

CHARLOTTESVILLE TREE COMMISSION

November 5, 2024

5:00–7:00pm

**In-Person Meeting–Parks and Recreation Office
(Downtown Mall, Adjacent to Parking Garage)**

Attendees: Shanti Levy, Donna Shaunesey, Tyler Miller, Woody Parrish, Susan McKinnon, Rob Mathes, MaKshya Tolbert, Eric Bredder, Steve Gaines

Call to Order and Approval of April Minutes (*M. Tolbert*)

5:00–5:10pm

Staff Report (*S. Gaines*)

5:10–5:30pm

— Grant Update: The City has officially hired Eocene Environmental Group to update the city's urban forestry management plan. Since they underbid, more items from our wishlist have been added a la carte.

— The City has hired Jarema Landscapes for the 2024 fall tree planting. 130-140 trees will be planted along city rights of way, schools, parks (deadline Christmas week). Locations for tree installations and associated maps have been created, maps available on request.

— Invasive Plant Control Update:

- Herbicide treatments have been performed at every project location (Fall 2023-present).
- Ground covers (warm season grasses/forbs) have been installed at every project location.
- Survivability rate of seedlings averages around 60%. Replacements will be installed at larger project areas this fall by contractors (Fry's Spring, Jordan Park, and Forest Hills). Smaller plantings (Azalea, Oakwood Cemetery, Washington Park, Quarry Park, and Free Bridge) will be re-planted by volunteers in spring 2025.
- New Projects with a focus on vine removal/treatments (Disc Golf Course, Greenleaf Park) will begin Late October – Early November. Forestry Mulching on Butterfly Greenway will begin early 2025. Question: any options for non-chemical treatment? Some options would be more labor-intensive. Not allowed to use glyphosate. Discussion of using volunteers on these more labor-intensive projects, perhaps at Free Bridge (RCA planted it and has a strong interest in it). Could do test plots as an experiment over several years. Lorax Society? Eric volunteered to look into students.

— The City of Charlottesville (Dept of Environmental Sustainability) applied for a grant with Piedmont Housing Alliance. Emphasis of the grant is environmental upgrading in housing projects, solar, agriculture, recreation, and tree installations. Fry's Spring and Downtown (\$10 million). Steve included \$150,000 for trees.

— The City of Charlottesville (Historical Society/BAR) recently applied for a Historic Area Preservation Grant for the Downtown Mall. If selected the city will receive funding assistance for implementing Phase I of the Downtown Mall Tree Management Plan. Paul Josey helped with the application. 250 Fund. TC sent a letter of support.

Discussion on Staff Report

5:30–5:40pm

Committee Reports + Action Items

5:40–6:10pm

- Arbor Committee – 10 minutes
 - Fifeville Neighborhood Association Update; Shanti and MakShya – working on Oak Lawn (old Fifeville mansion). Med School thinking daycare and more. Woody says there's a designated community outreach person. Makshya will attend the community walk on Saturday (11 to 2). Shanti and Makshya will decide when to go door-to-door.
 - Resolution for protecting (all) city trees on public property? Should we put together a resolution? Tyler wonders if it will have any effect and whether we want to spend our limited political capital on this? Need to be very targeted and specific. The TreeCommission will put it on hold for that reason. We don't even know which trees are protected right now. If we get geared up for tree appraisals, perhaps we can revisit. As far as we know, the City has never enforced the penalty for cutting down a tree. Will it give the penalties for public tree removal more publicity? Steve is aware of five public tree removals in his tenure. Developers may take a public tree down before they even file a site plan.
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- Codes and Practices – 10 minutes
 - Update on Stormwater work session. Tyler reported that the folks we met with were impressed with the level of research that had been done. He suggests we should be focused and tightly defined when we make a proposal. Take their current formula, add the percentage of canopy and give a waiver for small lots. Plus raising the fee to allow for doing the work that's needed. Shifts the burden from small lots to large ones and businesses. Ask to re-examine how the formula is calculated and give them two options. The stormwater folks have maps of which properties feed directly into stormwater facilities. The funds collected

could be used to buy property (could have paid for the property on the Rivanna). Fee implemented ten years ago (mostly single-family homeowners), which makes it consistent. Can't make a profit, but can designate for infrastructure. City Dept could decide that trees are infrastructure (not decided by Council).

- Education & Advocacy – 10 minutes

- CHIPP Report out – starting on the neighborhood visits: Kellytown on the 16th and Little High coming soon.
- Update on web page
- Wolf/Josey Letter of Support (see letter appended at the end of the agenda) – this is how we get our documents into the record. Should we include docs in the minutes as opposed to the agenda? Is there any way to get older materials on the record? Newer members could benefit and the codes info would be saved. Letters that Steve sent are FOIAable, so should be legal.

New/Old Business: STATE OF THE FOREST

6:10–6:50pm

- Laying out a structure for SOTF (MT/SM) – could do work session in first session and SOTF second session in January.
- Recommendations (come to agreement)
 - NDS Arborist request: Tree Removal Permits, Sleep slopes, early site plan review (on behalf of large-diameter shade trees). Rob says he's heard there's support for it at NDS.
 - Stormwater fee: changes to collection
 - Resolution: All City Trees Protected?
 - Resolution: Sawmill/Nursery? Already have wood, have milled ashes and Mall trees, do a pilot project (need a little money upfront). Harrisonburg has sold wood to the public for the past three years. Can we get this together in time?
 - Councilors have said we have a lack of city support, should we have Steve humanize the report (state of state forest leads with state forester). Tree Stewards? People from tree walks? Include quotes from supporters throughout. Eric: another city put QR codes on trees and has people send in comments (maybe for next year). Riaan said we should shoot for February. We'll know something tomorrow.
 - Have tree-lovers in the audience holding I love trees signs to show community support.

Items/Announcements Not on Agenda/Action Items for Next Meeting

6:45–6:50pm

General Public Comment

6:50–7:00pm

Adjourn

7:00pm

(†) At the discretion of the Chair, public comments related to particular agenda items may be solicited at that point in the meeting. This virtual/electronic meeting is open to the public. You may participate electronically by registering at <https://www.charlottesville.gov/1077/Agendas-Minutes> or via telephone by using the number provided with the Zoom registration. Or you may contact staff at 434-970-3182 to receive the dial in number. In addition to the Zoom webinar, this meeting will be available on the City's streaming platforms, including Facebook, Twitter, and www.charlottesville.gov/streaming.

Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call the ADA Coordinator at (434) 970-3182 or submit a request via email to ada@charlottesville.gov. The City of Charlottesville requests that you provide a 48-hour notice so that proper arrangements may be made.

October 15, 2024

Caitlin Sylvester, Grant Coordinator
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, Virginia 23221
804-482-6461



RE: City of Charlottesville VA250/DHR Grant Fund Application

Dear Ms. Sylvester,

The City of Charlottesville's Tree Commission was established to advise and assist City Council, the Planning Commission, and City staff in the protection and preservation of trees in the public rights-of-way and to enhance the diversity and health of the City's tree canopy.

Stewardship of the trees on the Downtown Mall is an important component of the Commission's work and we strongly urge the Virginia Department of Historic Resources to provide the requested funds for the Downtown Mall Preservation and Rehabilitation Project.

Charlottesville's Downtown Mall opened to the public in 1976, and in the intervening years the Mall has become the vibrant heart of the City's historic district—a beloved destination for city residents and visitors alike. The success of the Downtown Mall is due to the brilliance of Lawrence Halprin's subtle design, which features the welcoming shade and lush greenery of its magnificent willow oaks.

However, after nearly five decades, the need for a comprehensive plan—to preserve the integrity of Halprin's design and to address the loss and decline of the willow oaks—has become critical.

The landscape architecture firm Wolf/Josey has presented its comprehensive plan for the Downtown Mall to the Tree Commission and other City agencies. It is an impressive long-range plan that, among other things, would rebuild the infrastructure that supports the trees; provide a highly detailed, phased sequence of tree removal, replanting, and care; enhance the visibility of the trees; and recenter access to Halprin's several fountains along the length of the mall.

The Tree Commission enthusiastically supports the Wolf/Josey comprehensive plan for the revitalization of Charlottesville's Downtown Mall. We urge you to support the preservation and rehabilitation of this historic resource in Charlottesville. If you have any questions, please contact us at the emails below. Thank you for considering Charlottesville's grant request.

Sincerely,
MaKshya Tolbert, Chair, Charlottesville Tree Commission
tolbert.makshya@gmail.com

Susan McKinnon, Vice Chair, Charlottesville Tree Commission
susanmmckinnon@gmail.com

0 High Street Letter

To: Mayor Snook, Members of the City Council, and City Manager Samuel Sanders, Jr.
From: The Tree Commission
Re: Preservation of the 0 High Street Property
Date: September 21, 2023

In its advisory role to the City Council, the Tree Commission urges the City to seize the opportunity and use all available remedies to preserve the 0 High Street property in its current undeveloped state. Due to its importance as a major floodplain for the city and as one of the last large urban greenspaces in Charlottesville that is not a city-owned park, this parcel cries out for the City's protection in response to the challenges of both climate change and increasing urban density.

Environmental Protection in Relation to Climate Change

In light of the City's recent recommitment to leadership "in improving the environment through implementation of its Climate Action Plan" (Strategic Plan Framework), we argue that it is crucial to be far-sighted *now* about climate change by purchasing land that can support the City's efforts to enhance environmental resiliency in the face of increased threats of flooding and intense heat. The 0 High Street parcel has immense natural resources—extensive floodplain meadows, forested areas, wetlands, and its riparian buffers along both Meade Creek and the Rivanna River. It is therefore in a unique position to contribute to the Comprehensive Plan's goals to "prioritize locations for green infrastructure improvements, including strategies outlined in GreenPrint 1.0, to improve stormwater management, flood mitigation, air and water quality, habitat, species migration, connectivity, and livability" (Chapter 7.5.1).

To that end, we strongly support the Comprehensive Plan's express commitment to "value and protect the Rivanna River and watershed as a major natural resource for the city and region" and to "continue public acquisition of natural areas along waterways to enable management strategies that protect water and habitat quality" (Chapter 7.3.1).

Urban Green Space and Public Health in Relation to Increasing Urban Density

The positive relationship between Urban Green Spaces and increased public health, safety, and well-being is well documented in the scientific literature.¹ This correlation is particularly salient in rapidly urbanizing cities where increased density is a goal (as is currently the case in Charlottesville). The Tree Commission has always maintained that to be a livable city, we need both more housing *and* a healthy environment. With our city's goal of increasing urban density, it is therefore even more imperative to conserve what is the last large urban green space in the city as natural resource and public parkland open to recreation and rejuvenation in a soothing natural environment.

We therefore support the key action items in the City's Climate Action Plan that direct the City to "work to acquire lands to expand public parkland" and to establish an "emerald necklace" as a "connected network of parks and natural resources within Charlottesville" (page 51). The 0 High Street parcel would indeed be a jewel in an emerald necklace that would link Darden Towle Park to a park at 0 High Street and on to Riverview Park via the Rivanna Trail.

¹ See for example, <https://www.sciencedirect.com/science/article/pii/S0160412018331751>.

Charlottesville's Commitment to Environmental Leadership

The Tree Commission asks the city to honor its assurance of environmental leadership by taking bold action to preserve the 0 High Street parcel as a floodplain and natural resource, as an important link in our “emerald necklace,” and as a public park with open access to riverside trails and recreational opportunities. We urge the city to protect the 0 High Street parcel for the benefit of the entire city, the resilience of the environment, and the health and well-being of its citizens. The loss of this environmentally sensitive green space would be incalculable.

Sincerely yours,
The Tree Commission

Azalea Springs Letter

TO: Charlottesville Planning Commission and City Council

FROM: Charlottesville Tree Commission

RE: “Azalea Springs” Proposed Development

Amended Request for Critical Slopes Waiver

Application Number P20-00008

Applicant: Collins Engineering. Property Owner: Stanley Martin

Properties, LLC. DATE: 12/8/2022

This matter is expected to come before the Planning Commission on December 13, 2022. **The Tree Commission strongly opposes granting this waiver. We urge the Planning Commission to recommend against it and the City Council to deny it. We are dismayed at the prospect of the loss of one of the few remaining large, mature urban forests during this slow-motion crisis of tree canopy decline.**

The proposal would clear for development approximately 8 acres of healthy forest between Azalea Drive and Monte Vista Avenue. The forest is located on both sides of a ravine with an intermittent stream running through the bottom. The developer proposes to fill the ravine in order to build a gravity sanitary sewer system for the proposed development.

We believe that the proposal would be extraordinarily destructive and wasteful. The public benefits of leaving the slope undisturbed—ambient cooling, human health, stormwater management, wildlife habitat, carbon sequestration, and reduced energy costs—far outweigh any public benefit to be gained from the proposed project.

It must be emphasized that this is an eight-acre forest that is imperiled by this project. A forest is more than the sum of its trees. A forest is a complex ecosystem, and the benefits of each tree are multiplied by the rest of the forest.

Under Charlottesville City Code §34-1120(b)(6)(d), “city council *may* grant a modification or waiver upon making a finding that: (i) The public benefits of allowing disturbance of a critical slope outweigh the public benefits of the undisturbed slope...”

The developer argues that the public benefits of granting the waiver would be (1) a stormwater management system and (2) creation of a 0.6 acre pocket park. **The proposed development site is a natural drainage area and trees are a natural sponge. It is nonsensical to suggest that the benefits of this natural sponge can be outweighed by filling in the land and creating artificial stormwater controls.**

Under §34-866(e), “The planning commission or the director shall refuse to approve any site plan that proposes unnecessary destruction of trees or other natural features.” **The site plan submitted in connection with this waiver request would be extremely and unnecessarily**

destructive of trees and other natural features.

In fact, the application appears to substantially underestimate the harmfulness of this project. Section 6 appears to understate the amount of proposed canopy loss and overstate the amount of canopy replacement in their plan. These numbers should be carefully reviewed by the Planning Commission to reach an accurate assessment of the harm this project would cause.

The developer argues that it cannot develop the property without disturbing critical slopes. In that case, the development should not proceed. The critical slopes provisions “are intended to direct building locations to terrain more suitable to development and to discourage development on critical slopes ...” City Code §34-1120(b)(1)(f). **Certainly, this mature forest, steep slopes, and natural drainage area are not suitable for major development. This is exactly the type of destruction that critical slopes restrictions are intended to prevent.**

Current Condition of the Site: The site is a diverse, well-stocked, mixed hardwood forest that is approximately 80 years old. It is in good condition. The overstory is comprised of mixed hardwoods in the 14-60” diameter range. The majority are in the 14-36” diameter range. A few pines are also found in small pockets.

Tree species include tulip poplar, American beech, red maple, mockernut hickory, Southern red oak, Loblolly pines, and white oak. **The condition of these trees is good to excellent.** Some downed trees are present, including a substantial number of Loblolly pines, and a few of poplar. The density of downed woody debris is normal for a forest stand of this age and density. No serious insect or disease issues are apparent. There are some invasive plants on the forest floor, at a manageable level.

Ecosystem Benefits of Trees: **Trees improve public health by cooling the air and reducing air pollutants which cause death and illness.** They reduce energy costs. They intercept rain water as it falls and absorb stormwater, which reduces flood risk, stabilizes soil, reduces sedimentation in streams, and absorbs pollutants, thus improving water quality and habitats. Trees sequester and store carbon dioxide. They improve mental health. They increase property values.

Stormwater Management: **The existing trees contribute greatly to stormwater management, as they are natural filters and reduce velocity from precipitation. The removal of this intact forest will only compound the erosion caused by runoff from City streets.**

It should also be noted that long-term maintenance of an artificial stormwater management system would be the responsibility of the Homeowners Association, which may or may not have adequate resources to fulfill the obligations.

Loss of Tree Canopy: The 2022 Charlottesville Urban Tree Canopy Assessment reveals that in just four years (2014-2018) the City lost 5% of its tree canopy, meaning a reduction in canopy coverage from 45% to 40% of City land mass. With the rapid pace of development and the recent granting of critical slopes waivers within mature forests, we can assume the 5% rate of decline continues from 2018 to today, meaning the canopy cover today is only 35%.

The Fry's Spring neighborhood, in particular, lost 8% of its canopy during this period. Compounding the effects of this accelerating deforestation is the reality that 36% of the City's area is impervious. The City's Comprehensive Plan calls for preserving and enhancing the urban tree canopy, including by developing "methods to support retaining and increasing healthy tree canopy on private lands." (Comprehensive Plan Strategy 6.3) **Every year we lose more trees than we plant. This project would remove nearly another 8 acres. It is time to stop the loss of tree canopy and reverse the trend.**

Carbon Sequestration and Storage: According to the Comprehensive Plan, the city has a goal of a 45% reduction in greenhouse gas emissions by 2030 (from 2011 levels) and carbon neutrality by 2050, and accelerating greenhouse gas emission reductions where possible. (Chapter 7, Community Vision Statement.)

The forest is a carbon sink – storing and sequestering large amounts of climate harming CO₂. If these trees are cut down, much of the stored carbon will inevitably be released into the atmosphere. While the applicant proposes to plant new trees, **new trees do not adequately replace mature trees that are removed.** With most species, the rate and amount of carbon sequestration and storage increase with age. Even if every tree were replaced, it would take 80 years to regain what exists there now.

During that time, we would lose the ecosystem services now being provided.

It should be noted that urban canopy cover is a significant mitigator of **global climate change** impacts. The majority of emissions that contribute to climate change are generated in urban areas. Urban canopies act to absorb the carbon and particulates that contribute to air pollution on a local level, but their impacts are also felt on a much broader scale. We often think of our urban forests as only benefitting Charlottesville, when in fact their contribution is global.

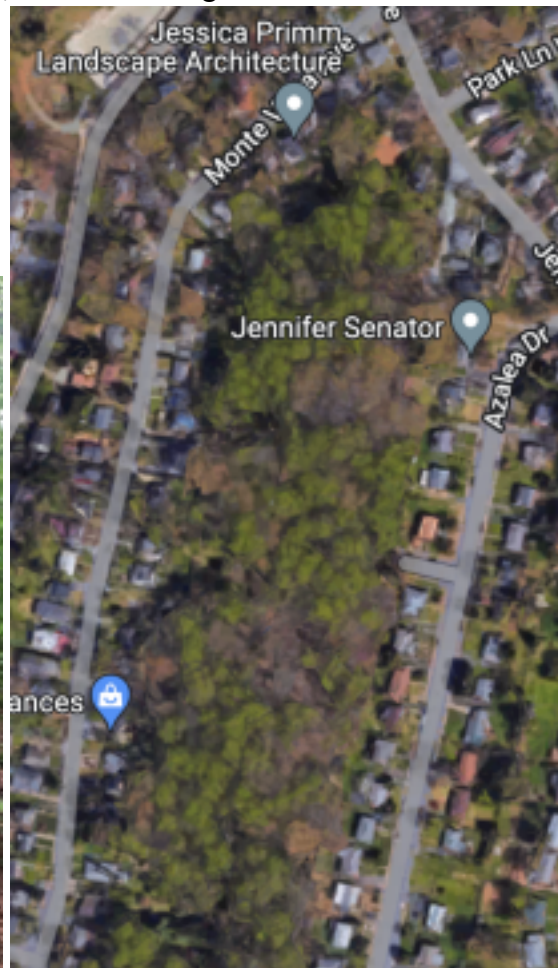
Water Quality: This development will directly affect water quality in nearby Moore's Creek, a tributary of the Rivanna River. The micronutrient quality and the macroinvertebrate diversity depend on the regular influx of water that passes through healthy natural systems comprised of native plants and healthy soils.

Aesthetic Loss: As can be seen in the attached photo, **this is a beautiful, parklike area that is highly valued by the neighborhood.** One purpose of the critical slopes provision is to protect against "[l]oss of natural or topographic features that contribute substantially to the natural beauty and visual quality of the community such as loss of tree canopy, forested areas and wildlife habitat." §34-1120(b)(1)(f).

Effects on neighbors: In addition to the aesthetic value, the trees currently help to provide the neighborhood with shade, **lower cooling costs, healthier air, and higher property values.** Additionally, the city as a whole is in desperate need of natural areas. This urban forest, in close proximity to an existing park, is an ideal location for children and adults to experience nature, engage with the environment, and pursue educational opportunities.

Affordable housing: The developer's offer to build a mere two units of affordable housing is minimal in comparison to the destructive scale of this project.

The Tree Commission recognizes that there is a critical shortage of affordable housing and we strongly support efforts to address this crisis. But the dwindling urban forest and declining tree canopy are also in crisis, which would be exacerbated by granting this waiver. We reject the notion that we must choose between housing and a healthy environment. **Access to affordable housing and a sustainable, resilient environment are each critically important community goals that should not be pitted against each other. Both are issues of equity.** Trees are important for everyone's health, the environment, and addressing the climate crisis.



(Top, left) Example of the mature forest. (Top right) The proposal includes the forest between Monte Vista Ave. and Azalea Drive