

21 May 2025

Dear Charlottesville City Councilors, Members of the Charlottesville Planning Commission, City Manager Sam Sanders, NDS Director Kellie Brown, Deputy City Manager of Operations James Freas, and Deputy City Manager Ashley Marshall,

The Charlottesville Tree Commission was deeply disappointed to learn of the avoidable removal of another mature tree at the Kindewood development on April 24, 2025. Despite prior assurances from project engineers and developers that this particular group of street trees would be protected, a 50-year-old Pin Oak (36.9" diameter) was severely damaged, forcing its removal. The removal of a tree of this size cannot be mitigated by planting a young sapling; the loss to our community and environment will be felt for generations.

Tree preservation and affordable housing development are both essential for realizing a future where all of our neighborhoods are healthful, affordable, and climate resilient. The Tree Commission recognizes the critical need to build more affordable housing in our community, and we aim to assist in finding ways to do so while also protecting and enhancing our tree canopy. We know trees provide myriad health, environmental, and climate benefits, and their preservation is vital for maintaining a strong sense of place, neighborhood identity, and place-based memories for residents as we increase housing density and affordability in the city.

Charlottesville has the expertise, the policy frameworks, and the community support to successfully balance the urgent need for affordable housing with the long-term need to preserve mature trees. Charlottesville has both the vision and credentials to be a national leader in urban forestry. We are proud to be a Tree City USA and a city with a robust Climate Action Plan and a Comprehensive Plan that recognizes the importance of the urban tree canopy. But without strengthening our tree protection codes and enforcement mechanisms, we risk undermining our own climate and livability values and goals.

In 2022 and 2023, the city undertook an extensive overhaul of its code, but limited tree preservation protocols continue to result in the removal of trees that could be preserved through updated administrative guidance and code provisions *without any reductions in the quantity of housing built*. We respectfully put forth the following measures in the hope of supporting dialogue on strengthening tree protection:

Site Plan Checklist - Strengthen and clarify the requirements specified in the Site Plan Content Checklist provided by Neighborhood Development Services to include a mandatory tree preservation plan and an arborist-certified conservation checklist (for plans involving trees designated for preservation).

Tree Preservation Plans - Further define the existing preservation plan requirements to include tree canopies, trunks, critical root zones, and tree protection measures drawn to scale (reference "Best Management Practices for Tree Preservation, Transplanting,

Removal, and Replacement”). Support a second Urban Forester position focused on plan review and enforcement of preservation plans.

Tree Removal Permit - Ensure easy access to all tree removal permit materials via city portals, with additional clarity regarding when permits are required. Develop Tree Removal Permit requirements for properties under 6,000 feet.

Bonds for Existing Plantings - Expand circumstances for when a bond is required to cover existing trees indicated for preservation in site plans for 1 year after the completion of construction (see the cities of Falls Church, Fairfax, and Vienna for precedents).

Enforcement, including stronger penalties for violations - As it stands, a misdemeanor classification (punishable by a \$2,500 fine) for the loss of a mature urban tree is not a sufficient deterrent. For example, stronger penalties could include the forfeiture of bonds held for existing plantings.

Stormwater Fee - Explicitly designate green infrastructure, including trees, as stormwater infrastructure to allow city funds raised through the stormwater fee to support green infrastructure development and maintenance.

Incentives for Tree Preservation - Reevaluate the city's current incentive structure for tree preservation to reward developers who retain healthy, large trees on-site and to ensure that preservation of mature trees is seen not as an obstacle but as a shared value and goal. The current incentive structure—where existing trees are allowed to contribute 1.50-4x canopy area toward meeting minimum canopy requirements—is not effective at promoting overall tree canopy cover in the city. Consider, for example, an incentive structure to reduce or waive stormwater fees as an incentive to preserve mature trees.

The tree removal on Garrett Street was more than unfortunate—it highlights systemic gaps in our site planning and tree preservation protocols. As an unequivocal supporter of affordable housing development, the Charlottesville Tree Commission believes this experience can—and should—be a turning point. It is our hope that this event can renew a constructive dialogue towards strengthening tree preservation and bolstering our efforts to build healthful, affordable, and climate-resilient housing.

Sincerely,
The Charlottesville Tree Commission