



Legislation Details (With Text)

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Attachments: 1. 1. Trees in Vienna Report-Final-10-2022, 2. 2. Trees in Vienna Presentation Slides - FINAL 3.6.pdf, 3. 3. Vienna Urban Tree Canopy Assessment Report 10.4.22, 4. 4. Urban Tree Canopy Recommendations to Town Council - 10.26.22, 5. 5. Tree Ordinance Slides - 5.8.23 final, 6. 6. Recommended Tree Ordinance-5-8-23 Draft

Date	Ver.	Action By	Action	Result
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Subject:

Urban Tree Management Discussion

BACKGROUND SUMMARY :

On May 8, 2023, the Urban Tree Management Discussion was held during the council conference session. Council moved to continue the discussion to the June 12 council conference session.

On September 14, 2020, Town Council approved the submittal of a request for Kirkland and Ellis LLP and Ramboll US Corporation to undertake a pro bono project to complete a legal, policy, and technical analysis to identify tree preservation/restoration programs in other jurisdictions in Virginia, through interviews and research, that could benefit the Town as well as other communities seeking to enhance their tree programs. On March 6, 2023, Brian Land, a long-time Vienna resident and attorney at Kirkland & Ellis LLP, and Christina Caplan, Chair of Vienna's Conservation and Sustainability Commission, provided a summary presentation of the report *Trees in Vienna: A Review of Programs to Help Vienna Preserve and Manage its Tree Canopy*.

On October 11, 2021, Town Council approved the agreement to conduct the Urban Tree Canopy Assessment. The purpose of the project was to help the Town prepare an urban forest management plan, set a tree canopy goal and measure progress toward mitigating and reversing tree loss in the Town. The Urban Tree Canopy Report was presented by Davey Resource to council at the October 17, 2022 Town Council meeting. Unfortunately, there was not ample time at the October 17, 2022 conference session to discuss staff recommendations for next steps and to address council comments. A memo titled Urban Tree Canopy Report Recommendations was provided to council on November 4, 2022 as a follow-up to the October 17th conference session listing staff recommendations in order of priority and responses to council comments.

PlanIT Geo is currently performing a town-wide tree inventory. The goals for this project are to develop and analyze the data that will support the subsequent development of an Urban Forest Management Plan for the Town and provide tree canopy goals for the Town. The data to be provided by PlanIT GEO will include:

1. An up-to-date tree inventory analysis
2. A review of the types, age, condition etc. of the Town's trees
3. Suggested planting areas delineated by tree size class (small, medium, large) to provide information where planting efforts in the Town should be targeted.
4. Recommendations on how this tree inventory will support goals and information provided in the Town's Urban Tree Canopy report.

PlanIT Geo will present to council the Tree Inventory Report on June 12, 2023.

OVERVIEW :

The Town of Vienna has a history of trees in wood lots and field edges. As the Town began to develop from farmland and transition into built lots, trees were planted as amenities. Urban Tree Canopy Assessment Report (2022) measured Vienna's tree cover at 33.8% by 1990, 44.5% by 2011 and 38.7% in 2021.

Tree canopy coverage in decline

What actions attributed to the decline between 2011 and 2021? The most visible reason is the rate at which trees are being culled on private property during land development. Replacement trees are required however the new trees are diminutive as compared to their forebearers and take time to mature and bear their mature canopies and benefits. Tree canopy decline is also observable on public lands. There are many vacancies in tree lawns along streets, and there are many stumps and trees in poor health. Regeneration of trees in parks and greenspaces are declining as deer populations increase and pressure from invasive vines and groundcover persist.

SUMMARY/STAFF IMPRESSIONS :

What action can be implemented to influence canopy coverage?

Regenerating the Town's urban forest is complex as both public and private land is involved. A multilayered approach is needed to first stop the decline and then reverse its trajectory.

1. Tree Canopy Coverage Goal - Determine the canopy coverage percent goal for the Town of Vienna. Currently coverage it is 38.7%. Staff recommends ongoing monitoring of the Town's tree canopy coverage on a 5-year interval to determine effectiveness of its programs and approach.
2. Tree maintenance
 - a. Tree inventory - Vienna's inaugural tree inventory is currently underway and is already proving its worth by identifying the current tree condition and available planting locations along streets. This is a vital tool to help with tree management and the formation of appropriate budget, staffing and equipment for tree maintenance.
 - b. Vienna needs skilled maintenance staff, essential equipment, and sufficient budget to maintain its urban forest. Currently, Vienna has no Urban Forestry maintenance staff. We have two full time employess (FTE) who are responsible for horticulture, landscape

and aesthetics. It's been the practice to use these two staff in a pinch when tree maintenance tasks arise. Most of tree maintenance work cannot be completed by horticulture staff. The current tree chip truck and aerial lift are in dire need of an upgrade for efficiency and capability of maintaining trees and compatibility of other equipment. The BobCat Toolcat (council approved ARPA funded 2022) is part of the equipment necessary for a successful tree maintenance program. Thank you for the investment.

3. Tree installation - Vienna can control tree maintenance and planting on Town properties (streets, parks and green spaces). The Town tree inventory (in progress) has identified over 1200 vacant planting locations along streets in addition to the locations where current dead trees and stumps exist. Vienna's habitat restoration program continues to work in Town parks to remove invasive plants and install native trees and shrubs to ensure resiliency of tree cover and ecological services.
4. Tree Commission - creating a standalone Tree Commission to focus solely on tree related matters would be most beneficial to staff and the Town Council. They would help create and guide Vienna's Urban Forest Management Plan, liaison with homeowners and businesses, host tree planting events and help to educate the public through outreach events and marketing. The Vienna Tree Report (2022) proposes language for powers and duties of the Tree Commission.
5. Tree Ordinance - The Vienna Tree Report (2022) discusses and demonstrates the need for consolidation and improvement of Town ordinances relating to trees. Staff supports a standalone Tree Ordinance with the inclusions of civil penalties for unapproved damage or removal to Town trees and supports codifying the requirement of installing new trees along with all new sidewalks during private parcel development and Town projects.
6. Private property tree coverage - The greatest opportunity to improve Vienna's tree canopy coverage is on private property. The Town however, only regulates tree canopy on private property in the event of development on the property when land disturbance will be greater than 2,500 square feet. The current code requirement is to provide a minimum of 20% tree coverage 20 years after development. This minimum coverage is far below the current tree coverage percentage of 38.7%. The Vienna Tree Report (2022) discusses Vienna's current code and how Vienna can adopt other parts of the state code to allow for a higher canopy coverage percentage on properties zoned RS-16 and RS-12.5 while changing for a tree replace based code to a conservation based code.

RECOMMENDATION : Staff is looking for council to provide guidance on:

- 1) actions to influence canopy coverage and management of the Town's urban forest
- 2) consolidation and improvement of a standalone tree ordinance
- 3) designation of an independent Tree Commission