

SUGGESTED PROFFER/DEVELOPMENT CONDITION TEXT FOR TREE AND LANDSCAPING ISSUES

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The following is a list of sample proffers/development conditions for tree preservation and general landscaping issues. The list is structured in menu format; the text that best fits a particular situation should be used, as appropriate. As a guide, each sample proffer/development condition is preceded by a brief explanation describing how and when it is typically used.

Deciding which proffer(s)/development condition(s) to use depends upon several factors, including, but not limited to, whether a Tree Designation has been proffered as part of the zoning, existing vegetation, site constraints, zoning requirements, and development objectives. Because these factors can vary so widely, the Urban Forest Management Division recommends that the Staff Coordinator consult with the Urban Forester in each case to determine the applicability of the proffers/development conditions.

These samples contain suggested “standard” language only; they will normally need to be modified to address site-specific situations. At a minimum, text requiring modifications has been highlighted. Staff from the Urban Forest Management Division is available for assistance in tailoring proffers, as needed.

Tree Designation Plans

Tree preservation can be a major component of a zoning. The following proffers address the circumstance where a detailed Tree Designation Plan is incorporated into the proffered plan, followed by a suggested proffer to be used when we get commitments to preservation, but do not have all of the detail at the time of zoning.

Tree Designation Plan at the Time of Zoning

USES: A Tree Designation Plan can be a component of a proffered development plan that is used to communicate specific commitments, intentions, practices and outcomes relevant to the preservation and management of trees and undisturbed areas. This is a more detailed plan than an EVM, one that shows individual trees and specific areas of trees. See Attachment 1 for information on the Tree Designation Plan and associated documentation. This proffer provides for the protection and management of areas that will be left undisturbed, and should be used with the proffer that includes provisions for determining monetary values of trees, and establishing tree bond amounts to cover preservation activities.

Proposed Proffer:

The landscape plan submitted as part of the (*subdivision/site*) plan shall conform to the Tree Designation Plan, as determined by Urban Forest Management Division (UFM), of Fairfax County Department of Public Works and Environmental Services (“DPWES”). Minor modifications may be permitted by UFM to the extent that these do not change the designations of individual trees, or result in significant physical impacts to the areas designated to be left undisturbed. If more than five years have elapsed since the date of approval of the application, a revised tree survey that identifies the trunk location, species, size, crown spread and condition analysis rating for all individual trees to be preserved and conserved, as well as all on and off-site trees, living or dead with trunks 6 inches in diameter and greater (measured at 4 ½ - feet from the base of the trunk or as otherwise allowed in the (*identify the number of the edition used*) edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 25 feet to either side of the approved limits of clearing and grading shall also be submitted for review and approval by the Urban Forest Management Division. Based upon the updated information on the status and health of trees to be preserved and conserved, modifications to the Tree Designation Plan may be approved by the UFM. In that instance that a revised Tree Designation Plan is submitted, the applicant shall also submit concurrently an updated monetary value for each tree surveyed that is located within the areas designated to be left undisturbed. The monetary values shall be determined using the Trunk Formula Method contained in the (*identify the number of the edition used*) edition of the Guide for Plant Appraisal published by the International Society of Arboriculture, and as further defined under the *Determining Monetary Values of Trees, Tree Bond and Tree Preservation Deposit* section below.

Trees to be preserved: The applicant shall take necessary steps and actions to ensure the long-term survival, and continuing structural integrity and health of trees designated on the Tree Designation Plan to be preserved. If any of these trees is found to be dead, dying, diseased, or hazardous (as determined by UFM, at or prior to, the final release of the project bond) and that such was not the result of unapproved construction practices, the applicant shall provide for restoration and remuneration by:

1. providing for the removal of the above ground portions of trees
2. restoring understory plants and/or soil conditions damaged during tree removal activities (as determined by UFM)
3. restoring the associated loss in canopy coverage in accordance with the tree cover guidance found in the Public Facilities Manual
4. paying a sum equal to the monetary value of that tree or trees identified in the approved Tree Designation Plan into the (*XXX*) District’s Tree Preservation

and Planting Fund for use by the County within the **XXX** Magisterial District on or off the subject property as determined by UFM after consultation with the District Supervisor.

5. In addition, the County may use other legal remedies at its disposal related to non-compliance, including, but not limited to the fact that a Proffered Condition Amendment may be required if any proposed remedies are not in substantial conformance with the proffers, as determined by the Zoning Administrator.

Trees to be conserved. The applicant shall take necessary steps and actions to ensure the long-term survival, and continuing structural integrity and health of trees designated on the Tree Designation Plan to be conserved. However, if for reasons related to lawfully executed construction practices on the subject property and/or changes to the environment brought about by these construction activities, but not resulting from wrongful or negligent acts on the part of the applicant or the applicant's agents, these trees are found to be dead, dying, diseased, or hazardous (as determined by UFM at or prior to the final release of the project bond) the applicant shall:

1. provide for the removal of above ground portions of the trees
2. provide for the restoration of any understory plant and soil conditions damaged during their removal (as determined by UFM)
3. provide for the restoration of the associated loss in canopy coverage in accordance with the tree cover guidance found in the Public Facilities Manual

If wrongful or negligent acts on the part of the applicant or the applicant's agents caused in whole or in part, these trees to be found to be dead, dying, diseased, or hazardous, as determined by UFM at, or prior to, the final release of the project bond, in addition to the removal and restoration requirements identified above, the applicant shall provide remuneration by paying a sum equal to the monetary value of that tree or trees as identified in the approved Tree Designation Plan into the **(xxx)** District's Tree Preservation and Planting Fund for use by the within the **(xxx)** Magisterial District on or off the subject property as determined by UFM after consultation with the District Supervisor. In addition, the County may use other legal remedies at its disposal related to non-compliance, including, but not limited to the fact that a Proffered Condition Amendment may be required if any proposed remedies are not in substantial conformance with the proffers, as determined by the Zoning Administrator.

Trees to be removed. The applicant shall remove the trees designated on the Tree Designation Plan to be removed during initial clearing and grading activities in a manner approved by the Urban Forest Management Division.

The following proffers address the circumstance where a detailed Tree Designation Plan is not incorporated into the zoning application, but is proffered to be prepared at a later time and submitted for review as part of a proposed site or subdivision plan:

Tree Preservation Commitments when a specific Tree Designation Plan is not included in the Zoning Application

Suggested Proffer:

The landscape plan submitted as part of the (*subdivision/site*) plan shall conform to the (GDP, CDP/FDP), as determined by Urban Forest Management Division (UFM), of Fairfax County Department of Public Works and Environmental Services (“DPWES”). Minor modifications may be permitted by UFM to the extent that these do not change the designations of individual trees, or result in significant physical impacts to the areas designated to be left undisturbed.

At the time of (*subdivision/site*) plan submission, the applicant shall submit a tree survey that identifies the trunk location, species, size, crown spread and condition analysis rating for all individual and groups of trees shown on the (*GDP/CDP*) to be preserved and conserved, as well as all on and off-site trees, living or dead with trunks 6 inches in diameter and greater (measured at 4 ½ -feet from the base of the trunk or as otherwise allowed in the (*identify the number of the edition used*) edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 25 of the approved limits of clearing and grading shall also be submitted for review by the Urban Forest Management Division. The applicant shall also submit concurrently a monetary value for each tree surveyed that is to be preserved and conserved. The monetary values shall be determined using the Trunk Formula Method contained in the (*identify the number of the edition used*) edition of the Guide for Plant Appraisal published by the International Society of Arboriculture, and as further defined under the *Determining Monetary Values of Trees, Tree Bond and Tree Preservation Deposit* section below.

Trees to be preserved: The applicant shall take necessary steps and actions to ensure the long-term survival, and continuing structural integrity and health of trees designated on the Tree Designation Plan to be preserved. If any of these trees is found to be dead, dying, diseased, or hazardous (as determined by UFM, at or prior to, the final release of the project bond) and that such was not the result of unapproved construction practices, the applicant shall provide for restoration and

remuneration by:

1. providing for the removal of the above ground portions of trees
2. restoring understory plants and/or soil conditions damaged during tree removal activities (as determined by UFM)
3. restoring the associated loss in canopy coverage in accordance with the tree cover guidance found in the Public Facilities
4. paying a sum equal to the monetary value of that tree or trees identified in the approved Tree Designation Plan into the (XXX) District's Tree Preservation and Planting Fund for use by the County within the (XXX) Magisterial District on or off the subject property as determined by UFM after consultation with the District Supervisor.
5. In addition, the County may use other legal remedies at its disposal related to non-compliance, including, but not limited to the fact that a Proffered Condition Amendment may be required if any proposed remedies are not in substantial conformance with the proffers, as determined by the Zoning Administrator.

Trees to be conserved. The applicant shall take necessary steps and actions to ensure the long-term survival, and continuing structural integrity and health of trees designated on the Tree Designation Plan to be conserved. However, if for reasons related to lawfully executed construction practices on the subject property and/or changes to the environment brought about by these construction activities, but not resulting from wrongful or negligent acts on the part of the applicant or the applicant's agents, these trees are found to be dead, dying, diseased, or hazardous (as determined by UFM at or prior to the final release of the project bond) the applicant shall:

4. provide for the removal of above ground portions of the trees
5. provide for the restoration of any understory plant and soil conditions damaged during their removal (as determined by UFM)
6. provide for the restoration of the associated loss in canopy coverage in accordance with the tree cover guidance found in the Public Facilities Manual

If wrongful or negligent acts on the part of the applicant or the applicant's agents caused in whole or in part, these trees to be found to be dead, dying, diseased, or hazardous, as determined by UFM at, or prior to, the final release of the project bond, in addition to the removal and restoration requirements identified above, the applicant shall provide remuneration by paying a sum equal to the monetary value of that tree or trees as identified in the approved Tree Designation Plan into the (xxx) District's Tree Preservation and Planting Fund for use by the within the (xxx) Magisterial District on or off the subject property as determined by UFM after consultation with the District Supervisor. In addition, the County may use other

legal remedies at its disposal related to non-compliance, including, but not limited to the fact that a Proffered Condition Amendment may be required if any proposed remedies are not in substantial conformance with the proffers, as determined by the Zoning Administrator.

Trees to be removed. The applicant shall remove the trees designated on the Tree Designation Plan to be removed during initial clearing and grading activities in a manner approved by the Urban Forest Management Division.

Determining Monetary Values of Trees/Tree Bond

USES: This proffer should be used in conjunction with either of the two previous proffers to enhance the commitment to proffered preservation activities.

Suggested Proffer:

The monetary value of the trees shall be determined using the Trunk Formula Method contained in the (*identify the number of the edition used*) edition of the Guide for Plant Appraisal published by the International Society of Arboriculture, and shall be subject to review and approval by UFM. The Location Factor of the Trunk Formula Method shall be based on projected post-development Contribution and Placements ratings. The Site rating component shall be equal to at least 80%.

The combined total of monetary values identified in the approved (*Tree Designation Plan, if done at time of zoning, or Landscape Plan if done at the time of site/subdivision*) for trees designated to be preserved and conserved shall serve as a baseline sum in determining the amount of the Tree Bond, as discussed below:

Tree Bond: A letter of credit, or a cash contribution equal to one half (50%) of the total monetary value of trees to be designated to be preserved and conserved as identified above shall be placed with the County. The sum of the Tree Bond shall be (*\$\$\$\$, if known at the time of zoning*). The Tree Bond letter of credit shall be prepared in a manner acceptable to the County Attorney naming the County as beneficiary to ensure the preservation, conservation, replacement, removal and/or treatment of the trees identified in the Tree Designation Plan, and to ensure the undistributed areas identified on the approved (*GDP/CDP/FDP, etc.*).

The cash or Tree Bond shall be held by the County as a cash reserve that can be used by the County to ensure the preservation, conservation, replacement, removal and/or treatment of the trees identified in the Tree Designation Plan and as approved on the (*subdivision/site plan*), and for work relating to the protection and management of undistributed areas identified on the approved (*GDP/CDP/FDP, etc.*).

If the applicant fails to complete any work identified in the approved *subdivision/site* plan, then the County may use cash or money from the Tree Bond to accomplish the required work. If the County must use all or part of the cash or Tree Bond to accomplish the outstanding work, then the applicant will replenish the cash or Tree Bond to its full amount. If the applicant fails to replenish the cash or Tree Bond to its full amount, then the cash or Tree Bond may be used by the County to replenish the Tree Preservation Deposit to its full amount.

The cash/Tree Bond may be used by the County as described in the Tree Preservation proffer, above.

Any cash or funds remaining in the Tree Bond shall be released along with the project's final bond-release, or sooner, if approved in writing by UFM, DPWES.

Areas to be Left Undisturbed and Adherence to Limits of Clearing and Grading

Suggested Proffer:

The limits of clearing and grading shown on the (*GDP/CDP/FDP, etc.*) shall be strictly adhered to. The Site/subdivision plan shall clearly identify these areas as shown on the (*GDP/CDP/FDP, etc.*).

As part of the (*subdivision/site plan*) the applicant shall provide management practices for the protection of understory plant materials, leaf litter and soil conditions found in areas to be left undisturbed, subject to the approval of the Urban Forest Management Division. The applicant shall actively monitor the site to ensure that inappropriate activities such as the storage of construction materials, dumping of construction debris, and traffic by construction equipment and personnel do not occur within these areas. The applicant shall restore understory plant materials, leaf litter and soil conditions to the satisfaction of UFM if these are found to be damaged, removed or altered in manner not allowed in writing by the Urban Forest Management Division.

If it becomes necessary to install utilities determined necessary by DPWES within areas to be left undisturbed, they shall be located and installed in the least disruptive manner possible as determined by UFM in coordination with the Environmental and Site Review Division, DPWES. In addition, the applicant shall develop and implement a replanting plan for the portions of protected areas disturbed for utility installation taking into account planting restrictions imposed by utility easement agreements.

Any work occurring in or adjacent to the areas to be left undisturbed, such as root pruning, installation of tree protection fencing and silt control devices, removal of trash, or plant debris, or extraction of trees designated to be removed shall be performed in a manner that

minimizes damage to any tree, shrub, herbaceous, or vine plant species that grows in the lower canopy environment; and minimizes impacts to the existing top soil and leaf litter layers that provide nourishment and protection to that vegetation, all as approved by UFM. The use of power equipment in these areas shall be limited to small hand-operated equipment such as chainsaws. Any work that requires the use of larger motorized equipment such as, but not limited to, tree transplanting spades, skid loaders, tractors, trucks, stump-grinders, or any accessory or attachment connected to such equipment shall not occur unless reviewed and approved in writing by UFM.

Management of Harmful or Invasive Plants

Suggested Proffer:

The (*subdivision/site plan*) shall provide for the management and treatment of harmful or invasive plants that may occur in the areas to be left undisturbed that are likely to pose human health problems, or are likely to disrupt or suppress native plants and plant communities. Any work impacting vegetation, leaf litter or soil conditions not specifically addressed in the approved plan shall be subject to the review and written approval of UFM.

Root Pruning and Mulching

USES: This proffer may be used to provide a higher level of specificity for root pruning and mulching activities than the generalized language found in the Tree Designation Plan section above.

Suggested Proffer:

The applicant shall (1) root prune the roots of trees to be preserved that may be damaged during clearing, demolition, grade changes, utility installation and/or the installation of retaining walls; (2) mulch to a minimum depth of 3 inches within the areas to be left undisturbed where soil conditions are poor, lacking leaf litter or prone to soil erosion; and (3) then provide tree protection fencing approved by the Urban Forest Management Division (UFM), Fairfax County Department of Public Works and Environmental Services (“DPWES”), where deemed necessary by UFM. (*if not for all, specify/list relevant areas here*). The areas that will be root pruned and mulched shall be clearly identified on the Tree Designation Plan. All treatments for such trees and vegetation shall be clearly specified, labeled, and detailed on the erosion and sediment control sheets and demolition plan (*if required*) sheets of the (*site or subdivision*) plan submission. The details for these treatments shall be included in the Tree Designation Plan and shall be subject to the review and approved of UFM.

All root pruning and mulching work shall be performed in a manner that protects adjacent

trees and vegetation that are required to be preserved and may include, but not be limited to, the following:

- Root pruning shall be done with a trencher or vibratory plow to a depth of 18 inches.
- Root pruning shall take place prior to any clearing and grading and/or demolition of structures.
- Root pruning shall not sever or significantly damage structural or compression roots in a manner that may compromise the structural integrity of trees or the ability of the root system to provide anchorage for the above ground portions of the trees.
- Root pruning shall be conducted with the on-site supervision of a certified arborist.
- Tree protection fencing shall be installed immediately after root pruning, and shall be positioned directly in the root pruning trench and backfilled for stability, or just outside the trench within the disturbed area.
- Immediately after the phase II E&S activities are complete, mulch shall be applied at a depth of 3 inches within designated areas without the use of motorized equipment
- Mulch shall consist of (specify mulch type) wood chips, shredded hardwood and/or pine bark mulch. Hay or straw mulch shall not be used within tree preservation areas.
- UFM, DPWES shall be informed in writing when all root pruning and tree protection fence installation is complete.

Tree/Shrub Transplanting

USES: The following is recommended when transplanting opportunities are appropriate.

Suggested Proffer:

The applicant shall provide a transplanting plan as part of the first and all subsequent submissions of the (*specify preliminary site or subdivision*) plan for review and approval in writing by the Urban Forest Management Division (UFM), Fairfax County Department of Public Works and Environmental Services (“DPWES”) and shall implement the plan as approved and as field verified by UFM. The plan shall be prepared by a certified arborist or landscape architect with experience in the preparation of tree transplanting plans.

Depending upon site constraints, the plan shall address one or all of the following items, as determined in writing by UFM.

- the species and sizes to be transplanted;
- the existing locations of the trees;
- the proposed interim and final locations of the plant material;
- the proposed time of year when the plant material will be moved;
- the transplant methods to be used, including tree spade size if applicable;
- details regarding on-site storage of plant material until transplanting can be completed;
- details regarding after-transplant care, including mulching and watering, and, if necessary, support measures such as cabling, guying or staking.

- details regarding equipment to be used to transport plant materials, and (if the transplantation area in which the trees will be located is in a preservation area) the routing of such equipment.

Native Plant Transplantation

USES: The intent of this proffer is to facilitate opportunities to rescue native plant species before the initiation of land disturbing activities.

Suggested Proffer:

The applicant shall cooperatively work with the *(identify the magisterial district)* District Office, the Urban Forest Management Division (UFM), Fairfax County Department of Public Works and Environmental Services (“DPWES”), and environmental groups such as Earth Sangha, Land and Waters, and Fairfax ReLeaf, Inc. in order to coordinate opportunities to remove and transplantation native plant species located outside of areas to be left undisturbed that will otherwise be destroyed by construction activities.

In order to facilitate the rescue and transplantation of native plants prior to the initiation of land disturbing activities, the applicant shall plainly demarcate the areas to be left undisturbed immediately after approval of this zoning action, and shall notify the parties listed above that the subject property may be entered and that plant materials located outside the areas to be left undisturbed may be removed. The applicant shall provide these parties with an estimated window in which the plant rescue activities can occur in. The end of the plant rescue window will be premised on the anticipated approval date of the *(site or subdivision)* plan by DPWES. The applicant shall take steps to notify these parties when the *(site or subdivision)* has been approved, and for safety reasons shall not allow any plant rescue activity after that date.

The plant materials that may be removed from the subject property shall be limited in size to those plants which may be safely removed using hand operated tools and equipment such as shovels and wheel barrows. No motorized equipment, such as tractors, trucks, or hydraulically operated transplanting spades, shall be used to remove plant materials unless prior approval is granted by the applicant. All plant rescue work shall be accomplished in a coordinated manner that will not damage any plant materials to be preserved intact in the areas to left undisturbed.

Reforestation Plan

USES: The following is useful for a wide range of applications. It may be used if a utility easement is to be constructed within an EQC, RPA, or floodplain and it is appropriate to reforest/restore all land disturbed outside the easement, or if an area is currently devoid of trees but can be reforested to achieve a specific development objective. The wording below is broad enough to allow the staff coordinator and urban forestry reviewer discretion in determining what treatments would be the most appropriate for a given situation.

Suggested Proffer:

A reforestation plan for (*specify area(s) affected*) shall be submitted concurrently with the first and all subsequent (*specify preliminary site or subdivision*) plan submissions for review and approval in writing by the Urban Forest Management Division (UFM), Fairfax County Department of Public Works and Environmental Services (DPWES), and shall be implemented as approved, and as field verified by UFM. The plan shall contain an appropriate size, quality and selection, of species based on existing and proposed site conditions to restore the area to a native forest cover type. The reforestation plan shall include, but not be limited to, the following:

- plant list detailing species, sizes, quantities and stock type of trees and other vegetation to be planted
- soil treatments and amendments if necessary
- mulching specifications
- methods of installation
- maintenance
- mortality threshold
- monitoring
- replacement schedule

Stormwater Management - Embankment-only Facility

USES: Where the topography of the project site lends itself to an embankment-only facility, large areas of trees can be saved that would normally be cleared for the installation of a traditional dry pond. Embankment-only facilities can provide critical wildlife habitat and a unique forest cover over time, and their use is therefore encouraged where site conditions permit.

Suggested Proffer:

The stormwater management facility (*specify the facility and its proposed location*) shall be constructed as an embankment-only facility. The area of disturbance shall be minimized to

the greatest extent possible, given site and engineering constraints. Tree protection fencing consisting of *(specify the tree protection fence type to be used)* shall be used to define the limits of clearing and grading so as to protect any trees in the area during construction.

Stormwater Management - Dry Pond Facility Landscaping

USES: When a dry pond is proposed and landscaping is not shown on the development plan, the following proposed proffer/development condition will ensure that the pond will be landscaped, which will soften its appearance to the new and adjacent developments.

Suggested Proffer:

In order to restore a natural appearance to the proposed stormwater management pond *(specify the dry pond and its proposed location)* a landscape plan shall be submitted as part of the first submission of the *(specify site or subdivision)* plan. The plan shall show, among other things, the restrictive planting easement for the pond, and extensive landscaping in all areas outside of that restrictive planting easement, to the maximum extent feasible in accordance with the storm water management pond planting policies of Fairfax County

Trail Design and Installation

USES: When a trail is proposed within or adjacent to a wooded area on a site and when the location of the trail is not specified on the development plan, use of the following will minimize site disturbance and typically result in increased tree preservation.

Suggested Proffer:

In order to minimize site disturbance, the trail *(specify the location of the proposed trail)* shall be field located in consultation with the County Trails Coordinator, the Urban Forest Management Division and the Environmental and Facilities Inspection Division, Fairfax County Department of Public Works and Environmental Services, prior to the first submission of the *(preliminary, site or subdivision)* plan. Once the trail is located in the field, it shall be shown on the *(preliminary site or subdivision)* plan with the limits of clearing and grading reflecting the minimum amount required for access and construction. Tree protection fencing consisting of *(specify the tree protection fence type to be used)* shall be used to define the limits of clearing and grading so as to protect any trees in the area during construction.

Tree Protection Fencing and Signage

Suggested Proffer:

All individual trees to be preserved/conserved and all areas designated to be left undisturbed shall be protected by tree protection fencing and signage as set forth below. Tree protection fencing (*select fencing to be used from the options listed below*) shall be erected at the drip line of individual trees to be preserved and at the limits of clearing and grading, and shall be shown on the demolition and phase II erosion and sediment control sheets. (*If not for all areas, specify the areas in which the fencing will be installed*).

- four foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no further than 10 feet apart (see attached detail); or,
- super silt fence as may be approved by UFM to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees.

All tree protection fencing shall be installed prior to Phase II clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the supervision of a certified arborist or landscape architect and accomplished in a manner that does not harm existing vegetation that is required to be preserved/conserved. At least three days prior to the commencement of any clearing, grading, or demolition activities and prior to the installation of tree protection fencing, UFM and the District Supervisor shall be notified in writing and given the opportunity to inspect the site to assure that all individual trees to be preserved and all areas to be left undisturbed have been correctly delineated. UFM shall provide written notice to the applicant as to whether or not the areas have been delineated correctly. If it is determined by UFM that the areas are not delineated correctly, no grading or construction activities shall occur on the subject property until the delineation is corrected and field verified by UFM.

The applicant shall provide signs that identify and help protect all areas to be left undisturbed. These signs will be highly visible, posted in appropriate locations along the limits of clearing and grading, and attached to the tree protection fencing. Under no circumstances will the signs be nailed or in any manner attached to the trees or vegetation within the areas to left undisturbed.

Tree Preservation Walk-Through

USES: At times, the clearing and grading limits shown on the proffered development and subsequently the site or subdivision plan can/should be adjusted in the field to save trees initially not shown to be preserved or conserved. Although the following can be used as a stand alone item,

it is often used in conjunction with other tree preservation proffers/development conditions presented in this document.

Suggested Proffer:

The applicant shall retain the services of a certified arborist or landscape architect and shall have the limits of clearing and grading marked with a continuous line of flagging prior to the pre-construction meeting. Prior to commencement of any land disturbing activities, the applicant's certified arborist or landscape architect shall walk the limits of clearing and grading with a representative from the Urban Forest Management Division (UFM), Fairfax County Department of Public Works and Environmental Services ("DPWES") to determine where adjustments to the clearing limits can be made to increase the size of the area to be left undisturbed, and to increase the survivability of trees to be conserved or preserved that occur along the edge of the limits of clearing and grading, and/or identify hazardous trees that need to be removed. Any adjustments agreed to by the applicant and UFM shall be agreed upon and memorialized in writing by both the applicant and UFM before any such adjustments are implemented, and such adjustments shall be implemented. Trees to be removed shall be tagged in the field. Trees that are identified in writing by an authorized representative of UFM as dead or dying may be removed as part of the clearing operation. Any tree that is so identified shall be removed using a chain saw and such removal shall be accomplished in a manner that avoids damage to surrounding trees and associated understory vegetation. If a stump must be removed, this shall be done using a stump grinding machine in a manner causing as little disturbance as possible to the adjacent trees and associated understory vegetation and soil conditions.

Site Monitoring

Suggested Proffer:

At all times during the installation of tree protection fencing and during any clearing or removal of trees, vegetation, or structures, or transplanting of trees or vegetation on the site, or other similar activities, a representative of the applicant who is a certified arborist or landscape architect shall be present to monitor the process and ensure that the activities are conducted in accordance with the proffers and as approved by the UFM. The monitoring schedule shall be described and detailed in the Tree Designation Plan and shall be reviewed and approved in writing by UFM.

Demolition of Existing Structures

USES: The following is recommended when existing structures and trees shown to be preserved lie in close proximity to each other. It is intended to provide protection to trees during the demolition process, regardless of whether the demolition is to be conducted as part of a site or subdivision plan or pursuant to a demolition permit that may or may not be reviewed by the Urban Forest Management Division, Fairfax County Department of Public Works and Environmental Services.

Suggested Proffer:

The demolition of existing features and structures on the site shall be conducted in a manner approved in writing by the Urban Forest Management Division, Fairfax County Department of Public Works and Environmental Services (UFM, DPWES), that does not impact on individual trees and/or groups of trees that are required to be saved. The applicant will gain such written approval from UFM, DPWES prior to seeking a demolition permit from DPWES.

Tree Designation Plan

The Tree Designation Plan is based upon the submittal at the time of zoning application of a tree study prepared by a certified arborist or landscape architect.

The contents of the tree study and proposed designation of trees as categorized below will be critiqued by UFM at the time of its initial site visit. UFM will forward its critique and recommendations to DPZ. Amendments to the original application involving relocation of proposed limits of clearing and grading may result in a request to the applicant to submit updates to the arboricultural study. Once the tree study is found to be acceptable by the County, the applicant will be encouraged to include the information and commitments in a Tree Designation Plan that will be included as part of the proffered development plan. Trees on the Tree Designation Plan can be designated in one of three categories, as follows:

- **trees to be preserved** consists of trees that the applicant is committing to preserve. It is expected that the applicant would proffer such preservation as well as what would occur in the result of non-compliance.
- **trees to be conserved** consists of trees that the applicant will attempt to preserve, but for various reason (usually related to the tree's proximity to construction), cannot guarantee will survive the impacts of lawfully executed construction. It is anticipated that the applicant would commit to attempt to preserve the trees, but if not feasible due to lawful construction activities, would commit to remove and replace them. In addition, it is anticipated that the applicant would commit to remuneration if trees in this designation are killed or are significantly damaged by wrongful acts or negligence.
- **trees to be removed** consists of trees that are already dead, in decline, cannot be saved due to their location on the site as related to the location of the proposed development, or are likely to experience severe impacts from lawful construction activities.

The Tree Survey should contain an accurate tree survey that identifies the trunk location, species, size, crown spread and condition analysis rating for all individual trees to be preserved, as well as all on and off-site trees, living or dead with trunks 6 inches in diameter and greater (measured at 4 ½ -feet from the base of the trunk or as otherwise allowed in the **(identify the number of the edition used)** edition of the Guide for Plant Appraisal published by the International Society of Arboriculture) located within 25 feet to either side of the limits of clearing and grading; and specific preservation practices used to maximize chances of tree survival, such as crown pruning, root pruning, mulching, fertilization, and others as necessary. The condition analysis used to evaluate trees should be prepared using methods outlined in the **(identify the number of the edition used)** edition of the Guide for Plant Appraisal published by the International Society of Arboriculture.

The Tree Designation Plan should also specify by plan note, shading, or other designation the limits of clearing and grading and the portions of the site to remain as undisturbed areas, and should provide management practices for the protection of understory plant materials, leaf litter and soil conditions found in areas to be left undisturbed.

In addition, with the exception of dead trees, the Tree Designation Plan shall provide a monetary value for each tree surveyed that is located within the areas designated to be left undisturbed. The monetary values should be determined using the Trunk Formula Method contained in the **(identify the number of the edition used)** edition of the Guide for Plant Appraisal published by the International Society of Arboriculture.