20105025D

HOUSE BILL NO. 1045

Offered January 8, 2020

Prefiled January 7, 2020

A BILL to amend the Code of Virginia by adding a section numbered 15.2-961.3, relating to conservation of tree cover; banking.

Patron—Krizek

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-961.3 as follows:

§ 15.2-961.3. Conservation of tree cover; banking.

A tree-replacement ordinance adopted pursuant to § 15.2-961 may allow a locality to require the developer of any subdivision or development to (i) plant, (ii) cause to be planted, or (iii) pay the locality an amount determined by the locality to be sufficient to plant on property within the same watershed that is protected in perpetuity by a conservation easement additional native tree cover sufficient to prevent a net loss of tree cover as a result of the development or a net loss resulting from a local waiver of the tree-replacement ordinance requirements. Such ordinance shall require that any planted tree that dies during the first five years after planting be replaced. For purposes of this section, "conservation easement" means a conservation easement as defined in § 10.1-1009 or an open-space easement as defined in § 10.1-1700.

INTRODUCED