

A RESOLUTION

**A RESOLUTION BY THE GOVERNING AUTHORITY OF DEKALB COUNTY,
GEORGIA, TO ADOPT A NO NET LOSS OF TREES POLICY, AND FOR
OTHER PURPOSES.**

WHEREAS, the purpose of this policy is to ensure that there will be no net loss of healthy trees on DeKalb County owned property. Trees provide an abundance of ecosystem services that are vital to human and environmental health. Trees aid in reducing flooding and erosion, filtering runoff, and protecting the watersheds that provide clean drinking water, recreational activities, and wildlife habitats; and

WHEREAS, healthy trees are particularly important in regulating our local climate, absorbing carbon dioxide and aiding in cleaning our air and reducing pollution. Trees reduce the urban heat island effect caused by pavement, buildings, and other impervious surfaces. Trees provide shade and cooling, which lessens energy demands and pollution. Shade can reduce the surface temperature by 20 to 45 degrees Fahrenheit compared to unshaded areas; and

WHEREAS, trees provide social and health benefits by enhancing the beauty of communities and areas, creating a sense of place, providing privacy, and reducing illness recovery time. Properly placed trees can increase property values and add to the aesthetic vistas within DeKalb County. Trees face many hazards and hardships including insects, disease, construction, drought, and air pollution. Protecting the trees along our roads and in our parks is in the best interest of the County and its citizenry;

WHEREAS, this policy seeks to establish standards of no net loss of trees on county-owned property. Furthermore, this policy reinforces the County's commitment to environmental, economic, and social stewardship. By incorporating environmental considerations into public use of resources, DeKalb County will positively impact human health and the environment, reduce costs and improve the environmental quality of the region; and

NOW, THEREFORE, BE IT RESOLVED, by DeKalb County's Governing Authority as follows:

Definitions

For the purposes of this resolution, certain terms and words are hereby defined. Where words are not herein defined but are defined elsewhere in the Code, those words shall have the meaning as defined therein. The following words, terms and phrases, when used in this chapter, shall have the meaning ascribed to them in this resolution, except where the context clearly indicates a different meaning:

Agent means an official contracted or subcontracted person who is authorized to work on behalf of DeKalb County.

County arborist specializes in the proper care of individual trees on behalf of DeKalb County. The County Arborist holds responsibility of overseeing the No Net Loss of Trees Policy, as well as the primary contact for County departments and has primary responsibility of administration and enforcement of the tree protection ordinance.

Detention ponds are basins that receive and hold runoff for release at a predetermined rate, thereby reducing the peak runoff delivered to storm sewers and streams.

Disease means any fungal, bacterial, or viral infection that will result in the death of the tree, as determined by the County Arborist. Disease also means any fungal, bacterial or viral infection that has progressed to where treatment will not prevent the death of the tree, as determined by the County Arborist. For the County to deem that a tree has a disease, the person requesting such determination must present a lab report identifying and presenting the etiology (the cause and origin) of the fungal, bacterial or viral infection.

Hazard tree means a tree with uncorrectable defects severe enough to pose present danger to person or property under normal conditions, as determined by the County Arborist.

Landscape plan means a plan that identifies areas of tree preservation and methods of tree protection within the protected zone, as well as all areas or replanting. Within replanting areas, the common and botanical names of the proposed species, the number of plants of each species, the size of all plants, the proposed location of all plants, and any unique features of the plant shall be indicated.

Official means any elected or appointed person who holds office or serves in a position of public capacity.

ReLeaf DeKalb program is an effort to beautify in DeKalb County, and increase our tree canopy. It is the goal of the program to plant trees in commercial redevelopment corridors, industrial areas, transportation islands, potential pocket parks, gateways, and residential areas of the County.

Revegetation means the compensatory replacement of trees and other landscape plant materials into the minimum required landscape areas, as determined by the No Net Loss of Trees Policy, and the DeKalb County Tree Ordinance.

Riparian corridors is a unique plant community consisting of the vegetation growing near a river, stream, lake, lagoon or other natural body of water.

Root save area (Critical Root Zone) means the area surrounding a tree that is essential to that tree's health and survival. For a free-standing tree with no apparent root restrictions, the root save area shall consist of a circle having a radius of one foot for each one inch of diameter at breast height of the tree. Adjustments to the root save area may be made by the County Arborist if justified by specific documented site conditions.

Tree Protection Ordinance is the county's codified policy for the preservation and/or the replacement of trees for the betterment of DeKalb County's citizens. The ordinance sets guidelines which covers both residential, commercial, and county-owned properties. See section 14-39 of the Code of DeKalb County, Georgia.

Scope

The terms and provisions of this policy shall apply to all property owned by DeKalb County and subject to County regulations and policies.

1. This policy is intended as a general guide for healthy trees removed from county-owned property due to construction activity.
2. Healthy trees are to be replaced when lost or removed due to construction activity on county-owned property, including, where feasible, those trees associated with permanent county utility easement clearing and construction, or the expansion and operation of county landfills. The number of trees and species shall be determined using a "tree survey" as defined in Code section 14-39(e)(1)(b).
3. When not feasible to replant on a site where trees were removed, trees should be replaced in areas such as targeted revitalization corridors, stream banks and riparian corridors, if recommended by the County Arborist.
4. The County Arborist shall make determinations on appropriate tree species under the approved species list from the ReLeaf DeKalb Program and Code section 14-39 (Tree Protection).
5. Trees should be replaced during the time of year that provides the best chance of survival and viability of the tree, as recommended by the County Arborist.

Exceptions

1. Trees that may be removed immediately by the County or the County's Agent and re-vegetation shall follow based on the County Arborist's suggestions as to appropriate tree species and appropriate location for replacement trees include:
 - a. Trees that pose a threat and/or hazard to the health, safety, and welfare of persons, DeKalb County employees, and/or the general population and property.
 - b. Trees that negatively impact the orderly operation of motor vehicle, bicycle, and pedestrian traffic through County-owned property.
2. Trees that may be removed immediately by the County or the County's Agent and re-vegetation may follow based on the County Arborist's suggestions as to appropriate tree species and appropriate location for replacement trees include those trees associated with permanent county utility easement clearing and construction, or the expansion and operation of county landfills.

3. This policy is not intended to require replacement of trees on county-owned property lost to inclement weather events such as storms, snow, ice, and wind damage and other acts of God.
4. During a period of any emergency, such as a tornado, ice storm, flood, or any other act of nature, the requirements of this policy may be waived or modified as determined by the County Arborist, Planning & Sustainability Director, or Public Works Director.
5. If a tree is diseased, insect-infected, or another hazardous condition as determined by a certified arborist; such tree may be removed after consultation with the County Arborist. Re-vegetation may then follow, based on the County Arborist's suggestions as to an appropriate tree species, size, and season for installation and appropriate location for replacement trees.

Responsibility

As the steward of DeKalb County's sustainability program, the County Arborist shall have the following duties and powers regarding the No Net Loss of Trees Policy. DeKalb County Arborist, alongside the Planning & Sustainability Department and Public Works Department, has primary enforcement responsibilities for this policy and is charged with the responsibility for approval of all tree removal and tree replacement plans for county-owned property in DeKalb County required pursuant to this policy.

1. Work with the Planning & Sustainability Department and Public Works Department Directors to make certain that County and contracted employees are aware and educated about the No Net Loss of Trees Policy.
2. Communicate with the Planning & Sustainability Department and Public Works Department Directors when a tree could possibly be removed or damaged due to performing essential work duties and projects.
3. Reviewing all and any plans for tree removal and/or tree replacement on county-owned property pursuant to this policy.
4. Monitoring and ensuring the success of the No Net Loss of Trees Policy, and when appropriate, working with the Planning & Sustainability Department and Public Works Department Directors to assess technical feasibility and/or cost effectiveness.

All DeKalb County Departments and Divisions thereunder are responsible to self-report to the County Arborist to monitor and ensure the success of the No Net Loss of Trees Policy. These departments include, but are not limited to: Sanitation, Parks & Recreation, Facilities Management, Roads & Drainage, Community Development, Watershed Management, and Public Works.

ADOPTED by the DeKalb County Board of Commissioners, this ___ day of _____, 2021.

STEPHEN R. BRADSHAW
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this ____ day of _____, 2021.

MICHAEL L. THURMOND
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

BARBARA H. SANDERS-NORWOOD, CCC
Clerk to the Board of Commissioners and
Chief Executive Officer
DeKalb County, Georgia

APPROVED AS TO SUBSTANCE:

APPROVED AS TO FORM:

ANDREW BAKER
Director
Planning & Sustainability

VIVIANE H. ERNSTES
County Attorney
DeKalb County, Georgia