



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of February 23, 2008**

DATE: February 6, 2008

SUBJECT: Request to Advertise a public hearing on the adoption of non-codified ordinances designating nine trees on public property and one tree on private property as “Specimen Trees” in accordance with Arlington County’s Tree Preservation Ordinance (Chapter 67, Trees and Shrubs) so that they are subject to protection from removal or injury.

C. M. RECOMMENDATION:

Authorize advertisement of a public hearing for the adoption of the attached ordinances on March 15, 2008 to designate nine trees on public property and one tree on private property as “Specimen Trees” in accordance with Arlington County’s Tree Preservation Ordinance so that they are subject to protection from removal or injury.

ISSUES: The nine trees located on public property were nominated for designation as “Specimen Trees” by the Urban Forestry Commission. Most of these trees were documented as part of the Natural Heritage Resource Inventory Project and are currently designated as “Champion Trees” through Arlington County’s new Champion Tree Program. Designation as “Specimen Trees” through the Tree Preservation Ordinance would result in their protection from removal or injury. The tree located on private property at 4836 30th Street North was nominated by the property owners who also reside at this address.

SUMMARY: Arlington County’s Tree Preservation Ordinance (Chapter 67, Trees and Shrubs) provides a mechanism for the County Board to designate Heritage, Memorial, Specimen and Street Trees on both public and private property, which may result in special protection from removal or damage. Staff recommends that the Board authorize advertisement of a public hearing for the adoption of ordinances on March 15, 2008 that would designate nine publicly owned trees and one privately owned tree as “Specimen Trees” so that they are protected from removal or injury, subject to the conditions of Arlington’s Tree Preservation Ordinance. All trees meet the ordinance’s criteria of “Specimen Tree” by virtue of their outstanding size for their species. The nine trees on public property are currently listed as County “Champions” or “Co-Champions” through the County Champion Tree Program, and represent the largest or 2nd largest known trees of their species in Arlington.

County Manager: _____

County Attorney: _____

Staff: Jamie Bartalon, Department of Parks, Recreation and Cultural Resources

BACKGROUND: In November, 2002, the Arlington County Board approved a Tree Preservation Ordinance, Chapter 67 (Trees and Shrubs). The Tree Preservation Ordinance focuses on two main areas: 1) the protection of trees on County property (or public vehicular and pedestrian easements maintained by the County), and 2) establishing a mechanism for designating Heritage, Memorial, Specimen and Street Trees on both public and private property, which may result in special protection status. The recommended Request to Advertise a public hearing for designation of nine publicly owned trees and one privately owned tree as “Specimen Trees” under this ordinance is the first step in providing special protection for these trees. The nine publicly owned trees were nominated for designation by Arlington’s Urban Forestry Commission. The privately owned tree was nominated for designation by the owners of the property where the tree is located.

The Tree Preservation Ordinance stipulates that no designated trees shall be removed or damaged in any way unless the County Board determines that: (a) there is an overriding need for public improvements; or (b) a severe hardship exists for reasonable use of a site. Should the County Board determine to permit such treatment, the Board may require that the tree be replaced with a similar tree or trees to approximate the canopy lost, and must issue a writing specifying the action permitted, the tree and its location, and the findings justifying the permission. However, nothing shall prevent the County Manager from permitting the removal of a tree in the event that the Urban Forester determines that the tree is dead, has become irreversibly diseased or irreversibly damaged by natural causes, or presents a hazard to the public.

Any person or entity who violates Arlington’s Tree Preservation Ordinance by causing, contributing to, or permitting injury to or removal or destruction of a Heritage, Memorial, Specimen, or Street Tree shall be subject to a civil penalty not to exceed \$2,500 for each violation.

Arlington’s Tree Preservation Ordinance also states that the provisions governing the preservation of designated Heritage, Memorial, Specimen and Street Trees “shall not apply (a) to work conducted on Federal or State property; (b) to emergency work to protect life, limb or property; (c) to routine installation, maintenance and repair of cable and wires used to provide cable television, electric, gas or telephone service; (d) to activities with minor effects on trees, including but not limited to home gardening and landscaping of individual homes; and (e) to commercial silvicultural or horticultural activities, including but not limited to planting, managing, or harvesting forest or tree crops”.

DISCUSSION: The trees proposed for designation as “Specimen Trees” through Arlington County’s Tree Preservation Ordinance are outstanding examples of their species in the County. The nine publicly owned trees are currently listed as County “Champion” or “Co-Champion” trees, representing the largest or second largest known trees of their species in Arlington. Several of these trees are also on the Virginia list of State Champion Trees, as described below.

Publicly Owned Trees

Post oak (*Quercus stellata*) on County street right-of-way in front of 5845 11th Street North

This tree is the State Champion post oak (the largest in Virginia). It may be one of the oldest trees in Arlington, and most likely dates to the mid or late 1700's. It is 18 feet in circumference and 93 feet tall.

Scarlet oak (*Quercus coccinea*) on the grounds of the Lee Community Center (5722 Lee Highway)

This County Co-Champion scarlet oak is the fourth largest of its species in the state. It is well proportioned and exhibits a classic flare at the base of its trunk. It is probably one of the oldest trees in the Westover area.

Chestnut oak (*Quercus prinus*) located in Bluemont Park

This regionally significant chestnut oak is currently the third largest in the State. It has a circumference of 15 feet/nine inches, and is 125 feet tall. It represents an old remnant of an historical forest for this area.

Swamp white oak (*Quercus bicolor*) adjacent to the picnic shelter in Bluemont Park

This County Champion swamp white oak is not only significant for its size and age, but is also rare in Arlington and represents an historical remnant of the original floodplain swamp forest that once existed along this portion of the Four Mile Run stream valley.

Tulip poplar (*Liriodendron tulipifera*) on the grounds of Fort C.F. Smith Park

This County Champion tulip poplar is currently the largest tree measured in Arlington County. It is almost 21 feet in circumference and 140 feet tall. This specimen is most likely one of the few trees at historic Fort C.F. Smith to pre-date the civil war.

Swamp chestnut oak (*Quercus michauxii*) located in Nina Park

Swamp chestnut oaks are currently considered to be a rare local species in Arlington due to past destruction of wetland forests. This specimen is the current County Champion for the species. It grows in a small urban park in an area that once supported a large expanse of wooded wetlands and swamp forests.

Two Virginia pines (*Pinus virginiana*) located in Lacey Woods Park

These two Virginia pines grow within 20 feet of each other in Lacey Woods Park. They represent the largest and the second largest Virginia pines currently listed in the State. This is not a long-living species, and these two trees probably date from the time of farmland abandonment. They are estimated to be between 85 and 100 years old.

Scarlet oak (*Quercus coccinea*) located in Chestnut Hills Park

This tree is the current County Co-Champion scarlet oak, and is tied as the second largest in the State. It is growing in a small neighborhood park that appears to have been part of an historic homestead.

Privately Owned Tree

White oak (*Quercus alba*) located in the front yard at 4836 30th Street North

The owners of this property, Dr. Thomas Cochran and Carol Cochran, have nominated this large white oak for specimen tree status because of its outstanding size. It has a circumference of nearly 16 feet. It stands 75 feet tall and has a crown spread over 92 feet. This is a signature tree in the neighborhood.

FISCAL IMPACT: No fiscal impacts are expected to result from the designation of these trees.