October 27, 2025

Commission Members

Caroline Haynes Chair
Bob Benson
Bill Browning
John Carey
Elizabeth Gearin
Josh Handler
Noreen Hannigan
Jenn Hazen
David Howell
Neal Hunter
Phil Klingelhofer
Lisa Marcellus
Alex Sanders
Steve Sockwell

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

RE: Improving Tree Conservation by Improving Notification System for Informing Neighbors About Demolition and Construction Permit Applications

Dear Chair Karantonis,

At the July 24, 2025 meeting the Forestry and Natural Resources Commission (FNRC) discussed County procedures for informing neighbors about possible impacts of trees on neighbors' properties during home construction or renovation projects. The Commission was informed about County practices for providing information on landscape and tree protection plans to neighbors. Apparent deficiencies in the existing procedures can limit understanding of construction or renovations projects, thereby limiting informed decision-making concerning tree conservation between neighbors. The FNRC strongly recommends that County procedures be refined to address this information sharing shortfall.

Under current practice, neighboring property owners receive an initial notification of a permit application. Once so informed, current County guidance on the County's website to neighbors for addressing tree conservation encourages the affected neighbor to obtain a copy of the plan for the project:

> **"Get a Copy of the Plan**
> The best information you can have is to know where damage may occur, is to get a copy of the plan. Start by speaking to your neighbor, or the developer working on the project, to understand where the impact may occur. The earlier you coordinate with the project, the more likely it is that you can influence the impact to your trees, and reduce damage." (https://www.arlingtonva.us/Government/Programs/Sustainability/Trees/Permitting-and-Tree-Protection/Protecting-Your-Trees-When-Your-Neighbor-is-Developing-Their-Lot, accessed October 19, 2025).

However, obtaining a copy of the plan can be time consuming and expensive, thus discouraging the neighbor from following the County's advice.
To obtain a copy of the plan, a neighbor needs to file a FOIA request which takes time to submit and receive a response, and for which charges can be assessed by the County.
Moreover, under current County procedures, the neighbor would only receive an initial notification of the plan, but would not be notified of subsequent revisions. The Commission learned that most

plans are revised at least once as a developer's initial plan submission usually has some errors or needs to be modified to meet the demolition or construction permit criteria.

Thus, even if a neighbor took action to submit a FOIA request upon learning of the permit application, they may be unaware of any subsequent revisions, and if they were, they would have to submit a new FOIA request for the revised plan, necessitating further delay in receiving information and potential further costs.

The Commission notes that these administrative barriers are at variance with the County's advice to get a copy of the plan in order to discuss possible construction adjustments to conserve trees. The lack of timely information inhibits an informed conversation between neighbors that could produce a more optimal outcome for conserving trees whose roots or branches extend to the neighbor's property being developed.

The Commission discussed several solutions for bringing County practices in better alignment with the County's advice to neighbors.
First, informing neighbors initially is important, but the County could also do so each time there is a further revision to the landscape plan.
Second, permit applications should come with a caveat that the property owner by submitting a signed application automatically gives their consent to the County to provide current and revised copies of the relevant plats of plans to adjacent property line neighbors upon request. This would then obviate the need for multiple FOIA filings and paying fees for the plans.
Finally, automating this process would be ideal. For example, the relevant neighbors could be automatically notified by post and e-mail when a plan is revised and be given an electronic link to the relevant plats which they could check periodically or when they receive notifications of any updates.

The FNRC has heard from multiple property owners whose trees have been damaged or destroyed by development on neighboring properties. Updating existing practices could help conserve existing tree canopy, and would reinforce the County's own recommendations to property owners.

Sincerely,

Caroline Haynes

Caroline Haynes, Chair
Forestry and Natural Resources Commission

cc: Members, Arlington County Board
Members, Planning Commission
Mark Schwartz, Arlington County Manager
Samia Byrd, Director, Department of Community Planning, Housing and Development
Jane Rudolph, Director, Department of Parks and Recreation