

**ANC 2D 2014-07
TREE PROTECTION**

ANC 2D supports the attached document titled "Tree Protections in DC Zoning Regulations Statement dated September 8, 2014, Submitted to Zoning Regulation Review, Case ~~06-08~~A" as present to the Commission on September 15, 2014, by representatives of Restore Mass. Ave.

David R Bender

ATTESTED BY: David R. Bender, Chair/Secretary ANC 2D (September 15, 2014)

This resolution was approved by a roll call vote of 2-0 on September 15, 2014, at a scheduled and noticed public meeting of ANC 2D at which a quorum was present.

Recommended Tree Protections in DC Zoning Regulations
Submitted to Zoning Regulation Review, Case 08-06A

ANC 2D recognizes the importance of the tree canopy to preserving the residential, commercial, and cultural vitality of the District of Columbia. The Zoning Regulations governing new development are crucial to preserving the health of the tree canopy. To that end, ANC 2D recommends the following:

1. **Definitions** – Use of a uniform set of definitions so that the Urban Forestry Administration’s (UFA) guidelines and definitions apply to residential, diplomatic, institutional, commercial, and government new construction projects and throughout the entire permitting process.
2. **Applications for new construction**- Should require plans to depict accurately all trees at risk from construction activity prior to permit review and approval. Plans should show accurately trees’ size and Critical Root Zone according to the uniform set of definitions.
3. **Trees on adjacent land** – Plans for new construction must show trees on all adjacent private and public land whose Critical Root Zones and/or crowns would be impacted by construction activity and the completed project.
4. **Tree protection process**-
 - The Urban Forestry Administration should be required to review final plans before the Zoning Administrator approves them.
 - Tree Protection Plans submitted with plans for new construction should be completed by an ISA-certified arborist. They should include plans for maintaining the trees for a period of time as determined by the Urban Forestry Administration to ensure the trees’ long-term health.
5. The Zoning Administrator should rely on the expertise of the UFA in interpreting regulations as they apply to residential, commercial, institutional, diplomatic and government construction projects to ensure timely protection of endangered trees.
6. **Modifications to plans** – The UFA should be required to review any modifications to plans after initial approval.

7. **Penalties-** The period for delay for the granting of a permit for new construction following the removal or cutting of trees that would have been prohibited by the current regulations should remain seven (7) years as incentive to abide by the regulations.
8. **Regulations** applicable to tree protection should be located in a Tree Protection Chapter of the Regulations rather than being scattered throughout the Regulations as currently exists.

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September 8, 2014