

ANC 3F



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Advisory Neighborhood Commission 3F NORTH CLEVELAND PARK / FOREST HILLS

15 August 2002

Honorable Carol Mitten, Chair, and Members of the Zoning Commission
441 4th Street, N.W. - Suite 200
Washington, D.C. 20008

Re: Case No. 02-19 [Text Amendment - Forest Hills Tree & Slope Protection Overlay]

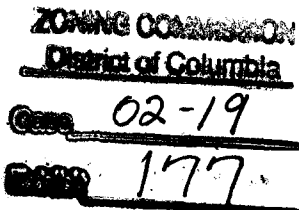
Dear Zoning Commissioners:

Attached please find a consolidated version of the Overlay as set for hearing plus each of the amendments proposed (or concurred in) by ANC 3F, Applicant Forest Hills Citizens Association (FHCA), the Office of Planning (OP), and ANC Commissioner Mitchell, identified and quoted at the appropriate place in the document. [Brief explanatory comment, in brackets, indicates which provisions follow previous overlays and which provisions are new.]

Faithfully,

David J. Bardin
Secretary, ANC 3F

Attachment



02-19-177
ANC 3F

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ZONING COMMISSION
District of Columbia
CASE NO.02-19
EXHIBIT NO.177

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA 8/15/02

Case No. 02-19 (Text Amendment - Forest Hills Tree and Slope Overlay District)

Text (1) **AS SET DOWN FOR HEARING,**

Consolidated with (2) *Recommended Amendments*

[Comment: § 1516 is a general provision, similar to those in other overlays.]

1516 FOREST HILLS TREE AND SLOPE PROTECTION OVERLAY DISTRICT

1516.1 THE FOREST HILLS TREE AND SLOPE PROTECTION (FH/TSP) OVERLAY DISTRICT IS ESTABLISHED TO PRESERVE AND ENHANCE THE PARK-LIKE SETTING OF DESIGNATED NEIGHBORHOODS BETWEEN CONNECTICUT AVENUE AND THIRTY-SECOND STREET ON THE WEST AND ROCK CREEK PARK ON THE EAST, SOUTH OF FORT CIRCLE NATIONAL PARK AND NEVADA AVENUE, N.W., NORTH OF MELVIN C. HAZEN PARK, AND ADJACENT TO STREAMS AND PARKS, BY REGULATING ALTERATION OR DISTURBANCE OF TERRAIN, DESTRUCTION OF TREES, AND GROUND COVERAGE OF PERMITTED BUILDINGS AND OTHER IMPERVIOUS SURFACES. IT INCLUDES SOAPSTONE VALLEY PARK AS WELL AS MELVIN C. HAZEN PARK.

1516.2 THE PURPOSES OF THE FH/TSP OVERLAY DISTRICT ARE TO:

(A) PRESERVE THE NATURAL TOPOGRAPHY AND MATURE TREES TO THE MAXIMUM EXTENT FEASIBLE IN FOREST HILLS NEIGHBORHOODS.

(B) PREVENT SIGNIFICANT ADVERSE IMPACT ON ADJACENT OPEN SPACE, PARKLAND, STREAM BEDS, OR OTHER ENVIRONMENTALLY SENSITIVE NATURAL AREAS; AND

(C) LIMIT PERMITTED GROUND COVERAGE OF NEW AND EXPANDED BUILDINGS AND OTHER CONSTRUCTIONS, SO AS TO ENCOURAGE A GENERAL COMPATIBILITY BETWEEN THE SITING OF NEW BUILDINGS AND THE EXISTING NEIGHBORHOOD.

1516.3 THE FH/TSP OVERLAY DISTRICT HAS A SIGNIFICANT QUANTITY OF STEEP SLOPES, HAS STANDS OF MATURE TREES, IS LOCATED AT THE EDGE OF STREAM BEDS AND PUBLIC OPEN SPACES, AND HAS UNDEVELOPED LOTS AND PARCELS SUBJECT TO POTENTIAL TERRAIN ALTERATION AND TREE REMOVAL. FEW LOTS ARE DEVELOPED ON A RECTANGULAR GRID SYSTEM, AND THE EXISTING MATURE TREES ARE NEITHER LIMITED TO YARD TREES OR TO STREET TREES.

[Comment: § 1517 is a general provision, similar to those in other overlays.]

1517 GENERAL PROVISIONS

1517.1 THE FH/TSP OVERLAY DISTRICT IS MAPPED IN COMBINATION WITH THE UNDERLYING R-1-A OR R-1-B OR R-2 OR R-5-D RESIDENTIAL ZONE DISTRICT, AND NOT IN LIEU OF THE UNDERLYING DISTRICT.

[OP Report proposed limiting to R-1-A properties.]

1517.2 WHERE THERE IS A CONFLICT BETWEEN THIS CHAPTER AND THE UNDERLYING ZONING, THE MORE RESTRICTIVE PROVISIONS OF THIS CHAPTER SHALL GOVERN.

[Comment: § 1518 is a restrictive provision, similar to those in the other overlays for Massachusetts Heights and for Chain Bridge Road / University Terrace, except that § 1518.2(C) would be a new, permissive provision.]

1518 GROUND COVERAGE RESTRICTIONS

1518.1 THE PRINCIPAL BUILDING AND ANY ACCESSORY BUILDING ON THE LOT SHALL NOT EXCEED A TOTAL LOT OCCUPANCY OF THIRTY PERCENT (30%).

1518.2 THE MAXIMUM IMPERVIOUS SURFACE COVERAGE ON A LOT SHALL BE FIFTY PERCENT (50%); PROVIDED, THAT THE FOLLOWING CONDITIONS ARE MET:

(A) THIS SUBSECTION SHALL NOT PRECLUDE ENLARGEMENT OF A PRINCIPAL BUILDING IN EXISTENCE AS OF THE EFFECTIVE DATE OF THIS CHAPTER; AND

(B) THIS SUBSECTION SHALL NOT CREATE NONCONFORMITY OF A STRUCTURE AS REGULATED BY CHAPTER 20 OF THIS TITLE.

(C) Notwithstanding any other provision of the Zoning Regulations, landowners in the Overlay District shall be free to use permeable pavement, pavers, gravel and other techniques not forbidden by the District of Columbia construction codes as a way to keep impervious surfaces on their land to a minimum.

[Recommended: ANC 3F; FHCA concurs; OP Report did not concur]

[Comment: § 1519 contains some restrictive provisions, discussed separately.]

1519 LIMITATIONS

[Comment: § 1519.1 contains some restrictive provisions, found also in the earlier Massachusetts Heights and Chain Bridge Road Overlays.]

1519.1 CONSTRUCTION OF A BUILDING, AN ACCESSORY BUILDING, OR AN ADDITION TO A BUILDING, OR THE CREATION OF ANY IMPERVIOUS SURFACE AREA, THE SUBDIVISION OF ANY UNIMPROVED LOT, OR THE SUBDIVISION ANY IMPROVED LOT SO AS TO INCREASE THE NUMBER OF PRINCIPAL STRUCTURES THEREUPON SHALL BE PERMITTED AS A MATTER

OF RIGHT ONLY IF THE FOLLOWING TREE REMOVAL LIMITATIONS ARE COMPLIED WITH:

(A) THE RESTRICTIONS OF THIS SECTION AGAINST REMOVING, CUTTING DOWN, OR FATALLY DAMAGING TREES APPLY ONLY TO TREES HAVING A CIRCUMFERENCE OF TWELVE (12) INCHES OR GREATER AT A HEIGHT OF FOUR AND ONE-HALF FEET ABOVE GROUND;

(B) THE PROHIBITIONS OF THIS SECTION SHALL NOT APPLY TO THE REMOVAL OF ANY DEAD OR UNHEALTHY TREE OR A TREE THAT CREATES AN UNSAFE CONDITION. THE NEED FOR REMOVAL OF ANY SUCH TREE SHALL BE CERTIFIED BY AN ARBORIST OR OTHER TREE CARE PROFESSIONAL;

(C) NO TREE THAT HAS A CIRCUMFERENCE OF SEVENTY-FIVE (75) INCHES OR MORE AT A HEIGHT OF FOUR AND ONE-HALF FEET ABOVE GROUND SHALL BE REMOVED OR CUT DOWN;

(D) NO MORE THAN THREE (3) TREES THAT EACH HAS A CIRCUMFERENCE OF MORE THAN THIRTY-EIGHT (38) INCHES AT A HEIGHT OF FOUR AND ONE-HALF FEET ABOVE GROUND SHALL BE REMOVED, AND NONE OF THESE SHALL BE LOCATED WITHIN TWENTY-FIVE (25) FEET OF ANY BUILDING RESTRICTION LINE OR LOT LINE ABUTTING A PUBLIC STREET;

(E) THE TOTAL CIRCUMFERENCE INCHES OF ALL TREES REMOVED OR CUT DOWN ON A LOT SHALL NOT EXCEED TWENTY-FIVE PERCENT (25%) OF THE TOTAL CIRCUMFERENCE INCHES, PROVIDED THAT THIS RESTRICTION SHALL NOT ABROGATE THE RIGHT TO REMOVE UP TO THREE (3) TREES AS PROVIDED IN PARAGRAPH (D); AND

(F) WHERE REMOVAL OR CUTTING OF TREES HAS OCCURRED THAT WOULD BE PROHIBITED BY THIS SECTION IF A BUILDING PERMIT WERE CONTEMPORANEOUSLY APPLIED FOR, NO BUILDING PERMIT SHALL BE ISSUED FOR A PERIOD OF SEVEN YEARS FROM SUCH REMOVAL OR CUTTING UNLESS A SPECIAL EXCEPTION IS GRANTED BY THE BOARD OF ZONING ADJUSTMENT PURSUANT TO SECTION 1515.

[Comment: § 1519.2 restricts the minimum lot size for future subdivisions;

it is analogous to a provision in the Chain Bridge Road / University Terrace Overlay.]

1519.2 THE MINIMUM LOT SIZE FOR HOMES WITHIN THE FH/TSP OVERLAY DISTRICT SHALL BE 12,000 S.F. FOR LOTS SUBDIVIDED AFTER THE EFFECTIVE DATE OF THIS PROVISION *in the R-1-A residential zone district.*

[Limitation to R-1-A recommended: ANC 3F05 Commissioner Mitchell; FHCA concurs;

OP Report opposed original provision.]

[Comment: § 1519.3 contains new restrictive provisions, analogous to Wesley Heights Overlay.]

1519.3 ALL NEW RESIDENTIAL BUILDINGS SHALL HAVE A FRONT YARD SETBACK EQUAL TO OR GREATER THAN THE AVERAGE SETBACK OF ALL STRUCTURES ON THE SAME SIDE OF THE STREET IN THE BLOCK WHERE THE BUILDING IN QUESTION IS LOCATED. WHERE THE RESIDENTIAL BUILDING IS SITED ON A CORNER LOT, THE RESIDENTIAL BUILDING SHALL BE SET BACK FROM EACH STREET ON WHICH IT BORDERS IN AN AMOUNT THAT IS EQUAL TO OR GREATER THAN THE AVERAGE SETBACK OF ALL STRUCTURES ON THE SAME SIDE OF THE STREET IN THE BLOCK WHERE THE BUILDING IN QUESTION IS LOCATED. *The required setbacks will be determined as of the date of the building permit application by reference to the structures then standing on the same side of the street in the same block.*

~~THE REQUIRED SETBACKS ARE DEPICTED IN THE MAP ENTITLED, "REQUIRED FRONT YARD SETBACKS," WHICH IS A PART OF THIS OVERLAY DISTRICT AND LOCATED IN THE OFFICE OF ZONING AND IN THE ZONING DIVISION OF THE DEPARTMENT OF CONSUMER REGULATORY AFFAIRS.~~

[Recommended: ANC 3F; FHCA and OP Report concur]

[Comment: § 1519.4 contains an added restrictive provision as to sum of the side yards]

1519.4 *To the extent any residential district within the overlay requires a side yard, the side yards requirement for all new residential buildings within such districts shall be (a) at least eight (8) feet for each side yard and (b) in the case of lots that are more than eighty (80) feet wide, the sum of the two side yards shall be sixteen (16) feet plus one fourth (25 percent) of the excess of lot width over eighty (80) feet, up to a maximum of thirty-two (32) feet. For purposes of this subsection, "lot width" shall mean either average lot width or lot width along the street frontage property line, at the landowner's election.*

~~1519.4 TO THE EXTENT ANY RESIDENTIAL DISTRICT WITHIN THE OVERLAY REQUIRES A SIDE YARD, THE SIDE YARDS REQUIREMENT FOR ALL NEW RESIDENTIAL BUILDINGS WITHIN SUCH DISTRICTS SHALL BE SIXTEEN (16) FEET.~~

[Recommended: ANC 3F; FHCA concurs;

OP Report recommends 24-foot maximum sum of the side yards]

[Comment: § 1519.4A contains new definitions.]

1519.4A (a) DEFINITIONS:

For purposes of §§ 1519.3 and 1519.4, "new residential building" means a residential building on a lot in the Forest Hills Tree and Slope Overlay district if

(1) no residential building existed on that lot on April 19, 2002 [the date of the "set down" order], or

(2) any proposed replacement, extension or addition would be to a "torn down" residential building.

"Torn down" means that the previous residential building has been or would be

- (a) removed in its entirety; or*
- (b) removed except for the foundation of that building; or*
- (c) have its entire roof and supporting walls removed; or*
- (d) have more than 75 percent of the previous residential building removed.*

(b) INTERPRETATION: A "new residential building" and a "torn down" residential building are not a "one-family dwelling or flat" within the meaning of § 223 ("ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS R-1.")

[Recommended: ANC 3F; FHCA concurs.]

[Comment: § 1519.5 contains new certification provision.]

1519.5 To the extent that any person seeks permission for building or terrain alteration on a lot with a slope steeper than 25 percent or with "highly erodible soil" as defined by the Natural Resources Conservation Service of the U.S. Department of Agriculture, that person shall supply to the Zoning Administrator in the Department of Consumer and Regulatory Affairs professional certification that the plans for alteration and/or construction will follow best geo-technical, structural engineering and arboreal practices.

~~1519.5 NO PERSON, FOR THE PURPOSE OF (I) SUBDIVIDING ANY UNIMPROVED LOT; (II) CONSTRUCTING ANY STRUCTURE ON ANY UNIMPROVED LOT; (III) SUBDIVIDING ANY IMPROVED LOT SO AS TO INCREASE THE NUMBER OF PRINCIPAL STRUCTURES THEREON; OR (IV) CONSTRUCTING AN ADDITIONAL PRINCIPAL STRUCTURE ON A PREVIOUSLY SUBDIVIDED LOT, SHALL ALTER EXISTING TOPOGRAPHY, EXCEPT FOR PLACING A FOUNDATION FOR AN OTHERWISE PERMITTED STRUCTURE. IF THE SOIL IS HIGHLY ERODIBLE, AS DETERMINED BY THE US GEOLOGICAL SURVEY SOILS ANALYSIS, AND THE SLOPE ANYWHERE WITHIN 20 FEET OF THE FOOTPRINT OF THE PROPOSED STRUCTURE IS GREATER THAN 25%, THEN NO BUILDING OR TERRAIN ALTERATION WILL BE PERMITTED.~~

[Recommended: ANC 3F; FHCA and OP Report concur]

[Comment: § 1520 contains same Special Exception provisions as other overlays, except that mitigation provisions in § 1520.1(E) and §1520.5 are new.]

1520 SPECIAL EXCEPTIONS

1520.1 ANY EXCEPTION FROM THE REQUIREMENTS OF THIS CHAPTER, AS DISTINCT FROM THE REQUIREMENTS OF THE UNDERLYING ZONING DISTRICT, SHALL BE PERMITTED ONLY AS A SPECIAL EXCEPTION, IF APPROVED BY THE BOARD OF ZONING ADJUSTMENT AFTER PUBLIC HEARING, IN ACCORDANCE WITH THE CONDITIONS SPECIFIED IN SECTION 3108 OF THIS TITLE, AND SUBJECT TO THE FOLLOWING REQUIREMENTS:

(A) TREE REMOVAL, GRADING, AND TOPOGRAPHICAL CHANGE SHALL BE LIMITED TO THE MAXIMUM EXTENT CONSISTENT WITH CONSTRUCTION OF A BUILDING PERMITTED BY THE STANDARDS OF THIS CHAPTER;

(B) THE APPLICANT SHALL DEMONSTRATE THAT THERE ARE SPECIFIC PHYSICAL CHARACTERISTICS OF THE LOT THAT JUSTIFY THE EXCEPTION;

(C) THE EXCEPTED BUILDING AND OVERALL SITE PLAN OF THE LOT SHALL BE GENERALLY CONSISTENT WITH THE PURPOSES OF THE TSP OVERLAY DISTRICT AND NOT ADVERSELY AFFECT NEIGHBORING PROPERTY; AND

(D) THE BOARD MAY IMPOSE REQUIREMENTS AS TO DESIGN, APPEARANCE, TREE PROTECTION PRACTICES DURING CONSTRUCTION, BUFFERING, AND OTHER REQUIREMENTS AS IT SHALL DEEM NECESSARY TO ACHIEVE THE PURPOSES OF THIS CHAPTER, AND MAY VARY SIDE AND REAR YARD REQUIREMENTS IN ORDER TO ACHIEVE THE PURPOSES OF THIS CHAPTER.

(E) 1. A property owner seeking Special Relief may elect to proffer a mitigation plan which may include any combination of the following:

- A tree canopy maintenance conservation easement;*
- A plan to preserve and protect an Endangered Tree (or Trees)*
- A plan to preserve and protect a Jointly Owned Tree (or Trees)*
- A plan to address Hazardous Tree issues*
- A preservation and planting plan including provisions for Replacement Trees (which, as appropriate in the circumstances, may follow the ISA or the Circumference Replacement formula)*
- An Exceptional Tree preservation and protection plan*
- A plan to coordinate preservation and protection of trees on the lot with programs addressing the Urban Forest as a whole and portions of the Urban Forest on lots adjacent to and/or near the particular lot.*

2. In order to reach a reasonable balance between architectural and arboreal considerations in weighing a request for a Special Exception from Trees Limitations, the BZA shall receive from applicant and weigh a report and/or testimony by a Certified Arborist [i.e., a tree care professional certified by the International Society of Arboriculture], specific as to the lot, lots, or portion of a lot in question, as to:

- a. Significance of tree species in the particular setting (e.g., does a tree represent an undesirable species in the particular circumstances?);*
- b. Significance of a given tree as a specimen and significance of a group of trees as providing (or contributing to) tree canopy;*
- c. Analysis of mitigation proposals proffered or considered, including tree replacements, and both short-term and long-term significance of each.*

If an applicant's proffer raises tree health and safety factors in a Special Exception context, the proffer shall attempt to predict the ensuing 10 years.

3. *In considering issues concerning steep slopes and erodible soils, the BZA shall require reports and/or testimony by a Geo-Technic Engineer, Structural Engineer and Civil Engineer (licensed and qualified in the District of Columbia), as appropriate, and by a Certified Arborist (unless there are no trees on those slopes or soils).*
4. *In considering trees having a circumference of 38 - 75 inches located less than 25 feet from a Building Restriction Line (BRL) that is more than 15 feet deep, the BZA shall take into account the maximum BRL in the area originally studied by the ZC for purposes of establishing the template overlay.*
5. *In considering the front yard building set back requirement, the BZA may consider whether a BRL set by the subdivider of a unique block which is not part of a traffic artery (e.g., the semi-circular Lenore Lane, which begins and ends at Linnean Avenue) is a more appropriate measure than the average of the front yard set backs.*

[Recommended: ANC 3F; FHCA concurs; OP testified it does not object.]

1520.2 BEFORE TAKING FINAL ACTION ON AN APPLICATION, THE BOARD SHALL SUBMIT THE APPLICATION TO THE FOLLOWING AGENCIES FOR REVIEW AND WRITTEN REPORTS:

(A) THE OFFICE OF PLANNING;

(B) THE DEPARTMENT OF TRANSPORTATION; TREE MAINTENANCE DIVISION;

(C) THE DEPARTMENT OF RECREATION AND PARKS;

(D) THE DEPARTMENT OF HEALTH, SOIL EROSION BRANCH; AND

(E) THE NATIONAL PARK SERVICE, U.S. DEPARTMENT OF INTERIOR.

1520.3 AN APPLICANT FOR AN EXCEPTION SHALL SUBMIT AT LEAST THE FOLLOWING MATERIALS:

(A) A SITE PLAN FOR DEVELOPMENT, INCLUDING COMPUTATION AND ILLUSTRATION OF TOTAL LOT OCCUPANCY AND IMPERVIOUS SURFACE RATIO, AND REGULATED TREES PROPOSED TO BE REMOVED; AND

(B) A PLAN AND STATEMENT INDICATING HOW TREES TO BE PRESERVED ON THE LOT WILL BE PROTECTED DURING THE CONSTRUCTION PERIOD, INCLUDING REFERENCE TO PROPOSED PROCEDURES TO GUARD AGAINST LONG-TERM DAMAGE BY SUCH FACTORS AS SOIL COMPACTION.

[Comment: § 1519.4 contains provisions to assure accurate filings.]

1520.4 FORMS AND APPLICATIONS PERTAINING TO THE FH/TSP OVERLAY DISTRICT WHICH ARE FILED WITH THE BZA, THE BUILDING AND LAND REGULATION ADMINISTRATION IN DCRA OR THE ZONING ADMINISTRATOR IN DCRA SHALL STATE THAT THE APPLICANT AND THE SIGNER WILL BE SUBJECT TO CRIMINAL PENALTIES FOR FALSE STATEMENTS AND ANY APPROVAL GRANTED ON REVIEW OF A DOCUMENT THAT FAILS TO INCLUDE SUCH STATEMENT SHALL BE NULL AND VOID.

[Comment: § 1520.5 cross-references definitions already in the Zoning Regulations]

1520.5 REFER TO THE FOLLOWING DEFINITIONS IN 11 DCMR 199.9:

IMPERVIOUS SURFACE COVERAGE - THE PERCENTAGE OF THE LAND AREA OF A LOT THAT IS COVERED BY IMPERVIOUS SURFACES, WHICH PERCENTAGE SHALL BE DETERMINED BY DIVIDING THE GROSS IMPERVIOUS SURFACE AREA OF A LOT BY THE TOTAL AREA OF THE LOT

IMPERVIOUS SURFACE - AN AREA THAT IMPEDES THE PERCOLATION OF WATER INTO THE SUBSOIL AND IMPEDES PLANT GROWTH.

IMPERVIOUS SURFACES INCLUDE THE FOOTPRINTS OF PRINCIPAL AND ACCESSORY BUILDINGS, FOOTPRINTS OF PATIOS, DRIVEWAYS, OTHER PAVED AREAS, TENNIS COURTS, AND SWIMMING POOLS, AND ANY PATH OR WALKWAY THAT IS COVERED BY IMPERVIOUS MATERIAL.

[Comment: ANC 3F recommended § 1520.5A definitions (based on Trees Bill);
FHCA concurs;]

1520.5A As used in this Chapter 1516, the following terms shall have the meanings stated:

“Breast height” means that point on a tree trunk located 4.5 feet from ground level in accordance with standard forest measurement texts.

“Caliper” means the diameter (or circumference) measurement of the trunk of a nursery stock tree taken at 6 inches above the ground.

“Caliper height” means the height at which the caliper measurement is taken (see “caliper”).

“Certified Arborist” means an arborist certified by the International Society of Arboriculture.

“Circumference” means the circumference of a tree measured at breast height (see “Diameter at Breast Height”). Note: Circumference = DBH / 3.14.

“Circumference replacement formula” or “CRF”, is a method of valuing trees based on the circumference of a tree measured at breast height divided by the circumference caliper measurement of a balled and burlapped nursery stock tree. For example, a tree measuring 63 inches in circumference would equal the value of 10 nursery stock, balled and burlapped trees, measuring 6.3 inches in circumference at caliper height.

“Construction area” means the area within which construction occurs, including the limits of clearing and grading, any area required for staging, soils or material stockpiling, or any other disturbances associated with construction or demolition activities.

“Critical root zone” or “CRZ” means the area immediately surrounding a tree that extends one foot for each diameter inch measured at breast height; e.g. a 10 inch diameter tree has a CRZ that extends from the trunk of the tree for 10 feet in all directions from that trunk (20 feet across).

“Diameter at Breast Height” or “DBH,” means the diameter measurement of a tree taken at 4.5 feet above the ground in accordance with standard forestry measurement texts (see “Circumference” and “Breast Height”). Note: Circumference = DBH x 3.14.

“Endangered Tree” means a tree whose critical root zone, all or in part, is within a construction area. An endangered tree may be located on an adjacent lot, or may be jointly owned (see “jointly owned tree”).

“Exceptional Tree” is a tree that is the largest of its species in terms of diameter, height, and crown spread; or, is of some documented historical significance.

“Healthy Tree” means a tree that, in the opinion of a certified arborist or licensed landscape architect, has a life expectancy of more than 10 years, and is not hazardous.

“Hazardous Tree” means a tree that, in the opinion of a certified arborist, is defective, diseased or dead, and poses a high risk of failure or fracture with the potential to cause injury to people or damage to property.

“ISA trunk formula method” or “ISA-TF” is a method of valuing trees as described by the most recent edition of the publication: The Guide For Plant Appraisal, published by the International Society of Arboriculture.

“Jointly Owned Tree” means a tree whose trunk is divided by one or more property boundaries and is therefore owned by two or more property owners.

“Nursery Stock Tree” means a balled and burlapped, or containerized tree, which meets the standards established by the American Standard for Nursery Stock published by the American Association of Nurserymen (Publication No. ANSI Z60.1-1990 or latest version thereof).

“Replacement Tree” means a tree to be planted as part of a preservation and planting plan. Replacement trees shall generally be 2 inch caliper (diameter) balled and burlapped nursery stock trees of a species type equivalent to that of the tree being removed.

“Topping” as defined by the latest edition of the ANSI-A300 pruning standards, is an unacceptable pruning practice resulting in the indiscriminate reduction of a tree’s crown leading to disfigurement and/or death of the tree.

“Unhealthy tree” means a tree that, in the opinion of a certified arborist or licensed landscape architect, has a life expectancy of 10 years or less

“Urban forest” means all of the trees standing within the boundaries of the District of Columbia, excluding all Federal lands located within those boundaries.

[Recommended: ANC 3F; FHCA concurs.]

1520.6 AMEND THE ZONING MAP BY INCLUDING THE FOLLOWING SQUARES IN THE TREE AND SLOPE PROTECTION OVERLAY DISTRICT:

SQUARES 2030 THROUGH 2033, 2040 THROUGH 2043, 2046, 2049 EXCEPT FOR LOTS 804 (VAN NESS NORTH), 805 (VAN NESS CENTER), 806 (VAN NESS SOUTH), SQUARE 2231, 2232, 2238, 2239, ~~2241 THROUGH~~ 2241, 2242, 2244 THROUGH 2251, 2254 THROUGH 2256, 2258, 2262 THROUGH 2270, 2272, 2274 THROUGH 2277, AND 2282.

[FHCA advises that inclusion of Square 2243 in its Application was erroneous.]