permit application.

The tree removal permit shall be valid for 90 days and shall only be issued if the following application requirements have been satisfied:

- (1) A completed application form is submitted to the Community Development Director; and
- (2) An application fee in the amount stated in the schedule of fees is paid to the city.

Sec. 16-43.040. - Developed residential lots.

Regardless of the number of TDUs existing on the property, healthy trees removed from developed single-family residential lots under an approved tree removal permit and tree replacement plan must be replaced with the equivalent TDUs based on the values contained in [section 16.43.269](#), Table B by any combination of planting new trees on site or approved alternative compliance methods as set out in [section 16.43.271](#), subject to the minimum standards set forth in [section 16.43.269](#). Should a property not meet the minimum standards at the time of permit application, it shall maintain on site the same tree density as before removal and no fewer than two trees, whether planted or preserved. Specimen trees shall be replaced with two times their TDU value as required by subsection [16.43.270\(d\)](#).

Unless exempt from the provisions of this article or otherwise excluded pursuant to subsection [16.43.266\(c\)](#), trees removed from developed residential lots but not part of a tree removal permit and replacement plan shall also be replaced with two times their TDU equivalent. The Community Development Director shall issue a citation to the responsible party to appear in municipal court for removal of trees without the appropriate tree removal permit.

Sec. 16-43.050. - Minimum tree density requirements.

(a) *Overview.* A basic requirement of this article is that all applicable sites maintain a minimum tree density of 40 units per acre. The term "unit" is an expression of basal area (a standard forest inventory measurement), and is not synonymous with "tree".

The density requirement must be met whether or not a site had trees prior to development, except as otherwise stated for single-family residential lots. The density may be achieved by counting existing trees to be preserved, planting new trees, or some combination of the two as represented by the formula:

$$\mathbf{SDF = EDF + RDF}$$

(a) Where:

SDF (Site Density Factor) = The minimum tree density required to be maintained on a developed site (40 units per acre).

EDF (Existing Density Factor) = Density of existing trees to be preserved on a site.

RDF (Replacement Density Factor) = Density of new trees to be planted on a site.

(b) Site Density Factor. The site density factor (SDF) is calculated by multiplying the number of site acres by 40. Example: A 2.2 acre site has a SDF of $3.3 \times 40 = 88$.

(c) *Existing density factor.* The existing density factor (EDF) is calculated by converting the diameter of individual trees to density factor units. This is done using Table A below.

Table A. Credit for existing trees

Conversion from tree diameter in inches to tree density units for trees remaining on site:

EXPAND

<i>Diameter</i>	<i>Units</i>	<i>Diameter</i>	<i>Units</i>	<i>Diameter</i>	<i>Units</i>	<i>Diameter</i>	<i>Units</i>
3	.5	15	2.4	27	8.0	39	16.6
4	.6	16	2.8	28	8.6	40	17.4
5	.7	17	3.2	29	9.2	41	18.4
6	.9	18	3.6	30	9.8	<u>42</u>	19.2
7	1.0	19	4.0	31	10.4	43	20.2
8	1.1	20	4.4	<u>32</u>	11.2	44	21.2
9	1.2	21	4.8	33	11.8	45	22.0
10	1.3	<u>22</u>	5.2	<u>34</u>	12.6	<u>46</u>	23.0
11	1.4	23	5.8	35	13.4	47	24.0
12	1.6	24	6.2	36	14.2	48	25.2
13	1.8	25	6.8	37	15.0	49	26.2
14	2.2	<u>26</u>	7.4	<u>38</u>	15.8	50	27.2

Note: Tree diameter for existing trees is measured at 4.5 feet above the ground. Tree diameter fractions may be "rounded up" if 0.5 inches or greater, or "rounded down" if less than 0.5 inches.

Example:

A total of 15 trees will remain on the 2.2 acre site. The tree inventory is as follows:

7—12" diameter maples

3—14" diameter gums

3—18" diameter pines

1—21" diameter oak

1—30" diameter oak

Converting diameters (DBH) to density units, the EDF is determined as shown in the following table:

EXPAND

Scientific Name	Common Name	DBH	Units		No. of Trees		Totals
Acer barbatum	Florida Maple	12"	1.6	×	7	=	11.2
Ginkgo biloba	Ginkgo, grafted	14"	2.2	×	3	=	6.6
Pinus strobes	White Pine	18"	3.6	×	3	=	10.8
Quercus alba	White Oak	21"	4.8	×	1	=	4.8
Quercus falcate	Southern Red Oak	30"	9.8	×	1	=	9.8
							43.2

Replacement density factor.

- (1) Calculate the replacement density factor (RDF) by subtracting the EDF from the SDF.

Example: $RDF = 70.4 - 43.2 = 27.2$

The density factor credit for each caliper size of replacement (new) trees is shown in Table B. Any number or combination of transplantable size trees can be used so long as their total density factor units will equal or exceed the RDF and the species list is accepted by the Community Development Director.

All replacement trees shall be selected from either the city-maintained canopy tree list or understory tree list.

Table B. Credit for replacement trees

Conversion from caliper to density factor units for replacement trees

EXPAND

Caliper	Units	Caliper	Units
1"	0	8"	1.3
2"	.5	9"	1.5
3"	6	10"	1.7
4"	.7	11"	1.9
5"	.9	12"	2.1
6"	1.0	13"	2.3
7"	1.2	14"	2.5

Sec. 16-43.060

(a) Some trees on a site warrant special consideration and encouragement for preservation. These trees are referred to as specimen trees. The following criteria are used by the Community Development Director or city arborist to identify specimen trees. Both the size and condition must be met for a tree to qualify.

- (1) Overerstory trees such as oaks, hickories, poplars, sweet gums or other large hardwoods must be at least 28 inches in diameter at breast height to be considered a specimen tree.
- (2) Small native flowering trees must be at least 12 inches in diameter at breast height to be considered a specimen tree.
- (3) Softwood trees such as pines must be at least 30 inches in diameter at breast height to be considered a specimen tree.
- (4) *Condition criteria.*
 - a. Life expectancy of greater than 15 years.
 - b. Relatively sound and solid truck with no extensive decay.
 - c. No more than one major and several minor dead limbs.
 - d. No major insect or pathological problems.

- e. No major pruning deficiencies i.e., topping.
- f. At least 75 percent of the critical root zone in a natural undisturbed state.
- g. Native flowering tree if considered a rare species.
- h. On all sites, it is required that all reasonable efforts be made to save specimen trees. Reasonable efforts shall include, but not be limited to, alternate building design, building location, parking area layout, parking area location, water retention location and the like.
- i. In order to encourage the preservation of specimen trees and the incorporation of these trees into the design of projects, additional density credit will be given for specimen trees which are successfully saved by a design feature specifically designated for such purpose. Credit for any specimen tree thus saved would be two times the assigned value shown in Table A in [section 16.43.269\(c\)](#).
- j. On all sites, if a specimen tree must be removed, it shall be replaced by a species with potential for comparable size and quality. All specimen trees removed must be replaced at a density of two times the unit value of the tree removed, i.e., 30-inch diameter specimen trees (9.8 density units) must be replaced with 19.6 units. Species selection is subject to the approval of the Community Development Director or city arborist.
- k. No specimen tree may be removed without prior written approval from the Community Development Director. Any specimen tree which is removed without the appropriate review and approval of the Community Development Director must be replaced by trees with a minimum caliper size of five inches per tree with a total density equal to three times the unit value of the tree removed. The area that encompassed the critical root zone of the specimen tree shall remain undisturbed to allow for the planting of replacement trees. In addition, the Community Development Director may issue a citation for the removal of a specimen tree without the appropriate city review and approval. Size alone will determine whether a tree was of specimen quality if the tree is removed without approval.
- l. On all sites except single family detached residential lots, the Community Development Director or city arborist may

identify and require the preservation of a tree stand if it contains one or more specimen tree and the trees are interlocked with other members of the stand in such a manner as to imperil the individual tree if other members of the stand were to be removed.

Sec. 16-43.070. – Alternative compliance.

(a) *Generally.* The intent of this article is to insure that a minimum density of trees is maintained on all developed sites. Occasionally, this intent cannot be met because a project site will not bear the required density of trees. In this case, the Community Development Director may approve placement or replacement on another property, either private or public, or monetary compensation in the form of payment to the city's tree replacement fund.

(b) *Standards.* The following standards have been established for administering these alternatives:

(1) The Community Development Director must review and approve all requests for alternative compliance.

(2) In no instance shall 100 percent of the required site density be met through alternative compliance.

(3) As many trees as can reasonably be expected to survive must be planted on the site in question.

(4) No permit shall be issued until any required payment has been made to the tree replacement fund.

(5) The amount per tree density unit to be paid to the tree replacement fund shall be set by resolution of the city council.

(6) The tree replacement fund shall be used for planting trees on public property or on approved private property, environmental education, management of the tree preservation program, and related purposes.

Sec. 16-43.080. – Tree protection.

(a) The cleaning of equipment, storage of materials or dirt, disposal of waste material such as paint, oil solvent or other harmful substances, or any other such act which may be harmful to the continued vitality of the tree(s) within the tree protection area, is prohibited.

(b) Prior to commencement of any grading, construction or tree removal, a tree protection area for any tree located within 25 feet of any proposed grading,

construction or tree removal must be established by physical barrier and maintained until such work is completed.

Sec. 16-43.090. Tree preservation standards.

(a) Every property owner or occupant shall be responsible for the normal care of trees located on such property. Willful injury or disfigurement of any tree growing within the city shall be a violation of this ordinance. No person shall:

(1) Pour any material on a tree or on nearby ground which could be harmful to the tree;

(2) Cause or encourage any unnecessary fire or burning near or around any tree;

(3) Cut off air, light, or water from the roots;

(4) Pile building material or equipment around any tree so as to cause injury thereto.

(b) Prior to any tree removal or commencement of construction on a site to be developed, the following system shall be used:

(1) Location and types of tree protection devices.

a. Tree protection devices are to be installed as shown on the plan or otherwise completely surrounding the critical root zone of all the trees to be preserved.

b. The plan shall indicate whether the tree protection device is to be active or passive.

c. Active protection (see material section below) is required where tree save areas are located in proximity to construction activity.

d. Passive protection (see material section below) may be used in more remote locations and in all protected zones not designated as tree save areas.

e. All tree save areas must be protected from soil sedimentation intrusion through the use of silt screens or other acceptable measures placed up-slope from the tree protection area.

f. The locations and installation of all tree protection devices will be verified prior to the issuance of the construction permit for clearing and/or grading. All tree protection devices must be maintained intact throughout construction.

g. Once protected zones are established and approved, any changes are subject to review by the city.

(2) *Materials.*

a. Active tree protection shall consist of chain link, orange laminated plastic, wooden post and rail fencing or other equivalent restraining material. In addition to fencing, where tree trunks are in jeopardy of being damaged by equipment, the ordinance enforcement officer shall require two-inch by four-inch boards to be strapped around the trunks of trees. In addition, where active tree protection is required, each tree to be saved shall be marked at the base of the trunk with blue colored water-based paint.

b. Passive protection shall consist of heavy mil. plastic flagging, a minimum of four inches wide with dark letters on a bright background reading "Tree Protection Area - Do Not Enter" or equivalent signage on a continuous, durable restraint.

c. *Installation and removal.* All tree protection devices shall be installed prior to any clearing, grubbing or grading. The ordinance enforcement officer must inspect the installation of tree protection, erosion and sedimentation control devices prior to the issuance of the tree removal permit. Tree protection must remain in functioning condition until the certificate of occupancy is issued.

Sec. 16-43-100. Tree damage.

Any tree designated in the plan to be saved that is damaged during construction or as a result of such construction, shall be treated according to accepted National Arborists Association Standards, or replaced with a tree(s) equal to the unit value of the tree removed. However, any specimen tree damaged as described above shall be replaced with a tree(s) two times the unit value of the tree removed.

Sec. 16-43.110. Tree planting standards.

(a) Trees selected for planting to comply with minimum requirements must be on one of the following tree planting list(s) maintained by the city:

- (1) Recommended canopy/overstory tree list.\
- (2) Recommended parking lot and street tree species list.
- (3) Recommended understory tree list.
- (4) Recommended hedgerow plant list. Trees may be administratively added to or deleted from these lists upon the advice of the city arborist.

(b) Trees selected for planting must be free from injury, pests, disease, nutritional disorders or root defects, and must be of good vigor in order to assure a reasonable expectation of survivability.

- (c) It is desirable that replanted trees be ecologically compatible with the site and neighboring sites. Accordingly, the replanted trees shall be of the same or similar species as those removed when practical.
- (d) Except on single-family detached residential lots, trees selected for planting to comply with minimum requirements must be at least six feet tall at the time of planting.
- (e) To ensure variety in design, no more than 35 percent of replacement trees shall be of a single species, and no more than 25 percent of replacement trees shall be an evergreen species.

Sec. 16-43.120. Mandatory removal of dead, diseased, and potentially dangerous trees.

If the Community Development Director deems a tree located on private property or in the public right-of-way or in public areas to be dead, dying, diseased, or in a potentially dangerous condition to the public or adjacent properties, the tree may be declared a nuisance. Upon determining that any tree upon private property is a nuisance, the Community Development Director shall notify the property owner in writing, describing the condition, stating the actions necessary for correction, and setting forth a reasonable time in which the action must be taken. Actions required to cure and abate a nuisance, as described above, may include any reasonable technique, method, or procedure to cure the nuisance, including if necessary, the removal of the tree. In a declared emergency situation, the city has the right to immediately remove dangerous trees, or parts thereof, from private or public property.

Sec. 16-43.130. Tree removal floodplain or required stream buffer.

Trees located in a 100-year floodplain or required stream buffer may not be cut unless found to be dead, diseased, or insect infected by the Community Development Director, city arborist, county extension service, or the Georgia Forestry Commission.

Sec. 16-43.140 -16-43.288. Reserved.

DIVISION 5. PLAN AND PLAT SPECIFICATION.

Sec. 16.43-290. Tree preservation/replacement plan specifications.

- (a) The tree preservation/replacement plan shall be submitted as a separate sheet and shall be prepared and sealed by a registered landscape architect, certified arborist, or registered forester, and shall include the following information:
 - (1) *Tree survey.* The tree survey shall be a to-scale map or site plan that has been prepared and sealed by a registered landscape architect, certified arborist, registered forester, registered surveyor, or registered engineer. The tree survey shall include the following minimum requirements:
 - (2) All specimen trees are to be located and labeled with their size and species. Their critical root zone (CRZ) shall be delineated and the spot elevation at the

base of their trunk shall be indicated. They shall also be labeled in a way to determine if they are intended for removal or preservation.

- (3) All trees with a dbh measurement of 12 inches or larger shall be located and their size and species shall be indicated.
- (4) Sampling methods may be used to determine tree density calculations for forested areas over five acres.
- (5) Definition of *spatial limits*.
- (6) Limits of land disturbance, clearing, grading, and trenching;
- (7) Tree protection zones;
- (8) Areas of proposed landscaping and tree plantings;
- (9) Indication of staging areas for parking, material storage, concrete washout, debris burn, and other areas where tree protection may be affected.
- (10) Locations of existing and proposed structures, paving, driveways, cut and fill areas, detention areas, utilities, etc.
- (11) Locations of any state waters and the limits of any proposed disturbance in a water quality buffer zone.
- (12) *Detail drawings of tree protection measures (where applicable):*
- (13) Protective tree fencing;
- (14) Erosion control fencing;
- (15) Tree protection signs;
- (16) Transplanting specifications;
- (17) Tree wells and aeration systems;
- (18) Staking specifications; and
- (19) Other applicable drawings.
- (20) Procedures and schedules of the implementation, installation and maintenance of tree protection measures.

(21) A summary table of the number of existing trees to remain and the new trees to be planted, by diameter to the nearest inch, at 4.5 feet above ground, shall be shown along with the calculations showing the tree density for the site.

(22) A planting schedule showing the type (common and botanical names), size and quantity of trees to be planted, tree density units per tree and any special planting notes.

(23) The locations of all trees and other landscape materials to be planted on the site to meet density requirements, landscape strip requirements, off-street parking requirements, street tree requirements and/or buffer requirements, as applicable.

(24) Total acreage of the site and total acreage exclusive of all zoning buffer areas.

(25) The following notes:

(26) TREES TO BE A MINIMUM OF 6' IN HEIGHT AT TIME OF PLANTING.

(27) ALL BUFFERS AND TREE SAVE AREAS SHALL BE CLEARLY IDENTIFIED BY FLAGGING AND/OR FENCING PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE.

(28) ALL TREE PROTECTION DEVICES MUST BE INSTALLED AND INSPECTED PRIOR TO ANY CLEARING, GRUBBING OR GRADING.

(29) THE DENSITY REQUIREMENTS SHOWN ON THE TREE PRESERVATION / REPLACEMENT PLAN(S) MUST BE VERIFIED PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY OR ACCEPTANCE OF THE PROJECT.

(30) REPLACEMENT TREES MUST BE FREE FROM INJURY, PESTS, DISEASE, NUTRITIONAL DISORDERS OR ROOT DEFECTS, AND MUST BE OF GOOD VIGOR IN ORDER TO ASSURE A REASONABLE EXPECTATION OF SURVIVABILITY.

(31) PLANT MATERIAL QUALITY SHALL MEET THE AMERICAN STANDARD FOR NURSERY STOCK.

(32) The tree preservation/replacement plan shall be shown on a copy of a preliminary plat, concept plan or site plan, with the exception of a permit to conduct tree thinning, as appropriate to the proposed development, drawn to the same scale as the other plan documents prepared for a land disturbance permit application on the property, and shall cover the same area. The plan may be combined with a required buffer and landscape plan for the project.

(33) Clearing, grading, grubbing and development activities shall conform in all respects with the approved tree preservation and/or replacement plan. Any revisions to the proposed development of a property, and any changes reflected in a subsequently submitted permit application, shall be shown on a revised tree preservation and/or replacement plan and shall be approved as a part of the new or revised permit prior to the commencement of such changed activities.

Secs. 16.43.292 – 16.43 – 299. Reserved

DIVISION 6. COMPLIANCE

Sec. 16.43.300. Artificial materials prohibited.

Artificial plants, trees or shrubs shall be prohibited from fulfilling the requirements of this article.

Section 16.43.301. Performance surety.

(a) Compliance prior to certificate of occupancy of final plat approval. In the event that new trees proposed to be planted to achieve the tree density standard as set forth in the tree regulations contained herein or other trees or landscape material required to be planted as set forth in the regulations or landscape regulations contained herein, are not installed upon application for a certificate of occupancy or final plat approval as appropriate to the project, then a performance bond or other acceptable surety in an amount equal to 110 percent of the value of new trees or landscape material and their installation shall be posted with the city. The surety shall:

(1) Be drawn in favor of the city.

(2) Be in a form satisfactory to the city attorney.

(3) Specify the time for the completion of the landscaping. If conditions are not suitable for planting trees at the time of final plat or certificate of occupancy, then the builder/developer shall specify a time when the weather will be suitable, as agreed upon by the Community Development Director.

(b) *Compliance upon permit completion or expiration.* Properties where a permit is issued to conduct land disturbing activities that do not require the issuance of a certificate of occupancy or the approval of a final plat, or said activities as authorized are completed or the permit expires, shall comply with the tree density standard of this article as follows:

(1) *Clearing, clearing and grubbing, grading only permits.* Replacement trees proposed to be planted to achieve the tree density standard of this article which are not planted upon completion or prior to expiration of a clearing, clearing and grubbing, or grading permit, shall be planted within 30 days of the completion or expiration of said permit unless a performance bond is posted with the city.

(2) *Development permits.* Replacement trees proposed to be planted to achieve the tree density standard of this article which are not planted upon expiration of a development permit, shall be planted within 30 days of expiration of said permit unless a performance bond is posted with the city.

Sec. 16.43.302. Continuing maintenance.

(a) The owner, occupant, tenant, and respective agent of each, if any, shall be jointly and severally responsible for the perpetual maintenance and protection of buffers and landscape plantings required by this article.

(b) The city is hereby authorized to order, diseased, infested, dying, dead or damaged landscaping required herein to be replaced.

(c) Buffers that, over a period of time, lose their screening ability shall be replanted to meet the requirements of this article.

(d) Replacement trees and landscaping shall be in accordance with the applicable provisions of this article.

Secs. 16.43.303 – 16.43.347. Reserved.

DIVISION 7. ENFORCEMENT, VIOLATION, PENALTIES AND APPEALS.

Sec. 16.43.348. Enforcement.

(a) It shall be the responsibility of the Community Development Director to enforce this article. The Community Development Director shall have the authority to revoke, suspend, or void any clearing, clearing and grubbing, grading, development, or building permit or to withhold issuance of a certificate of occupancy, and shall have the authority to suspend all work on a site or any portion thereof, where tree removal or damage occurs in violation of this article or the provisions of the approved tree preservation and/or replacement plan for the site.

(b) Nothing in this article shall be deemed to impose any liability upon the city, or upon any of its officers or employees, nor to relieve the owner or occupant of any private property from the duty to keep trees and shrubs upon private property, or under his control, in a safe condition.

(c) Nothing in this article is meant to restrict or limit the emergency powers of the governing authority or property owners in the event of emergency or natural disaster where life or property may be threatened.

Sec. 16.43.349. Violation and penalty.

Any person charged with a violation of any provision of this article may, upon conviction in the Municipal Court of the City of Auburn, be punished by a fine not to exceed \$1,000.00 or imprisonment not to exceed 30 days or both. Each day a violation occurs

shall be considered a separate and distinct violation. Each tree removed or killed in violation of this article shall be considered a separate offense. The court shall have the power and authority to suspend or modify any fine or sentence, and as a condition of said suspension, the court may require payment or restitution or impose other punishment allowable by law which may include mandatory attendance at an educational program regarding tree preservation. The owner of any property where any violation exists, and any builder, contractor or agent who may have assisted in the commission of such violation, may be charged with a separate offense.

Sec. 16.43.350. Appeals and waivers.

(a) *Variance from the zoning ordinance.* The preservation of trees may be considered as a condition peculiar to a piece of property in support of a request for a variance from the literal application of the provisions of the zoning ordinance, under the procedures and requirements contained therein.

(b) *Appeals.* Appeals of the interpretation of the requirements of this article by the Community Development Director shall be filed and processed in accordance with the Zoning Board of Appeals appeal procedures set forth in the City Zoning Ordinance.

Sec. 16.43.351 – 16.43.900. Reserved.

Conflict

- All ordinances or parts of ordinances which conflict with this ordinance and the applicable code are hereby repealed.

Effective Date

- This ordinance and the authority granted by and through it shall become effective immediately upon its adoption by the Mayor and Council of the City of Auburn, Georgia.

Severability

- If any portion of this ordinance is determined to be unconstitutional or invalid, the rest and remainder of the ordinance shall remain in full force and effect, as if enacted without the portion declared unconstitutional or invalid.

SO ORDAINED this ____ day of _____, 2024.

Mayor Richard E. Roquemore

Robert L Vogel, III Council Member

Taylor J. Sisk, Council Member

Jamie L. Bradley, Council Member

Joshua Rowan, Council Member

Attest:

Michael Parks, Acting City Clerk

DRAFT



MAYOR
Rick E. Roquemore

CITY ADMINISTRATOR
Michael E. Parks

CITY COUNCIL
Robert L. Vogel III
Taylor J. Sisk
Jamie L. Bradley
Joshua Rowan

AGENDA ITEM: 2

TO: Mayor and Council

FROM: Sarah McQuade
City Planner

DATE: June 20, 2024

PURPOSE: Proposed adoption of the Updated Official Zoning Map for the City of Auburn

BACKGROUND: The purpose of this request is to record an updated Official Zoning Map for the City. The City last adopted an Official Zoning Map in 2021. In most cases, the update should be done on an annual basis to capture any annexations or rezonings approved during the previous 12 months.

In conjunction with this request an updated Future Land Use map was provided to add recently annexed parcels to the city limits.

PLANNING & ZONING COMMISSION RECOMMENDATION:
Recommendation to approve the Updated Future Land Use and Official Zoning Map, as presented.

FUNDING:
N/A

Future Land Use (2023)

- Agricultural
- Parks /Recreation/Conservation
- Public/Institutional
- Neighborhood Commercial
- General Commercial
- Corridor Commercial
- Mixed Use
- Single-Family Residential
- Multi-Family Residential
- Heavy Industrial
- Light Industrial



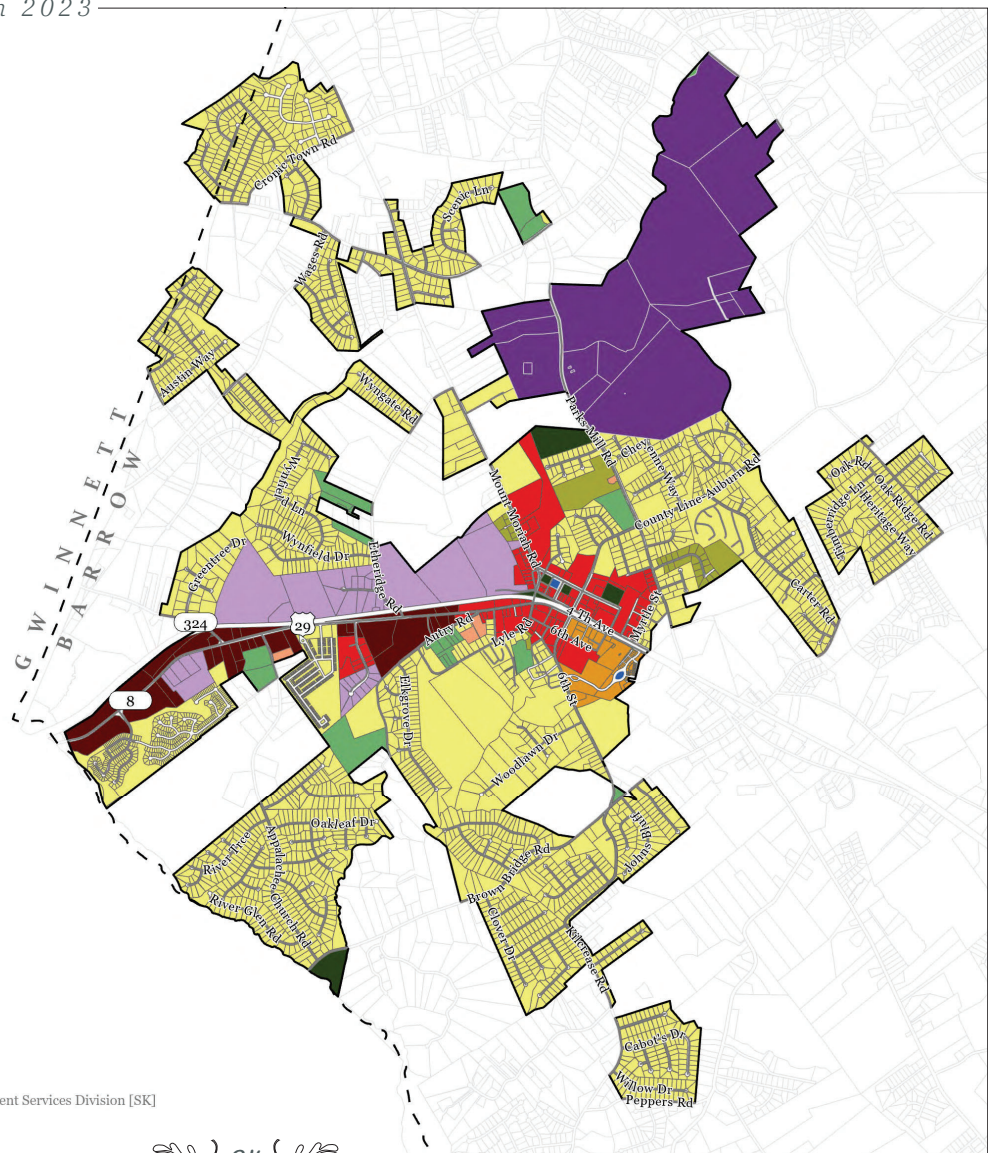
0 1/2 1 Miles

NEGRC

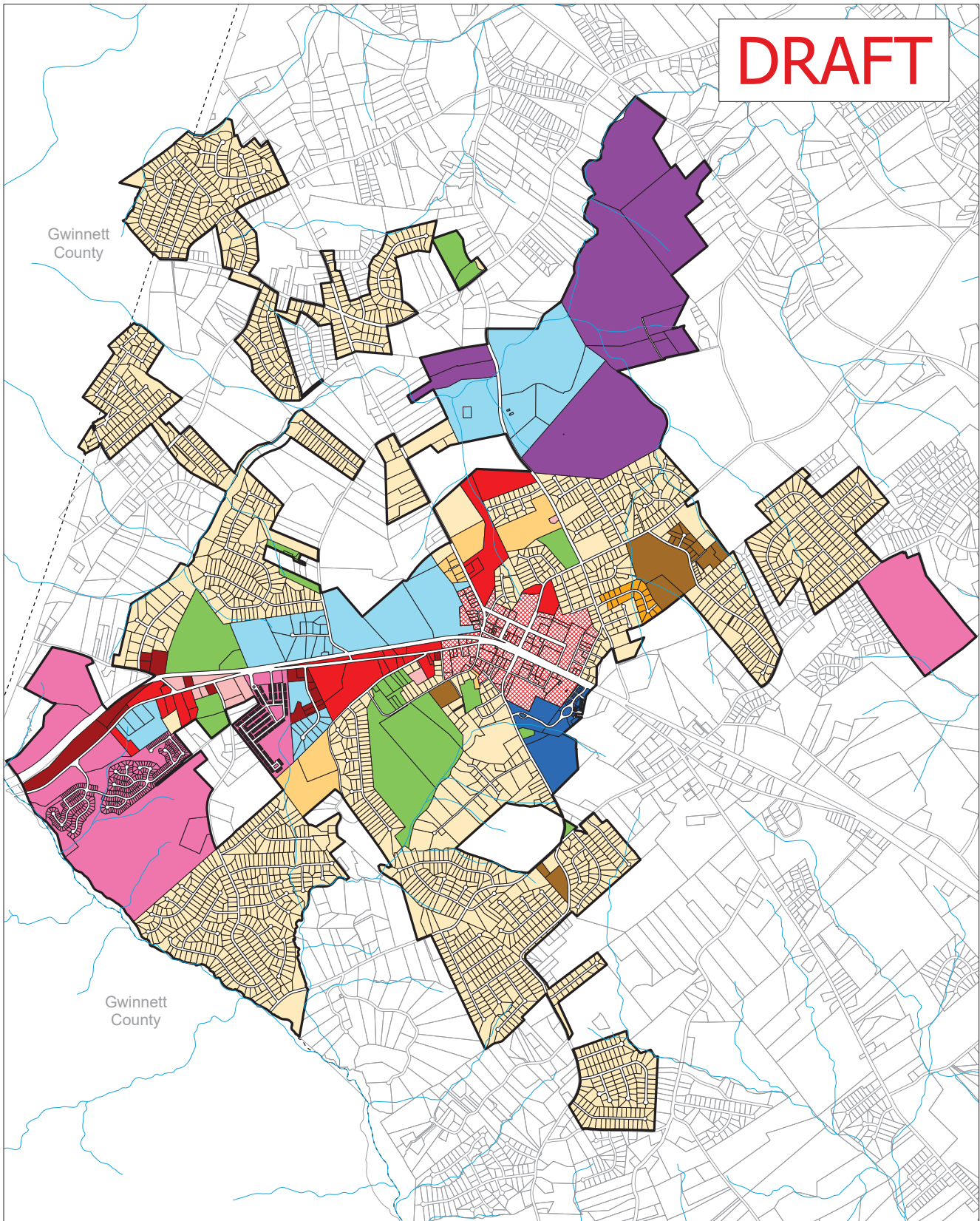
The information has been provided from general sources and is to be used only as a guide. The NEGRC assumes no liability for its accuracy or for any decisions the user may make based on this document.

Geographic Information Systems

8/3/2023
Planning & Government Services Division [SK]



DRAFT



LEGEND

- County Line
- 2024 Parcels
- City Limits
- Rivers and Streams

Zoning Districts

- | | | |
|-------|-----|------|
| AG | PSV | M1 |
| R-100 | CCD | M2 |
| RM8 | C1 | ADOD |
| RMD | C2 | |
| MH | C3 | |



Certified as the Official Zoning Map for the City of Auburn

Rick Roquemore, Mayor

Date of Adoption



Map Last Updated: 4/23/2024

The City of Auburn assumes no responsibility for the legal accuracy of the information contained herein. All data is for informational purposes only.



MAYOR
Rick E. Roquemore

CITY ADMINISTRATOR
Michael E. Parks

CITY COUNCIL
Robert L. Vogel III
Taylor J. Sisk
Jamie L. Bradley
Joshua Rowan

AGENDA ITEM: 3

TO: Mayor and Council

FROM: Sarah McQuade
City Planner

DATE: June 27, 2024

PURPOSE: Proposed amendment to the City's Zoning Ordinance, Section 17.90.1010 and 17.90.020 regarding keeping chickens on residential properties in the City

BACKGROUND: The proposed ordinance will permit the keeping of chickens on residential properties in the City, subject to certain standards.

PLANNING & ZONING COMMISSION RECOMMENDATION:
Recommendation to approve the amended ordinance, as presented.

Commissioner Yoe voted against the recommendation of approval, stating that he felt the proposed setback distances were not significant enough to provide protection from a potential nuisance to an adjacent property owner.

FUNDING:
N/A

ORDINANCE NO.

AN ORDINANCE
TO AMEND THE ZONING ORDINANCE OF
CITY OF AUBURN, GEORGIA

WHEREAS, the City has adopted a comprehensive Zoning Ordinance; and

WHEREAS, citizens and the City's Code Enforcement staff have requested certain changes to permit the limited keeping of poultry on residentially zoned property; and

WHEREAS, it is the best interest of the health, safety and welfare of the citizens of Auburn to amend the City Code to provide reasonable regulations to govern the safe keeping of poultry on residential property and to balance the interests of property owners and citizens of the City; and

NOW, THEREFORE, THE COUNCIL OF THE CITY OF AUBURN HEREBY ORDAINS that the City Code of Ordinances be amended as follows:

SECTION 1

The following language is added at the end of Section 17.90.010(B)(13):

The raising and keeping of chickens for personal pleasure or utility on a parcel which contains the dwelling of the owner is permitted, provided that the parcel is at least three (3) acres in area and all animal quarters are located no closer than 100 feet to any property line.

SECTION 2

The existing Section Sec. 17.90.020(B)(9) is deleted, and the following are adopted and substituted in their place:

Sec. 17.90.020(B)(9)

The keeping of chickens for personal pleasure or utility on a parcel which contains the dwelling of the owner is permitted, subject to the following requirements:

- a. The minimum lot size for the keeping of chickens shall be ten thousand five hundred (10,500) square feet (1/4 acre).
- b. Chickens must be kept securely in an enclosed yard or 6-sided pen at all times.

- c. Chickens must be housed at least twenty (20) feet from any property line, and fifty (50) feet from any residence other than the owner's residence.
- d. Any structure housing chickens must be located in the rear yard.
- e. The keeping of roosters is not allowed.
- f. The maximum number of chickens shall be as follows: Lots 10,500 square feet (1/4 acre) to 12,499 (.28 acre) square feet: maximum of 3 chickens; lots 12,500 square feet to 21,780 (.5 acre) square feet: maximum of 5 chickens; lots 25,000 (.57 acre) square feet to 39,999 (.91 acre) square feet: maximum of 10 chickens; lots of 40,000 (.91 acre) square feet to 2.99 acres: maximum of 14 chickens; lots 3 acres or larger: no maximum.
- g. Each coop shall have at least four (4) square feet of floor space per chicken over four (4) months old.
- h. Chickens are only permitted as pets or for egg laying production; chickens cannot be kept for slaughter.
- i. Chickens must be kept under sanitary conditions and shall not be a public nuisance as defined by State law.
- j. Penalties for violation of this subsection shall be a fine upon conviction not to exceed \$1,000.00 per occurrence. Each day that such a violation of this subsection exists may constitute a separate offense. Citations for violations shall be heard and decided in the City of Auburn Municipal Court.

Sec. 17.90.020(B)(10)

No chickens may be kept on any property in the Downtown Overlay District or the City Center District.

SECTION 3

The City Administrator and City Clerk are further authorized to correct typographical errors in the text of the existing Zoning Resolution and to produce and publish a final codified version of the Zoning Resolution with the amendments and revisions outlined herein.

SECTION 4

In the event any Court of competent jurisdiction determines that any portion of the foregoing amendment is invalid, unconstitutional, or otherwise illegal, such rulings shall not impair the validity of the rest and remainder of this amendment.

SECTION 5

All laws and parts of laws in conflict with this Ordinance are hereby repealed.

SECTION 6

This Ordinance and the amendments outlined herein shall be effective immediately upon their adoption by the Mayor and City Council.

SO ORDAINED this ____ day of _____, 2024.

Rick Roquemore, Mayor

Joshua Rowan, Council Member

Robert L. Vogel, III Council Member

Taylor J. Sisk, Council Member

Jamie L. Bradley, Council Member

ATTEST:

Michael Parks, City Clerk



City of Auburn Police Department



A Community Oriented Law Enforcement Agency

Chris Hodge
Chief of Police

1361 Fourth Avenue Auburn, Georgia 30011
Telephone 770-513-8657 Fax 770-682-4428

Rick Roquemore
Mayor

Agenda Item No. 4

To: Mayor and Council
From: Chief Chris Hodge
Date: June 27th, 2024

Purpose

A request to accept a donation of asphalt millings from the Auburn Police Foundation

Background

A request is being made by the Police Department to accept a donation of asphalt millings from the Auburn Police Foundation to complete our firing range. The millings were going to be purchased but were later donated to the foundation by Sunbelt Asphalt. This donation will save the City \$8,600.00 and complete our new range project.

Funding

No funding necessary

Recommendation

Approve accepting the donation of asphalt millings from the Auburn Police Foundation

Attachments

1. Photos of the firing range with asphalt millings



City of Auburn Police Department



A Community Oriented Law Enforcement Agency

Chris Hodge
Chief of Police

1361 Fourth Avenue Auburn, Georgia 30011
Telephone 770-513-8657 Fax 770-682-4428

Rick Roquemore
Mayor

Agenda Item No. 5

To: Mayor and Council
From: Chief Chris Hodge
Date: June 27th, 2024

Purpose

A request to name the new firing range after City employees' Joe Moravec and Sgt. Marc Pharr

Background

A request is being made by the Police Department to name the new Auburn Police Firing Range after the two City employees who built the range. Public Works employee Joe Moravec and Public Information Officer Sgt. Marc Pharr designed and constructed the new range with only a budget of \$12,500.00. Absent their work, it is estimated that the final cost of the range would have been between \$75,000.00 and \$100,000.00. Their efforts not only guaranteed the Police Department had a quality range to practice on but also accounted for a substantial cost savings to the City.

Funding

No funding necessary

Recommendation

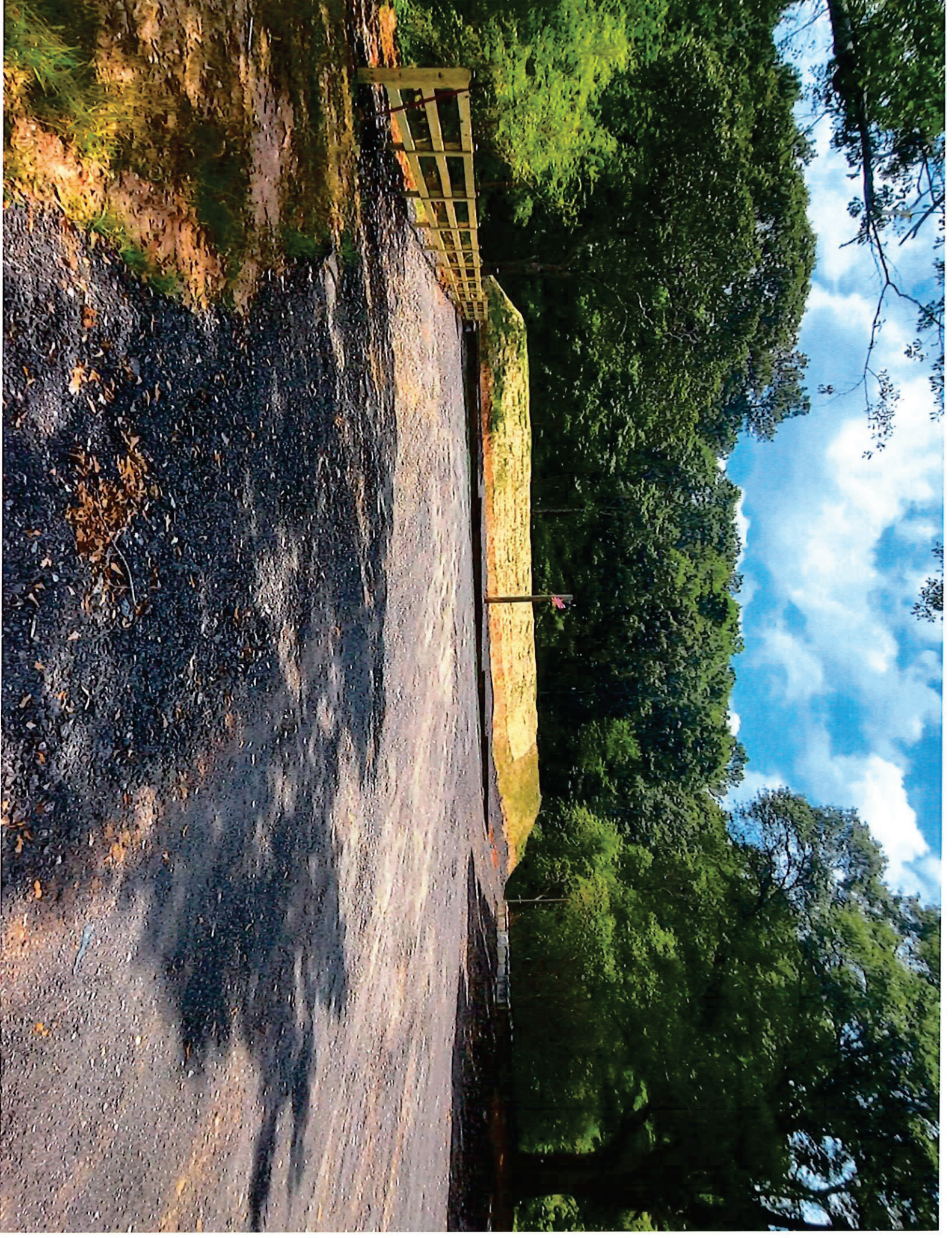
Approve naming the new firing range, "The Moravec-Pharr Firing Range."

Attachments

1. Photos of the completed firing range









MAYOR
Rick E. Roquemore

CITY ADMINISTRATOR
Michael E. Parks

CITY COUNCIL
Robert L. Vogel III
Taylor J. Sisk
Jamie L. Bradley
Joshua Rowan

AGENDA ITEM: 6

TO: Mayor and Council

FROM: Michael Parks
City Administrator

DATE: June 27, 2024

PURPOSE: To amend the current PRC contract with a new tenant.

BACKGROUND: There has been a change of ownership of the business that we currently have an agreement with at the PRC. It is necessary for us to update the current lease agreement to reflect the new business owner's details.

RECOMMENDATION: To approve updating the lease agreement with the new business owner as presented by staff.

FUNDING:
N/A



MAYOR
Rick E. Roquemore

CITY ADMINISTRATOR
Michael E. Parks

CITY COUNCIL
Robert L. Vogel III
Taylor J. Sisk
Jamie L. Bradley
Joshua Rowan

AGENDA ITEM: 7

TO: Mayor and Council

FROM: Michael Parks
City Administrator

DATE: June 27, 2024

PURPOSE: To consider closing 4th Avenue on October 4, 2025, from 8:00am-8:30pm for a fellowship event in the City of Auburn.

BACKGROUND: We have been approached by a group in the community that would like to host a community fellowship event in downtown Auburn. This is a great opportunity for us to bring groups to our city and enjoy a day of fellowship.

RECOMMENDATION: To allow the road closure on 4th Avenue on October 4, 2025.

FUNDING:
N/A