



November 21, 2022

Honorable Katie Cristol, Chair
Arlington County Board
Ellen M. Bozman Government Center
2100 Clarendon Blvd, Suite 300
Arlington, VA 22201

Re: Missing Middle Housing Study: Draft General Land Use Plan and Zoning Ordinance Amendments

Dear Chair Cristol:

Members of the Forestry and Natural Resources Commission (FNRC) discussed the Missing Middle Housing Study Draft General Land Use Plan and Zoning Ordinance Amendments at the November 17, 2022 Commission meeting. We also received a presentation on tree canopy calculations and possible configurations for more densely planting trees.

The Commission is concerned that the aggressive timetable proposed for consideration of this draft by both the Planning Commission and the County Board, may preclude adequate review of the implications of the proposed changes to existing zoning, as well as allowing time to craft further adjustments before those final reviews. This is especially concerning because the tree canopy requirements have not yet been a focus of the LRPC/ZOCO reviews, despite the urgency heard throughout the public comment period about the loss of tree canopy. The next, and possibly final, ZOCO meeting is scheduled for November 30.

At a minimum, the Commission urges consideration of the following outstanding issues in the noted sections of the draft, along with questions about the legality of the mechanism proposed in Section 6(A):

Section 3

Option 3(A): Special exception review of properties one acre or larger (typically churches, other institutions)

Option 3(B): No separate review, effectively prohibiting expanded housing option on larger sites

Comment: Many of these larger parcels have significant tree canopy in small groves of trees, a rarity in the County, and should be a high priority for preservation.

Recommendation: If 3(A) is adopted, it should include specific recommendations to preserve existing tree canopy as part of the review process.

Section 4

Option 4(A): Duplicate existing single-family housing coverage with option of additional 3% for front porches and 5% for detached rear garages

Option 4(B): Reallocate 5% for detached garages to base lot coverage

Comment: The aesthetic intent of the original bonus density for moving detached garages to the rear of properties has created significant damage to tree canopy and has prevented preservation of existing trees at the rear of redeveloped lots. More plantable spaces are needed for expanded tree planting and eventual tree canopy.

Recommendation: The Commission recommends a new option 4(C), eliminating the 5% bonus for detached garages for multi-family homes (and recommends a similar elimination to bonus density for one-family homes).

Section 6

Option 6(A): One shade tree to be planted for each unit

Option 6(B): No additional requirements beyond Chesapeake Bay Preservation Ordinance (CBPO)

Comment:

The Code of Virginia 15.2-961:

- 10% tree canopy for a residential site **zoned** 20 or more units per acre
- 15% tree canopy for a residential site **zoned** between 10-20 or more units per acre
- 20% tree canopy for a residential site **zoned** 10 units or less per acre

The Commission does not concur with the statement in the MMH study on page 14:

“Depending on the specific development proposal (e.g., number of dwellings, site area, tree species), Option 6A would generally result in tree canopy coverage that is closer to parity with the CBPO requirement for one-family development.”

The current minimum projected 20-year tree canopy requirement for one-family homes under Article 5 is 20%. Option 6(A), as currently drafted, is unlikely to increase tree canopy beyond the lower minimums required in CBPO for the expanded housing options (10%-15%). There are seemingly endless possibilities of how this would pencil out, given various lot size, number of units and tree species chosen. Under 6(A), increased tree canopy, (beyond the new 10%-15% minimum) would occur only on some of the largest lots and with the maximum number of units. On the smaller lots, with fewer units, this tree planting requirement would result in lower tree canopy coverage than that required through the CBPO, or in some cases only slightly more tree canopy coverage than the CBPO minimum, but still below the current 20% standard for one family homes. Given the tremendous loss of tree canopy in our single-family neighborhoods, we know that the proposed changes to the zoning, and the resulting decrease in minimum tree canopy requirements, will only exacerbate that loss.

Recommendation: Staff had reported to the Forestry and Natural Resources Commission on May 26, 2022 that retaining 40% tree canopy County-wide would be possible, despite significantly lower minimum planting requirements under the proposed MMH changes to zoning. The attached staff planning document (from a recent Freedom of Information Act request) illustrates the potential tree canopy achievable with the various configurations of lot sizes and multi-family housing. These planting numbers are significantly higher than the one tree per unit in option 6(A). We urge staff to incorporate these higher tree standards into Section 6 recommendations.

At the November 17, 2022 FNRC meeting, the commission reviewed how additional, densely planted trees can be accommodated even on smaller lots. Recent research supports the benefits of more densely planting trees. Promoting significant tree planting brings with it the added ecological benefits such as additional shade, lower energy costs, reduction of the heat island effect, storm water benefits, and increased biodiversity.

The Commission urges the County to simultaneously support aggressive tree planting while it works to expand housing options. Those living in multi-family housing need the intensive green space as much or more than those in one-family homes, and the County has an opportunity to address the significant issue of tree canopy loss by pairing densely planted spaces with these new housing options. Rather than looking at the dual issues of expanded housing and tree canopy coverage as “either/or”, they can, and should be addressed as “both/and”. Expanding the tree planting requirements beyond those recommended in Option 6(A) could achieve these dual objectives.

Lastly, questions have been raised about the mechanism of using Article 10.4.6(A) for additional tree planting. While the Commission supports more aggressive planting requirements than those suggested in Option 6(A), we are concerned about the legality of the underlying mechanism for additional tree planting requirements.

Code of Virginia section 15.2-961 specifically states:

“J. In no event shall any local tree replacement or planting ordinance adopted pursuant to this section exceed the requirements set forth herein.”

We would appreciate clarification on whether the County has the authority to require additional tree planting through the use of Article 10.4.6(A).

Thank you for the opportunity to share our views on these important topics.

Sincerely,



Phil Klingelhofer, Chair
Forestry and Natural Resources Commission

Cc: Members, Arlington County Board
Members, Planning Commission
Mark Schwartz, Arlington County Manager
Claude Williamson, Director, Department of Community Planning, Housing and
Development
Jane Rudolph, Director, Department of Parks and Recreation

Attachment: Staff Canopy Coverage Calculations

Arlington County Staff Calculations - Potential Tree Canopy Coverage of MMH Lots Released under the Virginia FOIA

Type	Square Ft	Large trees	Small trees	<i>Total Trees</i>	Canopy potential	Canopy Percent	Meets minimum 20%	Meets County target 40%?
Duplex 1	5000	7	3	10	3168.75	63	Yes	Yes
Duplex 2	6000	6	1	7	2500	42	Yes	Yes
Duplex 3	6000	6	4	10	2912.5	49	Yes	Yes
Duplex stacked 1	5000	4	3	7	1987.5	40	Yes	No
Duplex stacked 2	5000	4	10	14	2950	59	Yes	Yes
Duplex stacked 3	6000	5	1	6	2106.25	35	Yes	No
Fourplex 1	10000	7	4	11	3306.25	33	Yes	No
Fourplex 2	10000	9	0	9	3543.75	35	Yes	No
Fourplex 3	8125	7	0	7	2756.25	34	Yes	No
Townhome 1	6000	5	2	7	2243.75	37	Yes	No
Townhome 2	10000	7	3	10	3168.75	32	Yes	No
Townhome 3	10000	5	8	13	3068.75	31	Yes	No
Triplex 1	6000	5	3	8	2381.25	40	Yes	Yes
Triplex 2	10000	5	3	8	2381.25	24	Yes	No
Triplex 3	6000	4	5	9	2262.5	38	Yes	No
Multiplex 1	10000	7	2	9	3031.25	30	Yes	No
Multiplex 2	10000	8	1	9	3287.5	33	Yes	No
Multiplex 3	6000	3	2	5	1456.25	24	Yes	No
SFD 1	3500	2	2	4	1062.5	30	Yes	No
SFD 2	3500	3	2	5	1456.25	42	Yes	Yes
SFD 3	3500	2	1	3	925	26	Yes	No
Townhome Stacked 1	10000	7	3	10	3168.75	32	Yes	No
Townhome Stacked 2	12000	8	7	15	4112.5	34	Yes	No
Townhome Stacked 3	15000	12	0	12	4725	32	Yes	No