

ORDINANCE 2019 - ____

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
NASSAU COUNTY, FLORIDA DESIGNATING ANTHONY STREET IN
UNINCORPORATED NASSAU COUNTY AS A CANOPY/SCENIC
ROAD; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Since adoption of the Canopy Road Ordinance in 2001, Nassau County has designated the following roads as canopy roads: Suarez Bluff Road (2005-60), Manucy Road (2005-59), Buccaneer Trail/CR105A (2004-29), Gerbing Road (2004-08), Scott Road (2003-02), Amelia Island Parkway (2003-01), and Meadowfield Bluff Road (2008-13); and

WHEREAS, the designation of said scenic/canopy roads will protect and enhance both the natural corridors of the county and their natural beauty along these roads; and

WHEREAS, 59% of residents who live on Anthony Street have requested that the Board of County Commissioners designate Anthony Street, located within the unincorporated area of Nassau County, as a canopy/scenic road; and

WHEREAS, Anthony Street meets the criteria for designation of a canopy road pursuant to Section 37.08(A) of the Land Development Code; and

WHEREAS, The Planning and Zoning Board, after a public hearing conducted on July 2, 2019, found the scenic/canopy designation for Anthony Street, to be in the best interests of the citizens of Nassau County; and

WHEREAS, the Board of County Commissioners held a public hearing on July 22, 2019; and

WHEREAS, public notice of this action has been provided in accordance with Chapter 125, F.S. and Section 37.08 (a) of the Nassau County Land Development Code.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Nassau County, Florida:

SECTION 1. FINDINGS

- A. This Ordinance is consistent with the Nassau County Comprehensive Plan, in particular Policies CS.02.01 and CS.12.03.
- B. The method by which the trees identified and recorded in Exhibits "A" and "B" complies with the Nassau County Canopy Road Ordinance, currently codified in Section 37.08 of the Nassau County Land Development Code.

SECTION 2. ADOPTION

- A. The Board of County Commissioners hereby designates Anthony Street within the unincorporated area of Nassau County as a scenic/canopy road pursuant to Section 37.08, Land Development Code.
- B. The Board of County Commissioners establishes the scenic/canopy road zone to include the County right-of-way of Anthony Street and an area of uniform width 20 feet outside of the boundaries of the ROW as shown in Exhibit "A".
- C. Restrictions applicable to the Anthony Street scenic/canopy road zone pursuant to Section 37.08 (B)(1-7) of the Land Development Code include:
 - 1. The County shall not widen or increase the number of lanes on any of the County roads designated as scenic/canopy roads.
 - 2. Outdoor advertising signs shall be prohibited, except signs advertising residential developments or homes for sale or parcels of property immediately adjacent to the road or subdivision and entryway signs constructed in accordance with the county sign ordinance. On-premises commercial signs, excluding billboards, shall be allowed.
 - 3. The erection of markers or signage indicating that the road is a scenic/canopy road or historic road shall only be accomplished at the direction of the Planning Director or his/her designee with the consent of the Board of County Commissioners.
 - 4. The County may set and post speed limits and provide signage warning of restricted roadway shoulders.
 - 5. The County may set classes of vehicular travel, including weight and height limitations.
 - 6. The County may limit access and width of access.
 - 7. Tree protection. No trees, except as identified in Florida's Most Invasive Species List, Category I, which have attained a diameter of eight (8) inches or more at a point four and one-half (4½) feet above average ground level within the zone shall be removed, except as provided for in Section 37.08 of the Land Development Code.
- D. The removal of any protected tree shall be in accordance with the procedures and standards of the Canopy/Scenic Road ordinance, as may be amended from time to time.

SECTION 3. EFFECTIVE DATE

This Ordinance shall take effect upon filing with the Secretary of State as provided in Florida Statutes, Section 125.66, Florida Statutes.

PASSED and ADOPTED this _____ day of _____, 2019.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA

JUSTIN M. TAYLOR,
Its: Chairman

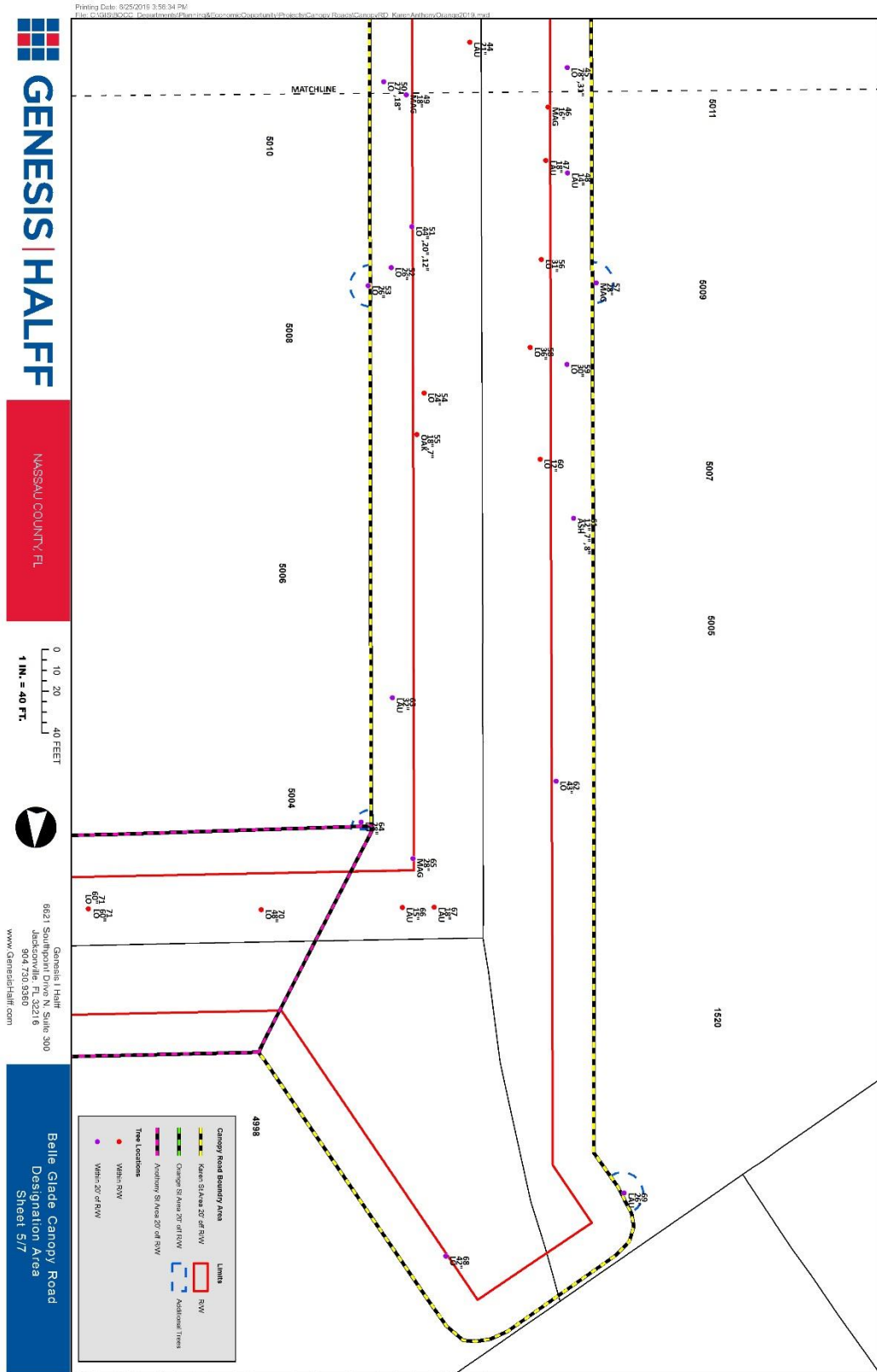
ATTEST as to Chairman's Signature:

JOHN A. CRAWFORD
Its: Ex-Officio Clerk

Approved as to form and legality by the
Nassau County Attorney:

MICHAEL S. MULLIN,
County Attorney

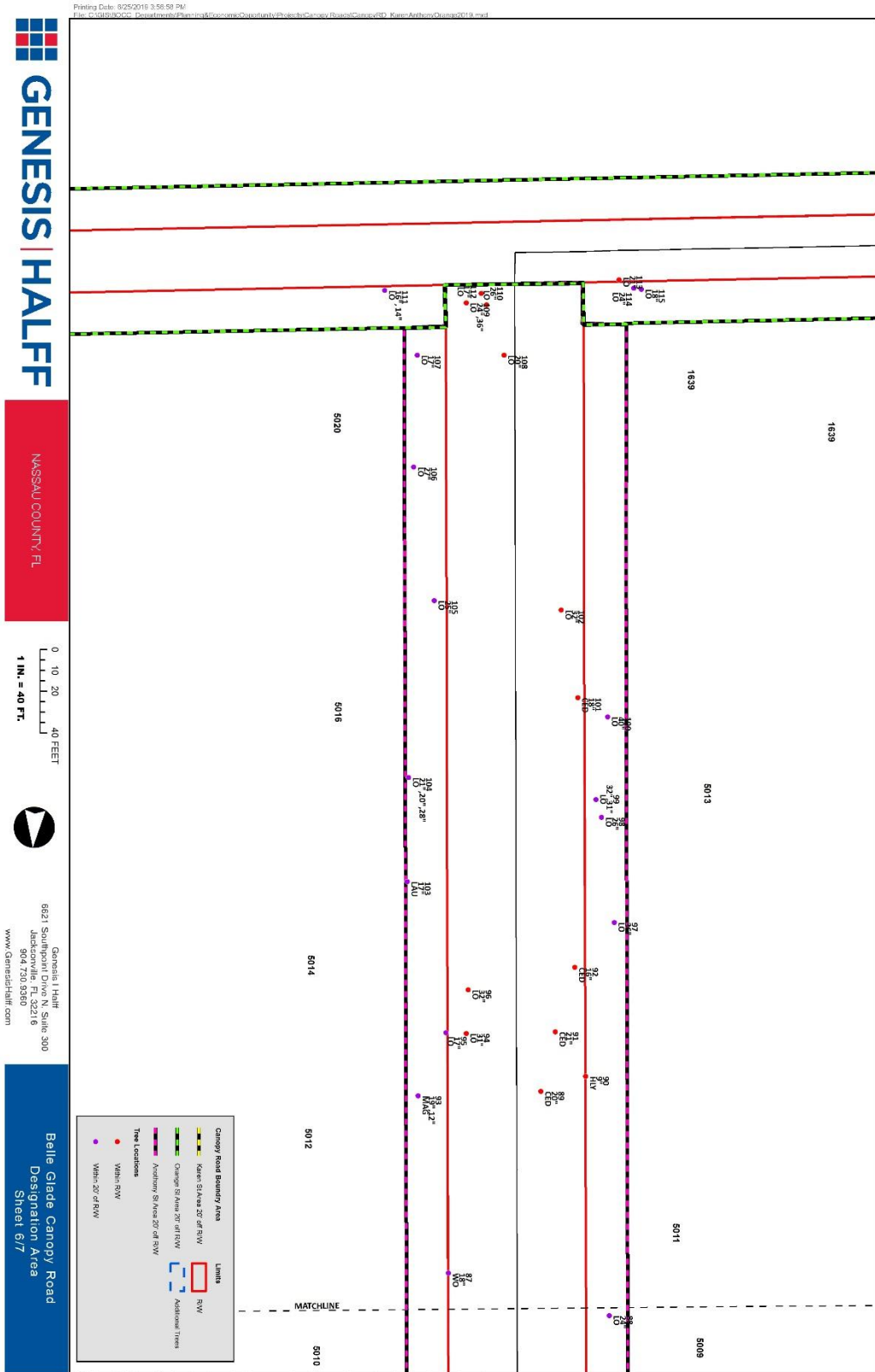
EXHIBIT A



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EXHIBIT A



Belle Glade Canopy Trees (Anthony Street)

May 23, 2019

Tree ID No.	Size (D.B.H.)	Scientific Name	Common Name	Protected	Form	Status 1	Status 2	Remarks
71	60"	Quercus virginiana	live oak	Yes	Minor Asymmetry	Good	2	Bulges; Fork @ 10'; Slight Lean
72	24", 26"	Quercus virginiana	live oak	Yes	Minor Asymmetry to Major Asymmetry	Fair to Good	2	Co-dominant Trunks; Bulges
73	31"	Quercus laurifolia	laurel oak	Yes	Minor Asymmetry to Major Asymmetry	Good	2	Vines
74	40", 32", 30"	Quercus virginiana	live oak	Yes		Fair to Good	2	Decay @ Poorly Pruned 4th Trunk
75	13"	Quercus virginiana	live oak	Yes	Major Asymmetry	Fair to Good	2	Vines
76	29"	Quercus virginiana	live oak	Yes	Generally Symmetric to Minor Asymmetry	Good	2	Vines
77	30"	Quercus virginiana	live oak	Yes	Major Asymmetry	Fair to Good	2	Cavities @ Base; Forks @ 12'; Medium Lean
78	20"	Quercus virginiana	live oak	Yes	Minor Asymmetry to Major Asymmetry	Good	2	
79	31"	Quercus virginiana	live oak	Yes	Generally Symmetric	Good	2	
80	42"	Quercus virginiana	live oak	Yes	Minor Asymmetry to Major Asymmetry	Good	2	Forks @ 9'; Some Vines
81	25"	Quercus virginiana	live oak	Yes	Major Asymmetry	Fair to Poor	3 to 4	Root Flare Collar Buried; Severe Lean
82	30"	Quercus virginiana	live oak	Yes	Major Asymmetry	Fair	3	Forks @ 7'; Some Decay @ Old Branch; Slight Lean
83	28"	Quercus virginiana	live oak	Yes	Minor Asymmetry to Major Asymmetry	Fair	3	Medium Lean
84	19"	Quercus virginiana	live oak	Yes	Minor Asymmetry to Major Asymmetry	Fair	3	Medium Lean
85	25"	Quercus virginiana	live oak	Yes	Minor Asymmetry to Major Asymmetry	Fair to Good	2	Medium Lean; Stems @ Base (4' & 5')
86	36"	Quercus laurifolia	laurel oak	Yes	Major Asymmetry	Fair to Poor	3 to 4	Some Very Minor Girdling Roots; Root Anchors look Insufficient; Medium to Severe Lean
87	18"	Quercus nigra	water oak	No	N/A	Poor	5	Dead; Stag-headed
88	24"	Quercus virginiana	live oak	Yes	Minor Asymmetry to Major Asymmetry	Poor	4	Construction Work & Grade Change Within Drip Line; Medium Lean; Forks @ 10'; Vines
89	20"	Juniperus silicicola	southern redcedar	Yes	Generally Symmetric	Good	2	Pruned for Overhead Lines
90	9"	Ilex Opaca	American holly	Yes	Generally Symmetric	Good	2	
91	21"	Juniperus silicicola	southern redcedar	Yes	Generally Symmetric	Good to Excellent	1	Minor Girdling Roots



Jordan P. Lumburg, RLA, FL 66667021 USA | Certified Arborist, FL 9478A

Belle Glade Canopy Trees

(Anthony Street)

May 23, 2019

Tree ID No.	Size (D.B.H.)	Scientific Name	Common Name	Protected	Form	Status 1	Status 2	Remarks
92	16"	Juniperus silicicola	southern redcedar	Yes	Generally Symmetric	Good	2	Beginning of Minor Girdling Roots; Lean
93	19", 12"	Magnolia grandiflora	southern magnolia	Yes	Generally Symmetric	Fair to Good	2	Some Bulges; Forks @ D.B.H.; Some Leaf Spot
94	31"	Quercus virginiana	live oak	Yes	Major Asymmetry	Fair	3	Loose Bark; Forks Upper Level of Tree
95	17"	Quercus virginiana	live oak	Yes	Minor Asymmetry to Major Asymmetry	Fair	3	Root Flare or Collar Covered; Slight Lean
96	32"	Quercus virginiana	live oak	Yes	Major Asymmetry	Fair	3	Root Collar Buried; Medium Lean; Loose Bark
97	36"	Quercus virginiana	live oak	Yes	Generally Symmetric to Minor Asymmetry	Fair to Good	2	Girdling Roots; Slight Lean
98	26"	Quercus virginiana	live oak	Yes	Minor Asymmetry to Major Asymmetry	Fair	3	Girdling Roots; Medium Lean
99	32", 31"	Quercus virginiana	live oak	Yes	Major Asymmetry	Poor	4	Poor Anchorage; Girdling Roots; Roots Mounding Above Grade; Medium to Severe Lean; Included Bark @ Co.
100	40"	Quercus virginiana	live oak	Yes	Major Asymmetry	Fair	3 to 4	Roots Anchorage Strong on One Side; Medium to Severe Lean; Forks @ 5-5.5; Small Cork
101	18"	Juniperus silicicola	southern redcedar	Yes	Minor Asymmetry	Fair to Poor	3 to 4	Girdling Roots; Roots Above Grade; Severe Lean; Missing Bark; Inappropriate Pruning
102	32"	Quercus virginiana	live oak	Yes	Minor Asymmetry to Major Asymmetry	Fair	3	Missing Bark @ Base; Sapwood Exposed
103	17"	Quercus virginiana	laurel oak	Yes	Generally Symmetric	Fair to Good	2	Minor Girdling Root; Irregular Bend in Trunk
104	21", 20", 28"	Quercus virginiana	live oak	Yes	Minor Asymmetry to Major Asymmetry	Fair	3	Minor Bark Missing; Presence of Aunts; Included Bark; Bulges
105	25"	Quercus virginiana	live oak	Yes	Major Asymmetry	Poor	4	Mound @ One Side Due to Lean; Severe Lean; Vines
106	27"	Quercus virginiana	live oak	Yes	Major Asymmetry	Fair to Poor	3	Missing Bark Going Up the Trunk
107	17"	Quercus virginiana	live oak	Yes	Minor Asymmetry to Major Asymmetry	Fair to Poor	3	Surrounded By Saw Palmetto; Cavity @ Old Branch Location; Medium Lean
108	20"	Quercus virginiana	live oak	Yes	Major Asymmetry	Poor	4	Mounded @ Base Due to Severe Lean; Severe Lean
109	24", 36"	Quercus virginiana	live oak	Yes	Minor Asymmetry	Fair to Poor	3	Missing Bark; Decay; Forks Close to Ground Level
110	26"	Quercus virginiana	live oak	Yes	Minor Asymmetry to Major Asymmetry	Fair	3	Grows in One Direction; Very Slight Lean; Dead Branch
112	17"	Quercus virginiana	live oak	Yes	Major Asymmetry	Fair to Poor	3	Medium Lean; Grows in One Direction

EXHIBIT B



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