

Revamped tree protection ordinance adopted August 9, 2021 and goes into effect Monday, February 7, 2022.

#### Key terms

- DBH – Diameter at Breast Height – how trees are measured
- NC-AITC – Nassau Co. Amelia Island Tree Committee – reviews tree protection plans
- Protected Tree – native canopy tree, 5” DBH or greater
- Specimen Tree – Live Oak 40” + DBH or 60” DBH multi-trunk

The Amelia Island tree protection ordinance was originally implemented in 2013.

#### Key ordinance changes

- Replaces current across-the-board 45% replacement of protected tree DBH on a development site with replacement of 25% replacement of protected tree DBH in construction and disturbance zones, and 100% preservation of protected trees outside those zones.
- Extends tree protection to include all single-family, duplex, and mobile home lots.

#### Exemptions

- State law exempts from local tree protection the removal of any tree that presents a hazard to persons or property, as determined in a letter from a certified arborist to the property owner.
- Other exemptions: removal of fallen or dead trees, diseased trees as determined by certified arborist; trimming around utility lines; and (properly) pruning and trimming trees; removal of brush and trees under 5” DBH to reduce overcrowding and improve tree health; and removing trees for emergency purposes such as storm damage.
- No exemptions for specimen tree removal – requires approval of NC-AITC with the justification that the tree is dead or fallen, or compromised as determined by certified arborist, or keeping the tree would remove all economically viable use of property, or no feasible design alternative exists that would allow for tree retention.

#### Procedures

- Existing single-family, duplex, and mobile home properties will require a permit for the removal of protected trees, which can be granted by Staff.
- All other development requires a permit from the NAITC.
- Certified arborist justification required for the removal of more than three protected trees.
- Tree protection plan will include survey of existing protected trees, protected trees to be removed or retained, calculations indicating the amount of required replacement trees, and locations of replacement trees.

#### Other standards

- Replacement of 25% of protected tree DBH is required. Specimen trees require replacement with a minimum 3” DBH live oak.
- Ordinance will also require the use of stockpiling soils for later use in planting areas, or to use similar native imported soil - if the wrong type of soil is brought in it might have rocks, be acidic, or could have pests or harmful organisms that could harm trees.
- Multiple replacement trees require not more than 40% of one genus or 20% of one species. For example, a project could not include more than 40% of the quercus (oak) genus or 20% of the live oak species.

- Credits given for larger trees: 12"-24 DBH tree gets 115% credit, 24"-38" tree gets 125% credit, 38"+ tree gets 150% credit, and trees that shade public spaces get 115% credit.
- If required replacement trees can't feasibly fit on a site, off-site planting may be allowed or payment into a tree fund.
- Tree fund to finance trees in public places – parks, along roads, etc.
- Tree protection zone (TPZ) is six times the DBH – for example, a 10" DBH tree would require a five-foot protection zone around the trunk – no activities allowed in this zone (parking, material storage, excavation, etc). Mechanical trenching prohibited, only hand trenching and directional boring allowed (to go around roots).
- TPZ to be protected during development by substantive barricades – 2'X4' posts with horizontal or mesh fence. Pruning should follow ANSI A300 standards: <https://treecaretips.org/pruning-methods/pruning/>
- Tree abuse – no hatracking, topping, or over-pruning allowed.
- Staff & NC-AITC can flexibly enforce building setbacks and height to save protected trees.
- Appeals of NC-AITC go to the Planning and Zoning Board for interpretation and to the Code Enforcement Board for violations.
- Ordinance envisions a future strategic unincorporated island-wide tree inventory and tree planting/reforestation plan.