



600 North 8th Street
Fernandina Beach, FL
office: 904.277.5746
colin.campbell@westrock.com

Dear Kelly,

The following is WestRock's comment regarding the Tree and Landscape amendment discussion during the 9-9-15 PAB meeting in which a board member discussed removing item 4.05.02.D5.

WestRock respectfully requests that the exemption detailed in Tree and Landscape Amendment 4.05.02.D5 remain in its entirety.

Item 4.05.02.D5 was not identified as a potential change during the more than yearlong review process. Thus the ability to review and understand the impact of removing this item was not provided to WestRock. Furthermore the parties detailed in the exception were not contacted for comment or discussion regarding the impact that removing the exception would have on their businesses.

Based on the above reasons we request that this late talking point be dismissed until such time as a meaningful conversation can occur on the topic.

Sincerely,

Colin Campbell, CSP
Training / Community Relations Manager



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From: [julie ferreira](#)
To: [Kelly Gibson](#)
Subject: tree ordinance
Date: Sunday, September 20, 2015 1:26:36 AM

Kelly, as the Chairperson of the Nassau Sierra Group I submit the following.

Our executive committee feels that it is important to have a good introduction at the beginning of the tree ordinance and hence have developed the following:

A healthy urban forest is the product of a biologically intact ecosystem and a community that recognizes the importance of its natural functions. Since urban forests have been recognized as an integral part of our community's well-being, having an urban forest management plan for Fernandina Beach is essential.

Trees add scientifically measurable benefits to our neighborhoods. Trees offer us energy savings because of the shade they provide. They reduce storm water runoff and soil erosion by intercepting rainfall. Trees increase air quality by absorbing pollutants and by releasing oxygen into our atmosphere. Trees preserve wildlife habitat, enhance property values and provide a sense of identity and tradition in our neighborhoods. In addition, trees add to the quality of our lives by beautifying our community. In particular, our native oaks are uniquely suited to our soils and environment, offering particular pleasure through their stunning architecture.

*Many of the native oaks in Fernandina Beach date back hundreds of years, and are historically significant. Many of these trees, which still exist in our own backyards and public areas, were the source of food, tools, heat and shelter for the Native Americans that preceded our civilization. Other trees, throughout our city, were planted and/or rescued by some of Fernandina's earliest settlers. The City Commission has determined that such a valuable resources merit protections. This protection is clearly stated in the **Tree Preservation Ordinance** within the Fernandina Beach Land Development Code.*

As a tool to strive to attain a healthy, vigorous, and well-managed community forest the goals of the Fernandina Beach tree ordinance are:

- To maintain and enhance the public and private urban forest cover by preserving stands of trees and "specimen" heritage trees.
- To reduce tree loss during development by encouraging site specific design
- To stop any possible damage to standing trees during construction
- To protect natural vegetation except where its removal is necessary for responsible property development or control of disease and infestation. This ordinance shall serve to dissuade the unnecessary clearing of land and its disturbance, so as to preserve, the natural and existing growth of vegetation, and to replace whenever possible the removed foliage with new vegetation
- To provide for replacement of trees that are lost due to construction
- To maintain preserved trees after construction is completed
- To plant trees where none occurred previously
- To maximize the well-being of residents and visitors by creating a safe and attractive environment

Thank you,

Julie Ferreira

Nassau County Sierra Group Chairperson

From: [julie ferreira](#)
To: [Kelly Gibson](#)
Subject: FW: FB tree ordinance
Date: Sunday, September 20, 2015 3:14:22 AM

Kelly, as the Nassau Sierra Group continues to work on the tree ordinance, we will send more comments as they are ready. Here are our current comments.

We would like to see site specific design language added to our tree ordinance. We encourage the use of language adopted from Ordinance Number 2724-07 Section 58-285 (Criteria for Issuance of Tree Removal Permits) from the Winter Park, FL Tree Protection Regulations.

Sierra Club encourages the city to follow the suggestions of the Amelia Tree Conservancy regarding the establishment of a tree protection commission and the hiring of a ISA [Certified](#) city arborist (which has no other conflicts of interest by being associated with any commercial tree service).

We feel very strongly that sound stewardship of our urban and community trees into the future demands employing the services of a dedicated city arborist sooner than later.

We support the City in continuing the GPS mapping system. We feel that a completed tree location map will be critical to the city's successful preservation efforts in the future.

We ask that the city maintain a tree inventory with the ability to track tree health which would indicate the general health assessment of each hardwood tree (especially specimen or heritage trees) on public and private property. We feel this is necessary to proactively manage Fernandina's urban forest. This would include the necessary pruning schedules, necessary trunk-injected systemic insecticides to prevent dieback, etc. and be the map that a city arborist could work from to preserve Fernandina's trees in a changing ecological world due to plant diseases and climate change. The inventory would provide at-a-glance locating to

help highlight issues and track the methods used for managing individual tree issues.

We suggest the city monitor the urban canopy at least every 3 years to track changes in health, sizes, species and coverage.

Thank you,

Julie Ferreira

Nassau County Sierra Group Chairperson

From: [Julie Ferreira](#)
To: [Kelly Gibson](#)
Subject: Tree Ordinance
Date: Tuesday, September 22, 2015 3:04:43 PM

Nassau County Sierra Group is of the general opinion there need to be enforceable requirements.

Chapter 1 definitions

Protected trees:

Protected trees are those five inches or greater in diameter at breast height or any tree that was planted or preserved in compliance with an approved development order or to mitigate the removal of a regulated tree.

Under "E" Maintenance:

Replacement tree(s) shall be maintained and warranted to survive for a period of one year from installation. Trees not deemed to have satisfactorily survived shall be replaced with new trees of the same size. Replacement trees shall comply with the same maintenance and replacement warranty as the original replacement tree(s) and the warranty period will restart at the date of planting.

Follow Gainesville's lead creating a definition for appraised values of trees:

Tree appraised value means the dollar value to the city of a tree on private or public property used for the purpose of calculating cash recompense for removal or destruction. The tree appraised value shall be calculated as follows: $(3.14) \times (\frac{1}{2} \text{ diameter breast height})^2 = \text{trunk area (trunk area)} \times (\text{unit factor for square inch price, as determined annually by the tree advisory board in consultation with the city commission, city arborist, or designee}) = \text{square inch value (square inch value)} \times (55\% \text{ diminution rating}) = \text{tree appraised value}$ Example calculation: 20" Live Oak in fair or better condition: $(3.14) \times (\frac{1}{2} \times 20)^2 = 314 \text{ square inches of trunk area (314 sq in)} \times (\$40) = \$12,560 \text{ square inch value } (\$12,560) \times (.55) = \$6,908 \text{ tree appraised value.}$

Definition needed for fair or better condition:

Fair or better condition means that the tree has a relatively sound and solid root, trunk, and canopy structure, no major insect infestation or pathological problem, or problems that cannot be remedied with cultural practices, and a life expectancy greater than 15 years as determined by the city commission, tree preservation committee, city arborist, or designee. In the event of a disputed health condition, the condition rating system outlined in the latest edition of the Council of Tree and Landscape Appraisers Guide for Tree Appraisers shall be used by the city commission, city arborist, tree preservation committee, or designee to evaluate the health condition. A score of 50 or higher shall qualify a tree as fair or better condition.

(City would determine what constitutes the differing levels of violations)

Tree Ordinance violations shall be designated by level based upon the potential monetary sanction as follows:

1. Level A violations shall be subject to a fine of \$75—\$500.
2. Level B violations shall be subject to a fine of \$250—\$2,500.
3. Level C violations shall be subject to a fine of \$500—\$5,000.
4. Level D violations shall be subject to a fine of \$750—\$7,500.
5. Level E violations shall be subject to a fine of \$1000—\$10,000.

In relation to monetary sanctions---- Folsom California has a very clear section in their municipal code re: Administrative Enforcement Procedures, Rights to Hearings, Judicial Review, and Enforcement of Monetary Sanctions. We suggest the Fernandina Beach follow their language-ing which is very clear.

from Gainesville ordinance:

4.05.15 Heritage Trees

Heritage trees are trees that are larger than 20 inches diameter breast height; except for Water Oaks (*quercus nigra*), Laurel Oaks (*Quercus hemispherica*), Sweetgums (*Liquidambar styraciflua*), Loblolly Pine (*Pinus taeda*) and Slash Pine (*Pinus elliottii*) which become heritage trees only when they are larger than 30 inches diameter breast height.

4.05.15 Heritage Trees Removed Without A Permit:

If a heritage tree was removed without a permit, the required mitigation shall be subject to a level E violation.

If no evidence exists on site to calculate the caliper inches of the tree(s) removed, then the tree shall be presumed to be a minimum of 24" protected specimen tree. It is the property owners responsibility to prove otherwise.

For repeat offenders the city has the right to double restoration requirements or fines or both for each subsequent infraction, and in addition to revoke or suspend a contractor's license to do business in the City.

The city shall have the authority to stop work at a site if unauthorized tree work is occurring. Once a stop work order is issued, work shall not commence until the necessary permits have been issued and any applicable fine has been paid.

E. Replacement Tree requirements

4. Mitigation

Mitigation payment shall be based on tree appraised value. Payment shall be made prior to the issuance of any certificate of occupancy, or at such other time as specified in a development order. Mitigation payments received by the city shall be deposited in the city tree mitigation fund. This fund may be used for new tree plantings associated with public improvement projects or for the preservation of trees through the purchase of conservation lands, or to help with the salary of a full time arborist; but shall not be used for tree maintenance or toward the installation of new trees that would already be required for a development.

We feel its necessary to require photo documentation of any tree(s) to be removed or pruning removed.

4.05.14 C Tree Survey

For single family houses or when no construction or demolition is involved:

Applicant shall submit an accurate tree inventory drawn to scale (a hand drawn site plan may be acceptable according to the scope of project) indicating the location of all protected trees including the protected trees which are proposed to be removed or substantially pruned which will modify the shape of the tree. The plan shall depict the location, common or scientific name, size, and overall health of the tree(s) on site. The report must show the exact location, diameter, genus and species of all Heritage trees. A photographic record taken from ground level (from multiple angles) with the proposed trees clearly marked and indicated on the photographs, depicting existing conditions shall be submitted with the application for each tree removal or pruning permit.

For commercial and large scale development or when construction or demolition involving other permitting is involved:

An accurate site plan drawn to scale indicating square footage of the site, square footage of the proposed building area, square footage of the existing tree canopy, and square footage of the existing tree canopy requested for removal. The site plan shall depict any proposed grade changes and a plan view of actual protected tree(s) and protected tree canopies on site including:

1. The property lines and footprint of existing structures; and
2. The existing and proposed grades;
3. an accurate conservation site plan

4. to-scale tree inventory executed by a certified arborist with current credentials from the International Society of Arboriculture or by a licensed landscape architect indicating the location of all protected trees including the protected trees which are proposed to be removed or substantially pruned which will modify the shape of the tree. The plan shall depict the location, common or scientific name, size, and overall health of the tree(s) on site. The plan shall mark in red the surveyed location, diameter, genus and species of all Heritage trees including their canopy. A photographic record taken from ground level (from multiple angles) with the proposed trees clearly marked and indicated on the photographs, depicting existing conditions shall be submitted with the application for each tree removal or pruning permit.

Definition: A conservation site plan shall depict: an accurate site plan drawn to scale indicating square footage of the site, the natural resources of the site including mature woodlands, maritime forest, wetlands, wildlife habitats, nesting areas, groundwater recharge areas, and scenic viewsheds. This would include the health and maturity of the square footage of the existing tree canopy, and square footage of the existing tree canopy requested for removal.

It's not clear if the following section H. Abused Trees is the best section for pruning perhaps it needs its own section.

Pruning Regulations:

All trees may be pruned to maintain shape and promote their shade-giving qualities and to remove diseased or dying portions in areas where falling limbs could be a hazard to people or property. Tree pruning shall be done in accordance with the most current version of the American National Standard for Tree Care Operations "Tree, Shrub and Other Woody Plant Maintenance" (ANSI A300) and "Pruning, Trimming, Repairing, Maintaining, and Removing Trees, and Cutting Brush—Safety Requirements"(ANSI Z133).

No more than 20 percent of the crown shall be removed at one time. On young trees, limb removal shall leave no more than 33 percent of the trunk bare of branches. So that shade trees can grow with sturdy structure, the top branch or leader shall not be removed. Hooks shall not be used to climb trees unless the tree is being taken down. Mature trees overgrowing vehicular use areas shall be pruned to allow the passage of emergency vehicles.

Excessive pruning, pollarding, or pruning of trees into round balls of crown or branches, which results in an unnecessary reduction of shade and promotes weak branch attachments is prohibited.

If the city commission, city arborist, tree preservation committee, or their designee finds same, additional shade trees shall be required to be planted on the site on up to an inch-for-inch basis, and a Level A fine shall be levied.

Most minor pruning, such as the removal of dead branches, moderate weight reduction at the ends of branches, and pruning to provide roof clearance

will not require a tree permit. In most cases, if less than 20 percent of the canopy is removed and work is confined to the outer one-third of the canopy, a tree permit is not required. **Tree topping is not** considered minor pruning, and is not considered appropriate tree care, as it creates an increased need for maintenance and greatly increases the potential for hazards.

Our native oaks are slow to grow, slow to die, and slow to callous over a wound. Especially for our native oaks, cuts are to be kept small. The un-written rule for oak pruning in the world of arboriculture is called the 3" rule: "A cut over 3" in diameter will generally start to decay and/or become infested with insects before it will completely callous over the wound". Any pruning that substantially modifies the shape of the tree, such as removal of major branches or trunks of multiple trunk trees, will require a tree permit. Exceptions to this rule are made for emergency situations and for utility companies engaging in routine maintenance of overhead wires.

Thank you Kelly for all the work you have done on the tree ordinance,

*Julie Ferreira
Chairperson of Nassau County Sierra Club*

From: [julie ferreira](#)
To: [Kelly Gibson](#)
Subject: RE: tree ordinance
Date: Tuesday, September 22, 2015 3:12:50 PM

Kelly here are some suggestions coming from Nassau Sierra Group:

1. Sierra would like to see Fernandina adopt the definition of urban forest by the American Forests which defines urban forests as “ecosystems of trees and other vegetation in and around communities that may consist of street and yard trees, vegetation within parks and along public rights of way and water systems. Urban forests provide communities with environmental, economic and social benefits and habitat for fish and wildlife.” Thus, urban forests are not only about the trees in the city, but rather, they are a critical part of the green infrastructure that makes up the city ecosystem.

2. Sierra would like to encourage the tree ordinance to adopt a policy using conservation site designs so that natural resources are identified at the beginning of the site layout. Identifying the natural resources gives them value. Things that we value are preserved. Conservation site design also would depict how the wetlands on site, forests and other natural resources work as interactive units.

Therefore, any future construction on the site should then be laid out to avoid the natural resources and fit into the topography. This would require major revision to our code or require variances. As an example, to save a grove of trees, houses would be clustered.

Sierra feels strongly that we cannot continue to define the developable world as separate unrelated items. The language must be changed so that individual lots and areas are related to as interrelated systems.

Therefore the site design should include not just individual trees but the overall shape and health of urban the forest structure, groves of trees and the understory vegetation should be marked. Site topography should be shown so that areas of habitat (natural resources) could be preserved and would be delineated on a plan prior to any site layout.

3. Sierra is concerned that **trees of significance** are being lost in our community and are not being protected on single family lots. We want to make sure that they become absolute un-removable protected assets in the community on **all** residential and commercial lots. We recommend that Fernandina as definition----- every protected tree(s) which is thirty-six (36) inches in dbh or greater and has such unique and intrinsic value to the general public because of its

size, age, historic association, or ecological value as to justify this classification.

4. Sierra would like the language changed so that the maximum allowable prune-able canopy that can be removed from any tree in one year's time be changed from 30% to 20%.

5. We request the city require photo documentation of 'any' tree(s) to be removed and also of any tree that will be pruned removing up to the 20% of the allowable canopy.

6. A small flowering tree cannot replace a high quality shade tree. (high quality shade tree would need a definition).

7. Change definition of tree inventory to include: The report must show the surveyed location, diameter, genus and species of all Heritage trees, all regulated trees of high quality shade tree species, other trees worthy of protection, and existing trees planted to comply with earlier approved development plans. On-site meetings with the city manager, tree commission, city arborist, or designee will confirm which trees shall be included in the survey and to confirm that the survey meets code requirements. The survey shall also cover matters identified as significant relative to the urban forest based on site conditions.

8. A conservation site plan shall depict: an accurate site plan drawn to scale indicating square footage of the site, the natural resources of the site including mature woodlands, maritime forest, wetlands, wildlife habitats, nesting areas, groundwater recharge areas, and scenic viewsheds. This would include the health and maturity of the square footage of the existing tree canopy, and square footage of the existing tree canopy requested for removal.

9. Commercial and large scale development: Applicant shall submit an

accurate **conservation** site plan **and** to-scale tree inventory executed by a certified arborist with current credentials from the International Society of Arboriculture or by a licensed landscape architect indicating the location of all protected trees including the protected trees which are proposed to be removed or substantially pruned which will modify the shape of the tree. The plan shall depict the location, common or scientific name, size, and overall health of the tree(s) on site. The plan shall mark in red the surveyed location, diameter, genus and species of all Heritage trees including their canopy. A photographic record taken from ground level (from multiple angles) with the proposed trees clearly marked and indicated on the photographs, depicting existing conditions shall be submitted with the application for each tree removal or pruning permit.

Thank you,

Julie Ferreira

Nassau County Sierra Group Chairperson

From: bordersofheaven@hotmail.com

To: kgibson@fbfl.org

Subject: tree ordinance

Date: Sun, 20 Sep 2015 01:26:41 -0400

Kelly, as the Chairperson of the Nassau Sierra Group I submit the following.

Our executive committee feels that it is important to have a good introduction at the beginning of the tree ordinance and hence have developed the following:

A healthy urban forest is the product of a biologically intact ecosystem and a community that recognizes the importance of its natural functions. Since urban forests have been recognized as an integral part of our community's well-being, having an urban forest management plan for Fernandina Beach is essential.

Trees add scientifically measurable benefits to our neighborhoods. Trees offer us energy savings because of the shade they provide. They reduce storm water runoff and soil erosion by intercepting rainfall. Trees increase air quality by absorbing pollutants and by releasing oxygen into our atmosphere. Trees preserve wildlife habitat, enhance property values and provide a sense of identity and tradition in our neighborhoods. In addition, trees add to the quality of our lives by beautifying our community. In particular, our native oaks are uniquely suited to our soils and environment, offering particular pleasure through their stunning architecture.

*Many of the native oaks in Fernandina Beach date back hundreds of years, and are historically significant. Many of these trees, which still exist in our own backyards and public areas, were the source of food, tools, heat and shelter for the Native Americans that preceded our civilization. Other trees, throughout our city, were planted and/or rescued by some of Fernandina's earliest settlers. The City Commission has determined that such a valuable resources merit protections. This protection is clearly stated in the **Tree Preservation Ordinance** within the Fernandina Beach Land Development Code.*

As a tool to strive to attain a healthy, vigorous, and well-managed community forest the goals of the Fernandina Beach tree ordinance are:

- To maintain and enhance the public and private urban forest cover by preserving stands of trees and "specimen" heritage trees.
- To reduce tree loss during development by encouraging site specific design
- To stop any possible damage to standing trees during construction
- To protect natural vegetation except where its removal is necessary for responsible property development or control of disease and infestation. This ordinance shall serve to dissuade the unnecessary clearing of land and its disturbance, so as to preserve, the natural and existing growth of vegetation, and to replace whenever possible the removed foliage with new vegetation
- To provide for replacement of trees that are lost due to construction
- To maintain preserved trees after construction is completed
- To plant trees where none occurred previously
- To maximize the well-being of residents and visitors by creating a safe and attractive environment

From: [Margaret Kirkland](#)
To: [Kelly Gibson](#)
Cc: [r.raymond1@yahoo.com](#); [Berta Arias Author](#); [Diana Herman](#); [Chris Occhuizzo](#); [joannleimberg@gmail.com](#); [hart9874@aol.com](#)
Subject: Revision of Ordinance 2006-14: ATC Input
Date: Tuesday, September 22, 2015 2:45:39 PM
Attachments: [ATC Ordinance 2006-14 input.pdf](#)

Dear Kelly,

Please find current input from the Amelia Tree Conservancy on the revision of Ordinance 2006-14 attached. We have divided this into two sections: The **General Comments** address a) some fundamental principles we would like to see incorporated into the ordinance and b) a few items that need to be applied in multiple places in the ordinance. The **Line/Section-Specific Comments** address specific sections or lines of the ordinance.

Once you have had a chance to review this, we would appreciate your contacting us to make an appointment. There may be points that need clarification and you may have questions. However, we will also need information from you in order to develop effective proposals for the arborist and tree commission. In those efforts, it is important that we understand your needs more specifically and attempt to integrate your perspectives on various details related to these positions.

ATC greatly appreciates your extensive effort and care in developing this revision. It already contains many improvements that represent current best practices. We hope this input will be useful for you and appreciate your efforts to incorporate these points.

Sincerely,

ATC Steering Committee

Berta Arias

Arthur Herman

Diana Herman

Margaret Kirkland

Jo-Ann Leimberg

Chris Occhuizzo



amelia tree conservancy

ATC Input on Revision of Ordinance 2006-14 (as amended) September 21, 2015

General Comments

One set of regulations for Amelia Island. It is important that regulations for Amelia Island be consistent; i.e., they should be the same for both the City and County. This is critical for the survival of the trees on the Island and hence its continued economic viability. Developers should not be able to violate tree ordinances by changing the jurisdiction of the property from County to City, or vice versa. [We need to work toward this as quickly as possible.]

Exemptions. No exemptions should exist for any individual, company or industry. City regulations should be applied consistently.

Working around trees within existing topography. One of the key principles of the regulations should be that new construction should be designed to work around the trees that exist on the parcel and around the existing topography because changes in the topography often kill trees. In other words, a site plan would be “site specific,” a plan developed specifically for the topography and vegetation on that parcel. This concept has been applied in other areas and can be utilized here.

Credentialed, knowledge-based tree decisions. It is important that those making tree decisions have the training and experience needed to inform those decisions. [We have been told that, at one time, there was an employee who was a certified arborist, but that this expertise has been lacking since his departure.]

- **Hiring an ISA-certified arborist:** We strongly recommend hiring an ISA-certified arborist, either full time, part-time or on a contractual basis. We would like to see the City and County work together to hire an arborist for the island. It is critical that this be an individual who has no conflict of interest and can serve as the “go-to” person for all tree-related decisions in an objective, professional manner. This individual would need to approve site plans, work with developers to improve plans and participate in project oversight. The individual would also support city and county committees and staff in decision making related to trees.
- **Ordinance:** Wherever the City Manager is referred to regarding tree decisions, the proposed arborist or “tree commission” should be inserted.
- **GPS inventory of our green infrastructure:** To enable the City and County to manage our green infrastructure on the island effectively, we need a GPS inventory of the remaining trees on the island, including both public and private property. We would like to see the City and County collaborate on this effort, with the support of local nonprofits.



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Tree Commission: Form a tree commission to work with the arborist and developers before projects start and during the entire land development process; to participate in project monitoring and oversight; to work with city staff to develop policies for planting, tree protection, removal and conservation. This group of volunteers would include 5-7 voting members consisting of professionals in the field of arboriculture, horticulture, land development, civil engineering, city/county government and/or any other related fields.

Oversight. During construction, a city representative **must** check construction sites daily, meet with the contractor, and produce daily reports. (The “tree commission” could be tapped for some of this oversight.) Without oversight, the ordinance becomes meaningless.

Enforcement.

- We have extensive evidence in both the City and County that incentives don’t work with the current mentality of developers and property owners. There should be work stoppages, very heavy fines, liens against the property and loss of license to develop in the City for non-compliance. Penalties need to be sufficiently harsh to get the attention of those who would violate the regulations, not an amount that can just be written off as the cost of doing business. (Fines are often less consequential than we think due to their bonding.) We can suggest penalties, but feel that you are in a better position to propose these. Perhaps in the distant future an approach based on incentives would suffice.
- We feel that enforcement and penalties should be clearly explained in Plain English in this chapter (even if they are repeated elsewhere). Otherwise, the enforcement becomes disjointed from the regulations and difficult to understand.

Education/training: We feel that a program of education/training is essential to increase the knowledge and understanding of our maritime forest canopy and understory, how it supports our lives, and the impact we have on its ability to protect us. We feel that this is essential for commissioners; all board and commission members that deal with building, development, zoning, and regulations; all staff dealing with such areas; developers and contractors wishing to work on the Island; and Amelia Island residents. The realization of how little people know about this information has come from public statements recently made by commissioners and developers. These statements have persuaded us that this is a pervasive problem that must be addressed if our trees are to have any future. We would like to work with the City and County, experts on the subject like Robert Prager, and other nonprofits to develop this system.

Clarity/Plain English: It is important that all regulations be clear to non-experts in order for those in the community to bother to read them and take them seriously.



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Another reason for care with this is the limited reading skills we have in the US today. It is often difficult to ascertain the level of clarity without testing the document on non-experts. A few of the comments in the next section illustrate points that seem unclear to us.

Caliper for replacement trees. The caliper needs to be 2 1/2 to 3 inches DBH, not just 2 1/2. It is important to provide a range so that it is possible to actually purchase the number of healthy trees needed.

Buffers between development and roads outside development: We are not sure whether this is already covered in the ordinance because we are not certain about our understanding of the terminology. However, we feel that it is critical that there be an organic buffer between developments and roadways outside of the development. In other words, these buffers should look something like the one illustrated on pp. 4-18 to 4-19, with trees and understory landscaping. Vinyl fences and stockade fences should be prohibited to prevent cheapening of all Amelia Island properties.

Line/Section-Specific Comments

4.05.01.A.--Reference to "Florida-Friendly landscaping principles." Can identifying information be added regarding who/what governing body set the principles? Can we get a reference or link to those principles?

4.05.01.B.--

2. This mentions "shade for ground surfaces and reducing heat island effects". Would this be the place to add a reference to "soil retention and buffering from wind and storm damage"?
8. Again, what are these "Florida-Friendly landscaping principles...?"

4.05.01.B.--important point—to the extent possible, native soils should not be disturbed.

4.05.02.C.--This is most important--structures must fit in the existing canopy. We would like to see a requirement that the placement of the structure on the property respect the existing tree positioning within the site so as to maximize tree preservation.

4.05.03.B.10.--Trees must be at least 2 ½ - 3 inches DBH.

4.05.03.B.11.--How can a palm be considered a "shade" tree? No number of palms equals a shade tree.



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4.05.03.E **Trimming trees:** homeowners must use ISA-licensed arborists --if pruning on their own, they should be instructed on proper pruning techniques by our arborist and/or our tree commission or should seek formal training.

4.05.06.A.--Exactly, it should read: proposed **construction** should be located (situated) on site to protect trees. Another suggestion for wording was that “the landscaped areas shall be located on the site in such manner as to maximize preservation of existing tree.....” should be changed to read “the proposed construction shall be located on the site in such manner as to preserve existing trees....”

4.05.06.—We don’t understand the credit system.

4.05.14.A.1.--good point, just needs specifics

“There shall be no net loss of canopy within the city.”--We need to be consistent with the use of “canopy” versus “shade tree.” This is a very nice sentiment, but needs measurability.

4.05.14.B.3.a.—difficult to understand.

4.05.14.E.--Preservation credits? What? Is this actually incentivizing or just greater complication and obfuscation?

4.05.14.E.4.—Instead of “The fee will be set by resolution of the City Commission and will be based on the average cost for the City to replace the tree with.....,” we suggest “and will be based on the average cost for the City to replace, plant and irrigate through self sustainability with.....” Does the Commission need to get involved in this when they may not have the expertise required? Could this be a task handled by the arborist?

4.05.14.G.—**Tree protection.** During commercial development a 4-foot chain-link fence should be installed prior to and maintained during the entire construction process.

4.05.14.G.3., line 2—the original “prohibited” should be retained, rather than changing the text to “discouraged.”

4.05.14H—**Tree abuse.** This needs to specify EXACT violations in terms of fines, loss of permits, criminal misdemeanors, etc.

4.05.15.--Also a good point --need professional arborist, tree commission--**NOT** city manager.



amelia tree conservancy

Respectfully submitted,

Amelia Tree Conservancy Steering Committee

Berta Arias

Arthur Herman

Diana Herman

Margaret Kirkland

Jo-Ann Leimberg

Chris Occhuizzo

Rebecca Raymond

From: [Robert Prager](#)
To: [Kelly Gibson](#)
Subject: Land Planning, Buffers and Trees comments.
Date: Tuesday, September 22, 2015 10:28:18 AM

Dear Ms. Gibson,

LANDSCAPING, BUFFERS, AND TREES

I compliment the staff on their effort. The goal of the document are impressive.

Here are my comments:

1. In Section 4.05.02 The term certified arborist is introduced. Later the term ISA certified arborist is used. Is the intent that all references to arborist be ISA certified? Is this to be an arborist familiar with working in the built environment versus an arborist experienced in restoration, preservation or production?
2. Also in Section 4.05.02 the terms, tree survey and tree inventory are introduced. It is not clear as to the distinction between these two instruments of service, when the different types of surveys are to be used and to what purpose. As a designer I don't know whose services to contract or which survey to submit and how it will be interpreted by staff. I assume a tree survey would only locate trees and state the DBH while a tree inventory would also include at a minimum species and condition.
3. There are several references to heat island effect, visual barriers, service life of trees, etc., but there does not appear to always be a schedule when these goals are to be accomplished, i.e., if the tree has a thirty year life and it takes ten years to mature to shade a parking lot, is twenty years of service effective in reducing heat island effect? Will the trees survive the heat island effect of the parking lot?
4. I did not find a section on plant compatibility and interaction other than by hydrozones and watering zones. Section should discuss establishment, soil compaction requirements, disease vectors, soil compatibility (pH), etc., shade or sun tolerance, effect of sudden sun exposure do to clearing. Compatability with buried utilities should be addressed. Under plant establishment, rate of establishment is important since one species may out-compete and quickly dominate a landscape. There is no requirement for establishing plant communities. Unlike natural settings it may be necessary to introduce all plant members of the community since there may not be seed stock or transportation available. As an example of incompatibility, 4.05.03 B.6 specifies the minimum height of vines but the hazards of vine infestation up established trees at the edge of newly cleared area are not provided.
5. There is some discussion on forest structure in Section 4.05.12 E. on buffering between zoning districts. The concept of vertically layered plant material should be required at all transitions including the edge of cleared areas. Maintaining forest structure is important to survivability.
6. Section 4.05.05 Single family and two family Residential Development there appear to be some ambiguity. It requires a minimum of one shade tree per every 2500 sf of lot but require two tree in each of the front and back lot. It does not discuss clustering.
7. Section 4.05.07 on parking is to promote safety, but requires visual screens but does not include lines of sight for law enforcement personnel.
8. Section 4.05.14 D sets forth the replacement requirements. This paragraph is similar to other codes but many, including me, disagree with the concept. Replacing a large tree with many smaller trees ignores the difference in

hydrology, how, when and if rainfall reaches the ground and how groundwater is maintained or changed. The requirement of the combined DBH of replacement trees shall equal or exceed the combined DBH of trees authorized for removal does not make scientific sense. The cross sectional area of a 60-inch tree is 2827 square inches. The tree could be replaced with 24 2.5-inch trees. The equivalent cross sectional area is 118 square inches. If this calculation was for replacing 60-inch pipe used as buried detention it would be replaced with 576 2.5-inch diameter pipes to get the same capacity. It also ignores the severe change in habitat. A large tree is home to hawks and owls and many other plants and animals. Several smaller trees spread over the same area is a virtual desert. Given the live oaks growth habit, (its huge horizontal expanse relative to its height) the sheer volume and diversity of habitat afforded by a single mature live oak dwarfs that of many, many smaller trees.

9. In Section 5.05.14 D I do agree that the survivability is higher with smaller trees but survivability of larger trees is improved by the addition of admixtures and supplements like vitamin B to reduce planting shock, proper pruning and other BMPs. Some cities require a few specimen trees of larger caliper to get a jump on forest structure. Reforestation Technologies International, <http://www.reforest.com/>, has been a reliable source of information on admixtures and supplements.
10. Root pruning and other best management practices are not discussed.
11. Section 4.05.02.D.5 excludes certain property owners from the requirements of Section 4.05.00. This does not seem reasonable. They would be excluded the requirements such as 4.05.10 Retention and Detention Ponds and 4.05.03 Landscape Materials Standards which may apply.

I would like to see our community move toward conservation site design where wetlands, forests and other natural resources are considered as interactive units. In conservation site design natural resources are identified at the beginning of the site layout. Identifying the natural resources gives them value. Things that we value are preserved.

Please don't hesitate to contact me to discuss any of these comments. Keep up the good work.

Best regards,
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"It is by logic that we prove, but by intuition that we discover," Jules Henri Poincaré (1854-1912)



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