

**Nassau County Board of County Commissioners
Joint Session with the Planning and Zoning Board
June 4, 2019, 4:00 p.m.
Commission Chambers, 96135 Nassau Place, Yulee, Florida**

Call to Order, Invocation and Pledge of Allegiance to the American Flag

County Commissioners:

Present: Vice Chairman Daniel B. Leeper, Commissioners Aaron C. Bell, Pat Edwards, and Thomas R. Ford.

Absent: Chairman Justin Taylor

Planning and Zoning Board Members:

Present: Chairman Linda Morris, Board Members Bruce Jasinsky, Nick E. Gillette, Charles W. Rogers, Wayne Arnold, Jeff Gray, Jimmy L. Higginbotham, Bobby Franklin, Barry Holloway, John Stack, and Charles Gressman.

Other Officials Present: Michael S. Mullin, County Manager/County Attorney; and, Taco Pope, Assistant County Manager.

Staff Present: Megan Diehl, Office of Management and Budget Director; Adrienne Burke, Planning and Economic Opportunity Director; Laura A. Borgesi, County Engineer; and representing the Clerk's office Peggy Snyder and Heather Nazworth, Deputy Clerks.

Official Agenda Summary:

Audience Input: Non Agenda Items

JT190604 - 4:01:55

None.

JT190604 - 4:01:32 In the absence of Chairman Taylor, Vice Chairman Leeper assumed the duties of Chairman and called the meeting to order. Vice Chairman Leeper welcomed Charles Gressman to the Planning and Zoning Board.

NEW BUSINESS:

JT190604 - 4:02:11 (Tab A) Discuss Proposed Revision to Amelia Island Tree Protection Ordinance.

Discussion: Mr. Pope provided an overview of the draft ordinance and addressed the budgetary impacts of adopting this policy. He highlighted the history of the process which began in 2016 and thanked the Amelia Island Tree Ordinance Working Group for their hard work developing guiding principles for the tree protection ordinance for the unincorporated areas of Amelia Island.

SueAnn Alleger, Planner II, came forward to explain that the purpose and intent of this ordinance is to provide standards and regulation to ensure a minimum number of trees on any lot or parcel, protect and preserve native tree species and natural landscape, foster and encourage maintenance of natural vegetation, and provide minimal loss of tree to development. She provided an overview of the process for tree protection and which trees would be protected. Ms. Alleger provided tree removal examples in construction zones for residential and commercial development and the percentage of replacement trees required. She discussed the fee-in-lieu of planting trees for properties too small to plant extra trees.

Ms. Alleger explained that under the Ordinance the Board will need to establish an Amelia Island Tree Commission (AITC). The AITC responsibilities will include review of Tree Protection Ordinances, permits, programs, recommendation, and appeals. Under the auspices of the County Manager day-to-day procedures would include handling contractors, permitting, and any violations. She provided an overview and examples of the construction zones, limits of disturbance, tree protection guidelines and zones, replacement and mitigation, and the required documentation for the process reviewed the documentation for the process.

Ms. Burke addressed the administrative changes resulting from the ordinance. She pointed out that the County would need to hire a full-time Arborist and a part-time Administrative Specialist to assist in the added responsibilities. She mentioned that in order to introduce concepts such as a planting program or off-site mitigation, the AITC must meet publically to coordinate these programs

and report to the Board of County Commissioners as an advisory function. She explained that the role of the Administrative staff members would consist of staffing meetings; preparing agendas; and assisting with the AITC needs and projects between meetings. The additional staff responsibilities will be permit management and issuance; conduct inspections and field visits; review all DRC submittals for compliance with the countywide Land Development Code (LDC) landscaping regulations; assist in Code Enforcement investigations; and, coordinate volunteer programming related to tree preservation and protection. She explained that this work is time-intensive; however, having this staff would free up the Planners. Next, Ms. Burke addressed the budgetary implications for these two positions including salary for the Arborist at \$60,000.00 and the Administrative Specialist at \$35,000.00 per year with benefits; a vehicle and field equipment, memberships and licensing with potential revenue coming from permits, inspections and Code Enforcement fees. She advised that the first year initial annual outlay was estimated to be \$138,000.00 which includes the cost of a new vehicle. She requested feedback from the Board prior to this ordinance moving forward through public hearings with the Planning and Zoning Board and the Board of County Commissioners.

Mr. Mullin briefly addressed proposed House Bill 1159 which was amended. The original ordinance dealt with diseased trees; however, the concern is that "danger" is not defined in the ordinance. This House Bill is still awaiting the Governor's signature.

Staff responded to questions posed by County Commissioners and Board Members regarding contracting an arborist, offsets for the cost for staffing, amount of Code Enforcement fines levied for tree damage or removal, whether Homeowner's Association would be considered a local government, buffering between non-compatible use neighborhoods, and the County hiring their own arborist to provide continuity.

The following members of the public came forward to speak regarding the tree ordinance:

- Margaret Kirkland, on behalf of Amelia Tree Conservancy, was in support of the passage of this ordinance.

- Tommy Oliver addressed the potential of a hotel and racetrack on a canopy road in Fernandina Beach and wanted to ensure that this ordinance has enforcement capabilities to prevent the removal of the Oak trees on that property.
- Joanne Leimberg commented on the potential of greater cooperation between the County and the City of Fernandina Beach regarding regulations.

Mr. Pope responded to an inquiry that staff will research the possible relocation of trees. Further discussion ensued regarding the mitigation and enforcement of the tree ordinance.

There being no further discussion, the joint workshop session of the Board of County Commissioners and Planning and Zoning Board adjourned at 5:10 p.m.

Linda Morris, Chairman
Planning and Zoning Board

Daniel Leeper, Vice Chairman
County Commission

Attest:

John A. Crawford, Ex-Officio Clerk