

## Unincorporated Amelia Island Tree Protection Ordinance Summary

Current tree protection ordinance was adopted August 9, 2021 and went into effect February 7, 2022. The original tree protection ordinance was implemented in 2013.

Please review 37.02 LDC for further details and a complete list of requirements.

### Key terms

- DBH – Diameter at Breast Height – how trees are measured.
- NC-AITC – Nassau County-Amelia Island Tree Commission
- Protected Tree – Any healthy tree, that’s non-invasive , 5” DBH or greater
- Specimen Tree – Live Oak 40” + DBH or 60” + DBH multi-trunk

### Key Requirements

- Removal of a protected tree requires a tree removal permit from the County.
- New development must mitigate for 25% of protected tree DBH removed in construction and disturbance zones and preserve 100% of protected trees outside those zones.
- Specimen tree removal requires approval by the Nassau County-Amelia Island Tree Commission (NC-AITC). Requires justification that the tree is dead, fallen, structurally compromised, or removes all economically viable use of the property.

### Exemptions

- State law exempts local governments from regulating the removal of any tree that present a danger to persons or property, if documented in a tree risk assessment report from an ISA certified arborist to the property owner.
- Other exemptions: removal of fallen or dead trees, diseased trees as determined by ISA 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 in emergencies 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 for Tree Removal/New Development

Residents and developers will need to submit a tree removal application, which includes a tree protection and replacement plan/tree inventory, to the Planning Dept. for review. Applications can be found by visiting the County website or by request via email to [treeinfo@nassaucountyfl.com](mailto:treeinfo@nassaucountyfl.com).

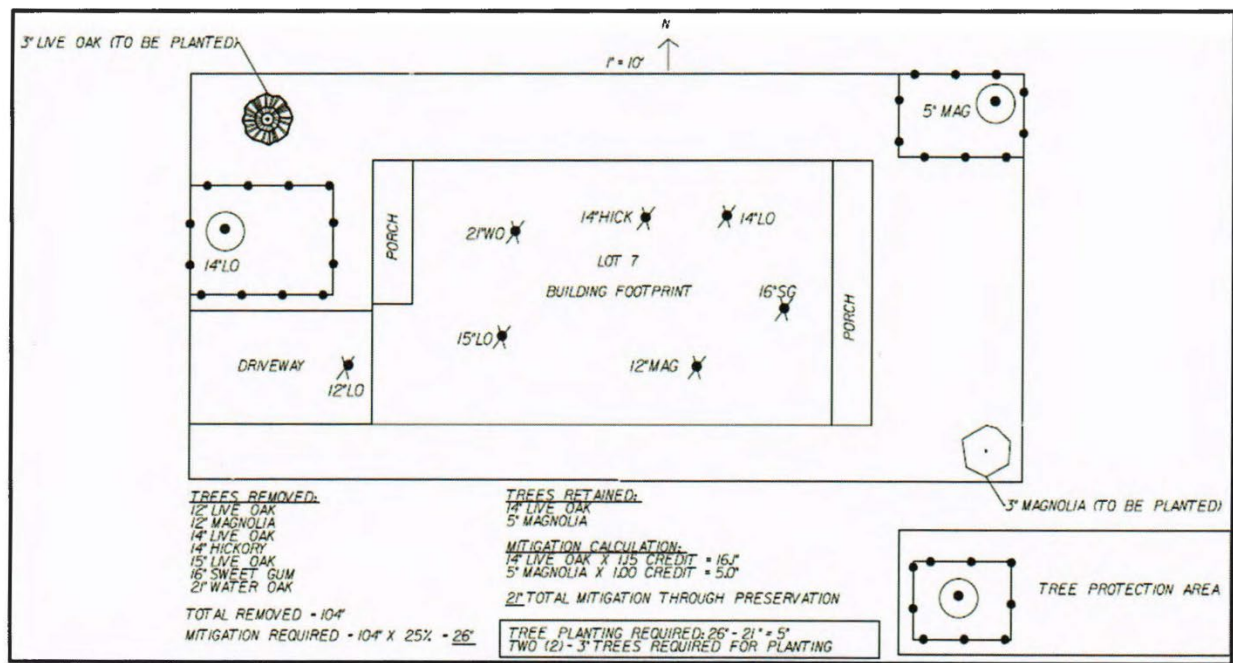
- Tree removal applications will only be approved in instances of just cause, such as for new development or hazardous trees. Trees are protected to the fullest extent possible because of the communal benefits provided by a mature maritime forest.
- Permits are not required for pruning/tree maintenance. However, maintenance must be done to ISA and ANSI A300 pruning standards. Tree abuse and improper maintenance practices will be subject to penalties.
- Specimen tree removal requires a separate application. Applications will be reviewed by the NC-AITC at the next available meeting after submittal. Please review the full ordinance for requirements.

## Tree Protection and Replacement Plan Requirements (TPRP)

The following information is required for all tree protection and replacement plans:

1. A tree survey. When the request involves removal of three (3) or fewer trees, the inventory/survey does not need to be certified by an ISA-certified arborist, but must contain all requisite information. When the application is requesting the removal of four (4) or more trees, the inventory/survey shall be certified by an ISA-certified arborist. Survey shall include location of all trees, their species, DBH, and conditions, the placement of protection barricades, and construction zone boundaries. Please see section 37.02 LDC for complete details of required information.
2. A tree inventory – Excel file with mitigation/preservation calculations. Excel template can be found on the county website or by request via email to [treeinfo@nassaucountyfl.com](mailto:treeinfo@nassaucountyfl.com).

### **Basic example of tree survey to illustrate concepts**



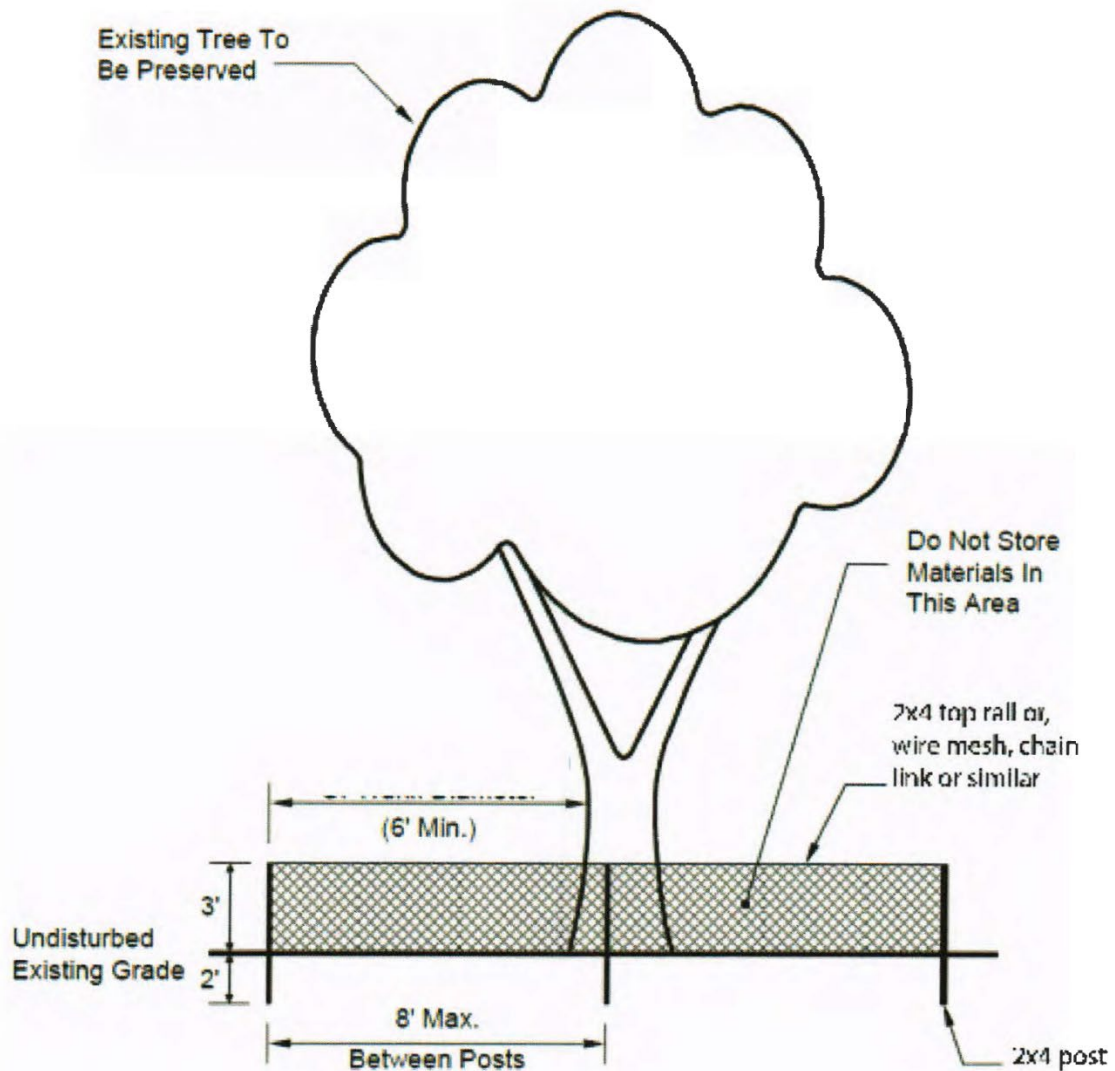
## Tree Protection During Construction

Tree barricades shall be installed prior to any development activity occurring on site, other than permitted clearing of brush to access protected trees. Protective measures are required to avoid mechanical injuries to roots, trunk, and branches, injuries by chemical poisoning, grade changes, excavations, root compression, and new impervious surfaces.

Tree protection zones (TPZ) shall be six times the DBH, or a minimum of 6' – for example, a 10" DBH tree would require a 6-foot protection zone around the trunk. A 20" DBH tree would require a 15-foot protection zone. Barricades shall be a minimum of 3' tall constructed with 2 x 4s and silt fence around the radius of the tree. See illustration below.

All development activities shall be prohibited within the tree protection zone, including any construction of buildings, structures, paving surfaces, stormwater retention or detention ponds, and temporary construction activities, including all digging, storage of construction material, mechanical clearing of underbrush and/or parking of construction vehicles.

Underground utilities shall be placed away from the base of the tree to the maximum extent possible. When trenching or excavation within the tree protection zone of a tree intended for preservation is deemed necessary by the county engineer all trenching and excavating shall be done by directional boring/tunneling.



## Tree Mitigation Options

The 25% mitigation requirement can be met by implementing a combination of the following options:

- Replacement Trees
  - o When authorization has been granted to remove protected trees, replacement trees shall be planted as applicable. The combined caliper inches of replacement and preserved trees shall at a minimum equal the combined DBH of trees authorized for removal.
  - o Diversity requirement: replacement trees shall not include more than forty (40) percent of any one (1) genus or twenty (20) percent of any one (1) species.
  - o A list of approved species can be found below.
- Tree Fund
  - o An applicant shall be permitted to pay a fee to the Nassau County Tree Fund for up to fifty (50) percent of the required replacement inches. Funds will be used for future tree related projects in the County such as tree plantings in parks and rights-of-way.
- Preservation Credits
  - o Retention of protected trees within the development site shall receive the benefit of tree preservation credits to reduce the overall tree replacement requirements
- Tree Bank Exchange Area (TBEA)
  - o A tree bank exchange area (TBEA) is an area or several areas of land located internal to a development under unified development program which are dedicated as open space for new tree plantings. The use of a TBEA allows for trees to be planted within the identified area to satisfy required replacement inches necessitated by the removal of trees for new development.

## Nassau County-Amelia Island Tree Commission (NC-AITC)

The NC-AITC is responsible for developing and recommending to the Board of County Commissioners a tree planting program, establishing a heritage tree program, initiating tree inventories, reviewing tree restoration plans, and hearing and deciding administrative appeals and waivers for the tree protection ordinance.

The NC-AITC is comprised of 5 voting members appointed by the BoCC consisting of one Planning and Zoning Board representative and lay citizens who are residents of the unincorporated area of Amelia Island, and 4 ex officio non-voting members from the County from the following departments: planning, parks and recreation, engineering services, and the UF-IFAS. It is staffed by the County Arborist.

Meetings are held once a month in the Board of County Commission Chambers at 96135 Nassau Place. Meeting times and agenda can be found here.

## Enforcement

Violations of this ordinance should be reported to the code enforcement department by calling (904) 530-6200 and to the County Arborist at [treeinfo@nassaucountyfl.com](mailto:treeinfo@nassaucountyfl.com) or 904-530-6300. Please provide any pertinent information such as address, property owner, company, time and date of violation.

The code enforcement department shall enforce the provisions of these regulations. A code enforcement officer shall have the authority, pursuant to this section, to provide notice of violation(s) and citations for violations to the property owner and/or contractor, site work company, individual or engineer via hand-delivery and notation of date and time of delivery and/or a certified letter from the code enforcement division.

## Approved Species List

Name	Common Name	Mature Height (ft.)	Rate of Growth	Salt Tolerance	Drought Tolerance
<i>Acer rubrum</i>	Red Maple	35—50	Fast	Low	Med
<i>Betula nigra</i>	River Birch	45—65	Fast	Low	Low
<i>Fraxinus</i> spp.	Ash	60—80	Med	Med	Med
<i>Carya</i> spp.	Hickory	80—120	Fast	Low	High
<i>Celtis laevigata</i>	Sugarberry/ Sugar hackberry	80—100	Fast	High	High
<i>Diospyros virginiana</i>	Persimmon	30—60	Med	Low	Med
<i>Prunus</i> spp.	Cherry	30—60	Med	Low	Med
<i>Ilex opaca</i>	American Holly	30—45	Slow	Med	Med
<i>Juniperus silicicola</i>	Southern Red Cedar	25—30	Med	High	High
<i>Juniperus virginiana</i>	Eastern Red Cedar	10—40	Slow	Med	Med
<i>Liquidambar styraciflua</i>	Sweetgum	60—100	Fast	Med	High
<i>Liriodendron tulipifera</i>	Tulip Tree/Yellow Poplar	80—100	Fast	Low	Low
<i>Magnolia grandiflora</i>	Southern Magnolia	60—100	Med	High	High
<i>Magnolia virginiana</i>	Magnolia/Sweetbay	40—60	Med	Low	Low
<i>Nyssa sylvatica</i>	Black Tupelo/Black Gum	50—80	Med	Low	Low
<i>Quercus alba</i>	White Oak	50—80	Med	High	Med
<i>Quercus laurifolia</i>	Laurel Oak	60—100	Fast	Low	High
<i>Quercus shumardii</i>	Shumard Oak	40—60	Slow	Low	Med

<i>Quercus virginiana</i>	Live Oak	50—60	Med	High	High
<i>Taxodium distichum</i>	Bald Cypress	60—100	Med	Med	High
<i>Ulmus americana</i>	American Elm	80—100	Fast	Low	Med

Table 37-4 Understory Trees	
<i>Cornus florida</i>	Flowering Dogwood
<i>Chionanthus virginicus</i>	White Fringetree
<i>Magnolia x saulangeana</i>	Saucer Magnolia
<i>Prunus angustifolia</i>	Chickasaw Plum
<i>Ilex cassine</i>	Dahoon Holly
<i>Ilex attenuata</i>	East Palatka Holly
<i>Lagerstroemia</i> spp.	Crape Myrtle
<i>Juniperus chinensis</i>	Chinese Juniper
<i>Calistemon</i> spp.	Bottlebrush
<i>Gordonia lasianthus</i>	Loblolly Bay