



## Legislation Text

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**File #:** PC24-240, **Version:** 1

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### **Subject:**

**SELECTION OF PLANNING COMMISSION MEMBER OF TREE ADVOCACY COMMITTEE**

### **Background**

On April 29, 2024, the Town Council adopted a series of amendments to the Town of Vienna code, with the purpose addressing the loss of tree canopy in Vienna. The effective date of these changes is July 29, 2024.

Members of the Planning Commission will remember that the Commission reviewed proposed changes during a series of work sessions and meetings in late 2023, which resulted in your having provided a recommendation memorandum to the Town Council.

The adopted amendments covered two general areas:

- 1) Changing the regulatory approach for trees during the redevelopment process from a focus on tree replacement to a focus on tree preservation. The new regulations are being moved from Chapter 18 (Zoning and Subdivision) into Chapter 17 (which was left vacant when zoning and subdivision regulations were combined).
- 2) Establishing Chapter 27 of the Town code, the Tree Advocacy Committee (TAC) to serve under the Conservation and Sustainability Commission (CSC) but also report to the Town Council.

Final versions of the amendments have not yet been published but the adopted changes can be found in Attachments 1 and 2 in the Town Council agenda item for April 29, 2024.

### **Planning Commission Member of the TAC**

In establishing the TAC, the Town Council approved there being nine (9) members, as follows, all of whom must be residents of the Town of Vienna:

- 4 members appointed directly by the Town Council.
- 2 student members, one of whom is a senior and one a junior, appointed directly by the Town Council.
- 2 members selected by the CSC from its membership.
- 1 member selected by the Planning Commission from its membership (as was recommended by the Planning Commission).

For the Planning Commission to have its member selected by the effective date of the legislation (July 29<sup>th</sup>), the Planning Commission would need to make its selection at the July 10<sup>th</sup> meeting, which is the last Commission meeting before the summer break. The Town Council will not have made its TAC appointments before its summer break, so it is not yet clear when the first meeting of the TAC will be. The Planning Commission could, with little risk, discuss the topic on July 10<sup>th</sup> and make a final decision at its first meeting after the summer break, which would be August 28<sup>th</sup>. However, staff suggests that the Planning Commission make its decision as soon as possible.

### **The TAC (Tree Advocacy Committee)**

The TAC is defined in Section 27-5 of the Town code, whose amendments, as indicated above, have not yet

been published. Key provisions are as follows, taken direction from the adopted legislation:

- The Tree Advocacy Committee shall advise and assist the Town on matters relating to the conservation and management of the Town's trees and tree canopy and the development and maintenance of specifications and guidelines related to the same.
- The Tree Advocacy Committee shall consist of nine (9) members; four (4) of whom shall be appointed by Town Council, two student (2) members shall be selected by the Town Council who should be one current or upcoming high school junior and one high school senior and serve a term of two (2) years, two (2) members shall be selected by the Conservation and Sustainability Commission from its membership, and **one (1) member shall be selected by the Planning Commission from its membership**. In addition, a Town representative(s) from the Departments of Parks and Recreation and/or Planning and Zoning shall serve as an ex-officio member(s) of the Tree Advocacy Committee. All appointees shall be residents of the Town. In making all appointments to the board, Town Council shall give consideration to persons who have evidenced an interest or expertise in tree conservation and tree policy.
- The term of all members shall be for two years. Initially, two members of the Tree Advocacy Committee shall be appointed for a term of one year and three members shall be appointed for a term of two years. Thereafter, all appointments to the Tree Advocacy Committee except for those to fill an unexpired term, shall be for a period of two years. Vacancies occurring on the Tree Advocacy Committee for reasons other than the expiration of terms shall be filled by the appropriate appointing entity for the remainder of the unexpired term. Members shall be eligible for reappointment. Members may be removed from the Tree Advocacy Committee by a majority vote of Town Council.
- The Tree Advocacy Committee shall meet one (1) hour before each CSC regular meeting *{Staff note - the CSC meets the 4<sup>TH</sup> Thursday of each month, except November and December when meetings are on the third Thursday}*, or as set by motion of the Tree Advocacy Committee, and shall adhere to the same requirements relating to organization, rules, meetings, and records applicable to the Conservation and Sustainability Commission as set forth in Section 27.3.
- The Tree Advocacy Committee shall have the following powers and duties:
  1. To promote and protect public health, safety, and general community appearance by planning and recommending to the Town Council, the Director of Parks and Recreation, and/or the Director of Public Works, or their designee, the planting, maintenance, and removal of trees, shrubs, and other plants on public property within the Town.
  2. To assist with creating an Urban Forest Management Plan. Such plan will be reviewed annually, updated as necessary, and presented to the Town Council; upon acceptance and approval by the Town Council, such plan shall constitute the official public tree management plan for the Town.
  3. To recommend to the Town Council and to the appropriate municipal department directors the adoption of such rules, regulations, and policies and programs relating to tree conservation and management, the care and improvement of the Town's urban forest, and protecting and enhancing the Town's tree canopy including those necessary, to implement and enforce the Urban Forest Management Plan and related ordinances.
  4. To undertake an ongoing program of public outreach and education in order to promote public understanding and support of the Town's Urban Forest Management Plan and to increase public awareness of the value and benefits of a diversified, sustainable community forest.
  5. To attend as a Town representative and bring back knowledge and information from, area, regional, and interagency meetings, seminars, summits, and conferences concerning urban

forestry programs and policies.

6. To assist Town staff with compiling the annual Urban Forestry report. Such information and statistics include: (a) the amount spent each year by the Town for the purchase and planting of trees, (b) the number of trees planted on Town property each year, (c) the number of trees on Town property cut down or removed, (d) any available data regarding the extent of or changes to the Town's tree canopy, and (e) any available data regarding an inventory of the Town's street trees, such as the percentage of street tree planting sites that are filled, and priority street tree planting sites that are unfilled.
  7. For three years from the effective date of this Ordinance, and then annually thereafter, to present a semi-annual Activity Report simultaneously to the CSC and to the Town Council at a joint session. The Activity Report will include a description of the Tree board Advocacy Committee's activities, and any available key data and statistics compiled under subsection (e)(7) above that the Tree Advocacy Committee deems relevant, and ongoing and anticipated future activities. This information and report shall be published each year, including on the Town website. No less frequently than every ten (10) years, or more frequently, upon request of Town Council, the Tree Advocacy Committee, with the assistance of Town staff, shall provide to the Town Council a comprehensive report on the measurement of the Town's tree canopy including a comparison of previous measurements.
- Review by Town Council. The Town Council shall have the right to review the conduct, acts, and decisions of the Town Advocacy Committee. Further, the Tree Advocacy Committee, when requested by the Town Council, shall consider, investigate, make findings, report on, and recommend any special matter or question coming within the scope of its work.

### **PROPOSED/SUGGESTED MOTION**

"I move that the Planning Commission select \_\_\_\_\_ to serve as the Planning Commission member of the Tree Advocacy Committee for a term of two years and that the selected member report back to the Planning Commission on a regular basis regarding activities of the Tree Advocacy Committee."

Or

Other action deemed necessary by the Planning Commission.