

STREET TREE REMOVAL AND REPLACEMENT AT COLONIAL HERITAGE



Prepared by members of the Colonial Heritage Homeowners Association in consultation with James City County Planning Division staff.

June 06, 2023

The purpose of this document is to provide the Colonial Heritage Homeowners Association (the “Association”) with a process and a set of guidelines that will allow for the replacement of trees that have been planted along the roadway rights-of-way (the “Street Trees”) in a manner that ensures the requirements set forth in the recorded proffers for Colonial Heritage continue to be met and that will not require prior notification and/or approval from James City County.

Process:

- I. Homeowners that wish to replace an existing street tree shall make such request known in writing to the Colonial Heritage Homeowners Association.
- II. Such requests will be considered by the Colonial Heritage Architectural Review Committee in accordance with established procedures.
- III. The Colonial Heritage Landscape Committee will provide the Colonial Heritage Architectural Review Committee with a list of trees that can be replaced with a different tree that is consistent with the criteria established by this document.

1. Factors that the Architectural Review Committee will consider when reviewing homeowner requests to replace street trees include:

- a. Generally, with the exception of trees that are dead, dying, or diseased, a tree to be replaced should not have reached maturity and should have a Diameter at Breast Height (DBH)** of approximately 14 inches or less.
- b. If an existing tree creates a hazardous situation for the property owner or the public in general (e.g., limbs falling, tree roots buckling sidewalks, and similar).
- c. If there is a conflict between the location of an existing tree and underground utilities that may result in damages to the utilities and/or the root system of a tree.
- d. If an existing tree is dead.
- e. If an existing tree is dying and/or diseased and it cannot be treated.
- f. If an existing tree has been damaged.
- g. If an existing tree has an expected height, canopy and root system at maturity that will not be appropriate for a lot with a width of less than 50

linear feet on average. Specifically, trees that can be considered for replacement will be those that have a projected height of greater than 75 feet at maturity and are known to have widespread roots that could be expected to extend under sidewalks and driveways and could interfere with utility lines of the given lot.

To ensure compliance with the adopted Proffers and James City County requirements, existing trees that the HOA approves to remove under this section must be replaced with another tree.

2. All street trees to be replaced shall meet the following requirements:

- a. All trees shall be deciduous.
- b. All trees shall have a minimum height at maturity of 40 feet (i.e., Overstory trees).
- c. Consider trees that do not have widespread shallow roots.
- d. All trees shall be native species or trees commonly planted in the James City County area and that are adapted to the soils and climate.
- e. At the time of planting, trees shall have a minimum caliper of 1 ½ inches DBH.
- f. Trees that are known to be invasive or require extensive maintenance for disease or pest control should not be proposed or approved.
- g. Because the location, spacing, and placement of Street Trees within a neighborhood is specified by county regulation and required by the Colonial Heritage proffers, new Street Trees must be planted in the same location as where the existing Street Tree was removed.

3. Removal of tree limbs. Overstory tree limbs may be removed/” limbed-up” to a maximum height of ten feet above the base of the tree. These height limitations shall not restrict the removal of dead, diseased, or injured tree limbs above the height limits mentioned above. Tree topping, the removal of large amounts of leaves and branches, from a healthy tree’s crown is not permitted.


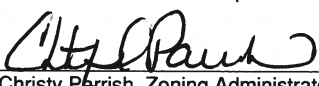
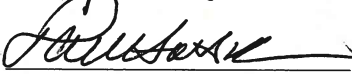
James City County Planning Division staff recommends the following trees as street trees replacements, as these Street Trees meet the requirements of Section 2, above:

- *Acer rubrum*, Red Maple
- *Ginkgo biloba*, Maidenhair tree (male cultivar)
- *Nyssa sylvatica*, Black Tupelo *
- *Quercus palustris*, Pin Oak
- *Quercus shumardii*, Shumard Oak
- *Ulmus parvifolia*, Lacebark Elm*
- *Zelkova serrata*, Japanese Zelkova*

*Trees recommended for thin planting strips or adjacent to sidewalks.

** (DBH) Diameter at breast height, or DBH, is the standard for measuring trees. DBH refers to the tree diameter measured at 4.5 feet above the ground.

4. When requests are made to replace Street Trees along roadways that are not yet under the control of the Homeowners Association (i.e., roadways that are still under the control of the developer), the Homeowners Association will review such requests under the guidance listed above and shall forward such recommendation(s) to the developer for consideration. The developer, in their sole discretion, may elect to replace the tree. It is important to remember that in these circumstances, there is no requirement for the developer to replace a tree otherwise approved by the county; however, should a Street Tree be replaced with one of the seven species listed above, no additional county review or approval is required.

James City County Approvals:	
	<u>6/17/2023</u>
Jose Ribeiro, Sr. Landscape Planner	Date
	<u>6/6/2023</u>
Christy Parrish, Zoning Administrator	Date
	<u>7 June 2023</u>
Paul Holt, Director of Planning	Date