

32-10-122

**(Also see Public Facilities Manual Amendment 106-10-PFM,
adopted simultaneously on November 16, 2010.)**

**ADOPTION OF AN AMENDMENT TO
CHAPTER 122 (TREE CONSERVATION ORDINANCE)
OF THE 1976 CODE OF THE COUNTY OF FAIRFAX, VIRGINIA**

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, November 16, 2010, the Board after having first given notice of its intention so to do, in the manner prescribed by law, adopted Chapter 122 (Tree Conservation Ordinance) of the 1976 Code of the County of Fairfax, Virginia, said amendment so adopted being in the words and figures following, to-wit:

**BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF FAIRFAX
COUNTY, VIRGINIA:**

Amend Chapter 122 (Tree Conservation Ordinance), as follows:

Amend Article 2 (Tree Conservation During Land Development), Section 122-2-1 (Ten-year Tree Canopy Requirements), by adding Paragraph (b) to read as follows:

ARTICLE 2.

Tree Conservation During Land Development

Section 122-2-1. Ten-year Tree Canopy Requirements¹

(a) All land development requiring the submission of a site plan, preliminary subdivision plat, subdivision construction plan, conservation plan, grading plan, or a rough grading plan shall provide for the conservation of trees on the site such that, after ten (10) years, minimum tree canopy is projected to be as follows:

Table 1 10-Year Tree Canopy Requirements	
Use or Zoning District	Percentage of site to be covered by tree canopy in 10 years
Dedicated school, athletic field, nonwooded active recreation area	Ten percent (10%)
Commercial Revitalization District	See Note Below
Commercial; Industrial; PDC; R-20; R-30; PDH-20; PDH-30; PDH-40; PRM; R-MHP; medium and high-density areas of a PRC District	Ten percent (10%)
R-12; R-16; PDH-12; PDH-16	Fifteen percent (15%)
R-5; R-8; PDH-5; PDH-8	Twenty percent (20%)
R-3; R-4; PDH-3; PDH-4	Twenty-five percent (25%)
R-A; R-P; R-C; R-E; R-1; R-2; PDH-1; PDH-2; and low-density areas of a PRC District	Thirty percent (30%)

¹ Any locality with a local ordinance that was adopted prior to July 1, 1990, may adopt the tree conservation provisions of Va. Code Ann. § 15.2-961 based on 10-year minimum tree canopy requirements (Va. Code Ann. § 15.2-961. para. S). Fairfax County adopted tree cover requirements based on a 10-year minimum tree canopy requirements on April 16, 1990, effective June 30, 1990 (08-90-101, 09-90-104, ZO-90-190, and 29-90-PFM).

Note: In Commercial Revitalization Districts the above requirements shall apply to the extent feasible for expansion or enlargement of existing developments and shall be applicable for redevelopment and new developments. Expansion, enlargement, redevelopment and new development shall be as defined by the Zoning Ordinance.

(b) For purposes of administering the above requirement, land development does not include: construction of additions to existing residential structures; construction of residential accessory structures; demolition of existing residential structures; reconstruction of residential structures on existing foundations; construction associated with minor site plans; construction of trails, sidewalks, sanitary sewers, storm sewers, and other public improvements of a linear nature not included as part of a larger common plan of development; and, other land disturbing activities that present a minor threat to existing tree resources as determined by the Director.

This amendment shall become effective at 12:01 a.m., on November 17, 2010.

GIVEN under my hand this 16th day of November, 2010.

NANCY VEHR
Clerk to the Board of Supervisors