

ORDINANCE NO. 2019 - _____

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF
NASSAU COUNTY, FLORIDA DESIGNATING ORANGE AVENUE 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, 57% of residents who live on Orange Avenue have requested that the Board of County Commissioners designate Orange Avenue, located within the unincorporated area of Nassau County, as a canopy/scenic road; and

WHEREAS, Orange Avenue 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 Orange Avenue, 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 "D" attached herein 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 Orange Avenue 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 Orange Avenue and an area of discontinuous width outside of the boundaries of the right-of-way as shown in Exhibit "A" and further described below:
 - 1. The Canopy Road Designation area outside the boundaries of the right-of-way is a 10-foot continuous width for the portion of Orange Avenue which abuts parcel # 00-00-30-0780-0013-0020 on the north side of Orange Avenue and parcel # 00-00-30-0780-0003-0000 on the south side of Orange Avenue as shown in Exhibit "B" for a total width of 49.7 feet
 - 2. The Canopy Road Designation area outside the boundaries of the right-of-way is a 20 foot continuous width for the portion of Orange Avenue which abuts parcel # 00-00-30-0140-0011-0000, 00-00-30-0140-0029-0000, 00-00-30-0140-0030-0000, 00-00-30-0140-0040-0000 on the north side of Orange Avenue and parcel # 00-00-30-0780-0004-0000 on the south side of Orange Avenue as shown in Exhibit "C" for a total width of 69.7 feet.
- C. Restrictions applicable to the Orange Avenue scenic/canopy road zone pursuant to Section 37.08 (B)(1-7), 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

Printing Date: 7/15/2019 1:10:07 PM
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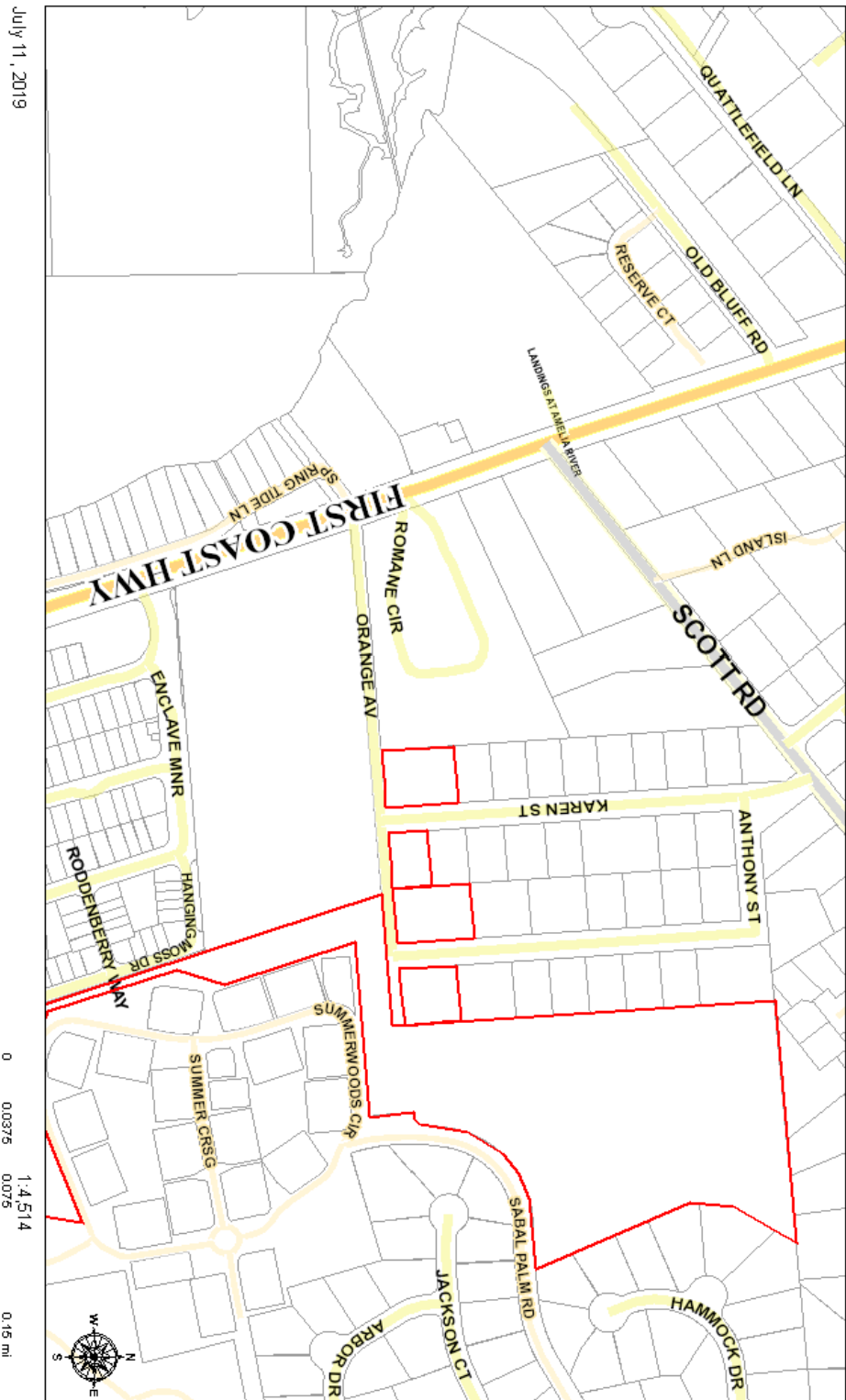


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EXHIBIT C

Exhibit C



Belle Glade Canopy Trees (Orange Avenue)

May 23, 2019

EXHIBIT D

Tree ID No.	Size (D.B.H.)	Scientific Name	Common Name	Protected	Form	Status 1	Status 2	Remarks
1	24", 25"	Quercus virginiana	live oak	Yes	Minor Asymmetry	Good	2	Very Minor Decay @ Co-dominant Trunk; Forks @ 20"
111	16", 14"	Quercus virginiana	live oak	Yes	Major Asymmetry	Poor	3 to 4	Decay & Cavities @ Base; Vines; Co-dominant Trunks; Bulges; Inappropriately Pruned
113	21"	Quercus virginiana	live oak	Yes	Major Asymmetry	Fair	3	Vines; Minor Conks
114	24"	Quercus virginiana	live oak	Yes	Minor Asymmetry to Major Asymmetry	Fair to Good	2	Bulges
115	18"	Quercus virginiana	live oak	Yes	Major Asymmetry	Fair	3	Slight Lean; Grows in One Direction; Dead Branches
116	38"	Quercus virginiana	live oak	Yes	Generally Symmetric to Minor Asymmetry	Fair to Poor	3	Decay; Loose Bark; Forks @ 8½; Bulges
117	9"	Prunus caroliniana	cherry laurel	Yes	Minor Asymmetry to Major Asymmetry	Poor	3 to 4	Vines; Bug Damage
118	28"	Quercus virginiana	live oak	Yes	Minor Asymmetry to Major Asymmetry	Fair to Poor	3	Slightly Buried Root Collar; Covered in Vines; Bulges
119	17"	Quercus virginiana	live oak	Yes	Minor to Major Asymmetry	Fair	3	Vines; Medium Lean; Grows in One Direction
120	18"	Celtis laevigata	sugarberry/hackberry	Yes	Generally Symmetric	Fair	3	Forks @ 4'
121	14"	Quercus laurifolia	laurel oak	Yes	Minor Asymmetry to Major Asymmetry	Fair to Poor	3	Mechanical Damage (Wire)
122	25"	Quercus laurifolia	laurel oak	Yes	Minor Asymmetry to Major Asymmetry	Fair	3	Some Mechanical Damage; Decay
123	16"	Quercus virginiana	live oak	Yes	Minor Asymmetry to Major Asymmetry	Fair	3	Growth in One Direction; Curve in Trunk
124	21"	Quercus laurifolia	laurel oak	Yes	Major Asymmetry	Fair to Poor	3	Slight Lean; Forks @ 7½; Dead Branches
125	12"	Sabal palmetto	cabbage palm	No		Excellent	1	
126	18"	Celtis laevigata	sugarberry/hackberry	Yes		Fair	3	Several Forks; Decay @ 8½
127	7"	Prunus caroliniana	cherry laurel	Yes		Excellent	1	
128	13"	Sabal palmetto	cabbage palm	No		Fair	3	Poor Spear Leaf
129	8"	Celtis laevigata	sugarberry/hackberry	Yes		Fair to Good	2	Some Decay @ 6½
130	11"	Quercus laurifolia	laurel oak	Yes		Fair to Good	2	Crooked
131	12"	Celtis laevigata	sugarberry/hackberry	Yes		Excellent	1	



Jordan P. Limburg, RLA, FL 66667021 ISA | Certified Arborist FL-9478A



Belle Glade Canopy Trees

(Orange Avenue)

May 23, 2019

Tree ID No.	Size (D.B.H.)	Scientific Name	Common Name	Protected	Form	Status 1	Status 2	Remarks
132	24"	Quercus virginiana	live oak	Yes		Fair to Good	2	Bent But Good
133	11"	Celtis laevigata	sugarberry/hackberry	Yes		Poor	4	Deep Cavity @ 7 ft
134	19"	Celtis laevigata	sugarberry/hackberry	Yes		Excellent	1	
135	10"	Celtis laevigata	sugarberry/hackberry	Yes		Poor	4	Big Decay; Failure @ 9 ft; Not Much Left
138	12"	Quercus laurifolia	laurel oak	Yes		Fair	3	Poor Form; Some Decay
139	17"	Quercus laurifolia	laurel oak	Yes		Fair to Good	2	Leans Over Road
140	12"	Celtis laevigata	sugarberry/hackberry	Yes		Poor	4	Big Decay
141	11"	Celtis laevigata	sugarberry/hackberry	Yes		Good	2	Leans Over Road
144	14"	Quercus laurifolia	laurel oak	Yes		Good	2	Vines
145	18"	Celtis laevigata	sugarberry/hackberry	Yes		Poor	4	Split Apart; Alive Part is Weak
146	42"	Quercus virginiana	live oak	Yes		Fair to Poor	3	Dieback; Sparse
148	20"	Quercus virginiana	live oak	Yes		Good to Excellent	1	Tree 149 @ Base of This Tree
149	8"	Quercus laurifolia	laurel oak	Yes		Poor	4	Growing into Tree 148
150	22"	Quercus virginiana	live oak	Yes		Excellent	1	2034
151	13"	Quercus virginiana	live oak	Yes		Excellent	1	2033
152	32"	Quercus virginiana	live oak	Yes		Excellent	1	2022



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Belle Glade Canopy Trees
(Orange Avenue)

May 23, 2019

Tree ID No.	Size (D.B.H.)	Scientific Name	Common Name	Protected	Form	Status 1	Status 2	Remarks
153	72"	Quercus virginiana	live oak	Yes		Excellent	1	917

EXHIBIT D



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