

# Draft Charter Revisions for Chapter 122-9-1 Tree Conservation

Proposed changes approved at Tree Commission Special Meeting on August 1, 2023.

## Section 122-9-1. Tree Commission.

~~*Purposes. (a) Purpose. The purpose of the Tree Commission is to provide advice to the Board of Supervisors, based on an annual reevaluation of the administration and implementation of the provisions set forth in this Ordinance and the landscaping and screening requirements contained in the Zoning Ordinance; to provide leadership in developing an understanding of the objectives and methods of tree conservation; and to assist the Urban Forest Management Division of the Department of Public Works and Environmental Services and Land Development Services in the development and maintenance of technical specifications and guidelines.*~~

(a) The purposes of the Tree Commission shall be to:

1. Advise the Board of Supervisors on actions it might take to protect, improve and expand the urban forest across Fairfax County.
2. Review and comment at its discretion on selected actions being considered by the Planning Commission, the Board of Zoning Appeals, the Fairfax County Schools and Board, the Fairfax County Park Authority and Board, and any other County or County-related agencies that may impact the urban forest.
3. Report annually to the Board of Supervisors on the administration and implementation of ordinances, policies and programs regarding:
  - A. Tree preservation and planting requirements of the Code of Ordinances and the Public Facilities Manual.
  - B. County agencies' design, installation and maintenance of natural landscapes pursuant to the Board of Supervisors' Natural Landscaping Policy.
  - C. Activities of public and private entities to promote tree planting and care on private property.
  - D. Results from the Community of Practice as identified in the Fairfax County Tree Action Plan.
4. Recommend to the Board of Supervisors improvements to the Fairfax County Tree Action Plan as appropriate.
5. Represent the Board of Supervisors in the Community of Practice established in accordance with the Fairfax County Tree Action Plan.
6. Provide outreach on behalf of the Board of Supervisors to private organizations and county citizens regarding the benefits of protecting, improving and expanding Fairfax County's urban forest.

(b) *Authority and Establishment.*

1. The Tree Commission was established in conformance with an action adopted by the Board of Supervisors on June 18, 1973 and amended on July 30, 1973, which action became effective on August 1, 1973.
2. The official title of this commission is the 'Fairfax County Tree Commission'.

(c) *Membership.*

1. ~~The Board of Supervisors appoints the Tree Commission members.~~ The Tree Commission may have no more than fifteen (15) members of the following composition: ten (10) citizens of the County ~~chosen~~ nominated to represent each magisterial district and one at-large seat; ~~for their knowledge and experience in the field of arboriculture or related fields,~~ and one representative from each of the following: Fairfax County Environmental Quality Advisory Council, Northern Virginia Soil and Water Conservation District, Fairfax County Park Authority, Fairfax County Office of Virginia Cooperative Extension and Virginia Department of Forestry. Magisterial district representatives will be nominated by their District Supervisor and must live in the district they represent. The at-large seat will be nominated by the Chair of the Board of Supervisors and must be a Fairfax County resident.
2. Citizen members of the Commission are appointed to serve for a three (3) year term or until their successor has been appointed. An appointed successor to a vacancy serves only the unexpired portion of the term. Members may be reappointed to successive terms.
3. If a member is absent for three (3) consecutive meetings without sufficient cause, a letter will be sent to the Chairman of the Board of Supervisors asking for replacement of that member.
4. The removal or resignation or withdrawal of any or all members of the Tree Commission does not result in the dissolution of the Tree Commission.

(d) *Officers.*

1. The Tree Commission must have a Chairperson, ~~and~~ Vice-Chairperson, Secretary, and such other officers that the Tree Commission elects from time to time.
2. Officers of the Tree Commission are to be elected once each year or when an officer withdraws from his post. An annual election meeting will be held as soon as appropriate after regular annual appointments are made.
3. The duties of the officers will be, in general, those defined in Robert's Rules of Order, modified as required to fit the purpose of the Tree Commission.

(e) *Meetings.*

1. Meetings of the Tree Commission are scheduled by the Chairperson, as needed, or upon the request of three (3) or more members. Meetings are held at a time and place to be designated by the Chairperson.
2. Robert's Rules of Order govern proceedings of the Tree Commission.

- (f) *Records.* The Tree Commission must keep records of all its proceedings, and the records must be made available for public inspection upon request.
- (g) *Powers and Duties.*
1. The Tree Commission has the power to do any lawful acts or things reasonably necessary to carry out its purposes.
  2. The Tree Commission develops and disseminates ~~technical~~ information for professional groups, developers, and citizens, and strives to inform the general public of the provisions of applicable ordinances, Board policies, and chapters of the Public Facilities Manual. ~~of this Ordinance and the landscaping and screening requirements contained in the Zoning Ordinance.~~
  3. The Tree Commission assists the appropriate County agencies ~~the Urban Forest Management Division~~ in the development and maintenance of the ordinances, the policies listed in the purpose section of this Article, and related documents which provide guidance for persons involved in planting, preserving, protecting or replacing trees and other components of healthy forests and natural vegetation. ~~landscaping and screening requirements contained in the Zoning Ordinance, and the policies, standards and guidelines in the Vegetation Preservation and Planting section of the Public Facilities Manual and other related documents, which will provide guidance for persons involved in planting, preserving, protecting or replacing trees.~~
  4. The Tree Commission presents an annual report to the County Executive and Board of Supervisors that includes:
    - A. A description of activities conducted.
    - B. A report of ongoing and anticipated activities.
    - C. An evaluation of the experience of the administration and implementation of the provisions set forth in applicable ordinances, Board policies, and chapters of the Public Facilities Manual, including this Ordinance and the landscaping and screening requirements contained in the Zoning Ordinance: an appraisal of the strength and comprehensiveness of the provisions; recommendations to improve implementation; and judgment as to how it is being interpreted by the public and by those affected by the requirements of these provisions.
  5. The Tree Commission will be provided working facilities by the County Executive. Where required, the Tree Commission will be provided with assistance from other County agencies.
  6. The Tree Commission may divide itself into ad hoc committees as the Chairperson may direct or the Tree Commission may resolve, and those ad hoc committees may acquire additional assistance from any sources as required to perform assignments so long as they are consistent with applicable ordinances, Board policies, and chapters of the Public Facilities Manual. ~~the provisions of this Ordinance and the landscaping and screening requirements contained in the Zoning Ordinance.~~
  7. The Tree Commission may enact bylaws as may be required to aid in its efficient operation. (9-21-122.)