



Land Development Services

Technical Bulletin

Subject: Tree Preservation Target Deviation Submission Requirements**Date: 01/08/21****No.: 21-01**Summary:

The preservation of existing tree canopy in Fairfax County remains a high priority for our communities, Land Development Services (LDS), the Department of Public Works and Environmental Services (DPWES), and the Board of Supervisors. Going forward, all efforts must be made by developers to plan, design and construct development sites in a manner that optimizes the preservation of structurally sound, healthy, and functional trees and forested areas. Such efforts must be made before the County will consider any tree planting, as a substitute for tree preservation, to meet any portion of the 10-year Tree Canopy Requirement.

Developers are currently permitted to request a “deviation” from Tree Preservation Target requirements. However, there has been no consistent methodology in these deviation submittals. Therefore, the County has prepared the following policy entitled Tree Preservation Target Deviation Submission Requirements to ensure consistency of all submittals. Once staff reviewers receive a deviation, they work closely with developers to ensure the preservation of structurally sound, healthy and functional trees and forested areas is maximized, thereby minimizing deviations to tree preservation targets.

Effective Date: January 8, 2021

Guidelines:

If, in the opinion of the developer, a development site cannot meet the Tree Preservation Target requirement, a written request to deviate from the Tree Preservation Target must be incorporated in the **first** submission of the site plan. The request must take the form of a letter, addressed to the Director of Urban Forestry Management Division (UFMD), that provides a site-specific narrative explaining why one or more of the following conditions, allowing a deviation, should be considered.

1. Meeting the Tree Preservation Target would preclude the development of uses or densities otherwise allowed by the Zoning Ordinance.
2. Meeting the Tree Preservation Target would require the preservation of trees that do not meet the standards for health and structural condition and other vegetation and risk management requirements of [§ 12-0200](#) *et seq.*
3. Allowable construction activities would impact existing trees or forested areas used to meet the Tree Preservation Target to the extent that these would not likely survive in a healthy and structurally sound manner for a minimum of 10-years in accordance with

post-development standards for trees and forested areas provided in [§ 12-0203](#) and [§ 12-0204](#).

The narrative must also provide the basis for the deviation, a detailed description of how the deviation is the minimum necessary to afford relief and describe how the balance of the 10-year Tree Canopy Requirements could otherwise be met by means of tree planting.

Staff reviewers may recommend alternative site layout(s) or alternative engineering practices for consideration.

If the developer rejects the recommended alternative site layout(s) or alternative engineering practices, then the developer must provide the Director of UFMD with a letter of explanation which addresses why the alternatives are being rejected. The letter of explanation must be prepared and certified by a licensed professional. If arboricultural issues are part of the explanation, then the letter must also be signed by an International Society of Arboriculture Certified Arborist or by a Registered Consulting Arborist as designated by the American Society of Consulting Arborists. Letters of explanation, as well as the deviation request letter, must be incorporated into the plan.

Only after all the above items have been fully addressed to the satisfaction of the Director will the request be considered for approval.

If you have any questions, please contact Brian Keightley, Director of the Urban Forest Management Division at **703-324-1770, TTY 711**.

Approved by: William D. Hicks, P.E., Director
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