



Natural Resource Conservation: Establishing a Tree and Landscape Ordinance

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A Tree and Landscape Ordinance can help reduce environmental degradation associated with development in a community. The Tree and Landscape Ordinance helps protect the quality of air and water and the aesthetics of a community. Every community needs a Tree and Landscape Ordinance. Tree and Landscape Ordinances are not just for large cities experiencing environmental problems. Small cities and communities at the early stages of growth also need to implement an ordinance.

A properly designed ordinance implemented at an early stage of growth can help a community avoid many of the environmental ills suffered by larger cities. Also at the early stages of growth, the natural resources allow for more reasonable provisions. Difficult situations arise when significant natural resource depletion has occurred prior to initiating an ordinance. Cities at a more advanced stage of growth usually require more stringent measures.

Tree and Landscape Ordinances are not just for cities. It is very important for counties, especially those next to expanding cities, to have a Tree and Landscape Ordinance. A county ordinance can help avoid much of the environmental degradation associated with development. It may be appropriate for the city and adjacent county to have separate ordinances. The city, with high density development, and the county, with rural areas, may need different provisions and emphasis.

Tree and Landscape Ordinances have been developed for a variety of communities. This paper lays out a road map for citizens interested in (a) developing an initial ordinance in their community or (b) increasing community support for a stronger ordinance. While there is no singular approach to ordinance development, the following steps have proven effective in development of an ordinance: (a) survey the

current situation in the community, (b) identify groups interested in community development and aesthetics, (c) become involved with the Tree Board, (d) work with Civic Groups, (e) establish dialogue with commercial developers, (f) contact city/county officials, (g) draft a Tree and Landscape Ordinance, (h) develop community consensus, and (i) establish a mechanism for enforcement of the tree and landscape ordinance.

SURVEY THE CURRENT SITUATION. Analyze previous ordinance-related activities and community reaction, prior to starting a new ordinance or revising an existing ordinance. This includes:

- **Determine** if a Tree and Landscape ordinance exists for the city/county. If so, obtain a copy and become familiar with details of the ordinance.
- **Obtain a copy** of the Tree and Landscape Ordinance for neighboring communities and/or communities that are of similar size and geographical location. This information provides a basis for starting a new ordinance and new ideas for incorporation into existing ordinances. A review of the existing ordinance, with that of similar communities, may provide the impetus to enhance a community ordinance.
- **Determine areas** of community satisfaction and dissatisfaction with the current ordinance. Evaluate enforcement procedures for the current ordinance and assess successes, failures, and limitations of enforcement.
- **If the community** does not have an ordinance, survey recent commercial developments and assess the quality of natural resource conservation. For instance,

developers may clear-cut property prior to building versus selective removal of trees. For large commercial developments, such as shopping centers, determine if developers are installing tree islands in the parking lot.

- **Compare development** in your community to the provisions in existing ordinances. Visit other communities, with the quality of development desired by your community, and document specific aspects.
- **Determine community interest** and sentiment regarding a new ordinance.

IDENTIFY GROUPS INTERESTED IN A TREE AND LANDSCAPE ORDINANCE. An important initial step to implement an ordinance is development of a working relationship with civic groups of similar interests. While the available civic groups may vary within each community, they generally include:

- **Tree Board or Tree Commission.** Volunteer citizen advisory boards established by the city council or county commissioners to advise the governing body on issues related to tree preservation, tree removal, and landscape standards. This group usually leads development of a Tree and Landscape Ordinance.
- **Garden Clubs.** Communities usually have one or more garden clubs that are part of the Garden Clubs of Georgia. The individual clubs, where multiple clubs exist, are usually affiliated at the community level. Garden clubs represent a diverse section of the local community and their interests include community beautification and preservation of natural resources. The influence of Garden Clubs in the community and their interest in beautification make them important partners in passage of a Tree and Landscape Ordinance.
- **Local Chapter of Keep America Beautiful.** The chapter may be named after the combination of your city and county name. For instance the chapter in Lowndes County, Georgia, is Keep Lowndes/ Valdosta Beautiful. The organization usually has several volunteer board members from a cross section of the community and may have a paid Executive Director. The organization mission includes support of projects that enhance the community appearance and aesthetic beauty. A Tree

and Landscape Ordinance is closely aligned with the mission.

- **Heritage or Preservation Society.** An organization associated with community-wide preservation issues, or preservation of a specific area of the community. Their interests usually range from preservation of buildings to trees and other elements of the community. The organization can be particularly active in specific geographic areas of the community.
- **Woman's Club.** The organization addresses numerous projects in the community including beautification. The organization is usually named after the community. These clubs can be very active and influential.
- **Neighborhood Associations.** Neighborhood associations are formed around individual subdivisions (often with a formal governing board) or sections of the community. The associations usually share a common interest in maintaining or improving an area of the community. They are sometimes referred to as Neighborhood Improvement Associations. The focus includes maintaining and improving the appearance of their neighborhood or the entire community.

JOIN THE TREE BOARD OR TREE COMMISSION. In most communities, the Tree Board/Commission is the mechanism for citizens to develop a Tree and Landscape Ordinance. Contact the chairperson or a member of the tree board/commission regarding the opportunity to join the group. If there are no vacancies, usually the opportunity exists to attend meetings since these are public boards. Attendance at meetings allows a dialogue regarding the status and needs of the Tree and Landscape Ordinance. Ideally citizens interested in ordinance development would be a member of the Tree Board/Commission, and the board would get community leaders (such as the city manager or a county commissioner) to request development of the ordinance.

CONTACT CIVIC GROUPS. Communities usually have a Planning and Zoning Commission that deals with zoning and other issues related to community growth. Ordinances are reviewed by this group, their recommendation is forwarded to the city council or county commissioners. Dialogue with members of the Planning Com-

mission can facilitate implementation of a Tree and Landscape Ordinance. Presentations at the local Rotary Club, Kiwanis Club, and other civic organizations can public awareness of the need for a Tree and Landscape Ordinance. A review of environmental degradation associated with development would a good starting point to generate discussion. A follow-up presentation could address specifics of the proposed ordinance.

ESTABLISH DIALOG WITH COMMERCIAL DEVELOPERS. Implementation (passage by the local government) of a Tree and Landscape Ordinance usually requires input and support of the commercial developers. The timing and nature of the contact with these groups will vary by community. However early dialogue is most beneficial. The two organizations are usually the Homebuilders Association and the General Contractors Association. General Contractors are involved in commercial development such as office buildings, shopping centers, and office parks. Home Builders usually focus on residential construction, apartments, and condominiums.

Home Builders and General Contractors are usually active in local government, since local government has a significant impact on their business. Both of these associations may have a long standing relationship with local government officials. In some communities, undue influence with local officials can make passage of Tree and Landscape Ordinances difficult without their support. However, most of the local contractors and homebuilders live in the community where the business is located and are interested in quality development.

CONTACT CITY AND COUNTY OFFICIALS. Identify the city and county officials in your community. Passage of an ordinance would be enhanced if the appropriate city and county officials were involved in the process. A more desirable situation would be for the city/county officials to request development or revision of the ordinance. City officials to contact include the city councilmen, city manager and mayor. County officials include county commissioners and county commission chairman.

The regional planner is a position to help develop a Tree and Landscape Ordinance. The regional planner works with the Planning and Zoning Commission and can help with the review and approval process.

The city or county arborist is another important resource person. If the position exists, the person would likely be involved in enforcement of the current ordinance. If your community does not have a city arborist, city and/or county officials should be encouraged to include this position in future budgets.

DRAFT A TREE AND LANDSCAPE ORDINANCE.

Drafting of the ordinance should include (1) input from interested environmental and civic groups, (2) review of the current community ordinance, (3) an initial list of needs for the community, (4) a review of ordinances for comparable cities/counties, (5) summarize key elements of other ordinances for comparison to the proposed ordinance, (6) develop an initial draft of the ordinance, and (7) willingness to make numerous revisions and to seek input from involved citizens and groups.

The input from civic groups is usually general in nature. The challenge is to develop specific guidelines to address community values. For instance, the community may feel that too many trees are being removed. Addressing tree removal would require sections that deal with removal of trees and the planting of new trees.

If an ordinance is in place, review the successes, failures, loopholes, and difficulties with enforcement. A review of ordinances for comparable communities can help establish a precedence for specific items. The review and documentation of other ordinances is particularly important for the dialogue with community groups, commercial contractors, and local government officials. Be prepared to explain why things should be different in your community.

DEVELOP COMMUNITY CONSENSUS. Once you prepare a draft of the ordinance, initiate the process of review and consensus building. Identify all possible groups to be contacted and develop a sequence for review. The groups targeted for input may include (1) city and/or regional planners, (2) civic groups and other business-related groups, (3) formal work sessions with general contractors and home builders, (4) discussions with the city manager and county manager to identify potential issues, and (5) local government officials. The early involvement of local planners can be very helpful since they usually have experience from other communities, and are familiar with areas

such as zoning and ordinance development. Consensus building is an important stage of development and passage of a Tree and Landscape Ordinance.

The discussions associated with consensus building increase understanding and community awareness regarding natural resource preservation standards. The understanding and support is important for public hearings during the approval process. Also the greater the understanding on the part of the commercial developers and others that work with the ordinance, the more likely the ordinance will be adhered to and enforced. Everyone involved will probably not agree with all aspects of the final ordinance. However contacting all interested groups, soliciting input, and where possible, achieving compromise, will facilitate passage and compliance.

ESTABLISH MECHANISM FOR ENFORCEMENT. A Tree and Landscape Ordinance is not complete unless a mechanism has been established for monitoring and enforcement. Monitoring is necessary to maximize compliance with the ordinance. The process of building community consensus will facilitate compliance.

Communities should staff a city arborist or landscape inspector position to enforce the ordinance. The staffer should review all plans for development to ensure that the ordinance is accurately reflected in the building and landscape plans. At least one additional inspection prior to issuing an Occupancy Permit should ensure the approved plan was followed. The arborist/inspector could report on compliance to the Tree Commission during their monthly meetings, providing citizen oversight regarding implementation of the Tree and Landscape Ordinance.



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