Opportunities to Protect and Expand Tree Canopy in Virginia Beach

Current Landscape

Virginia Beach has an established urban canopy goal: increase citywide tree canopy from approximately 40% to 45% by 2045 through planting, preservation, maintenance, public policy, and better canopy data. The City reports that more than 4,500 trees have been planted since 2021, that it is developing a fourth canopy study to identify gaps and guide planting, and that its VB Trees GIS tool tracks more than 22,000 public trees.

Virginia Beach's current tree regulations are meaningful, but they are not yet a comprehensive development-site canopy preservation ordinance. Under Appendix E, all residential lots must provide trees or canopy cover based on lot size, with requirements ranging from small/medium tree counts on lots under 5,000 square feet to canopy-cover requirements from 300 square feet to 2,000 square feet on larger lots. Existing or relocated trees can count if they meet the ordinance standards, are protected during construction, and remain in good condition.

The City also requires street trees with new residential development in public rights-of-way, with planting standards and one-year guarantees. Separately, Appendix C requires parking-lot and foundation landscaping: parking lots with 10 or more spaces must provide landscaped area equal to 30 square feet per parking space, with one tree per 150 square feet of landscaped area, and buildings subject to site-plan review must provide foundation landscaping along qualifying public-facing sides.

In short, Virginia Beach currently regulates trees through residential lot requirements, residential street-tree requirements, parking-lot landscaping, foundation landscaping, and public-property tree mitigation policy. What it does not clearly have yet is a modern, citywide development ordinance that fully uses the HB 549-style framework: preservation-

first review, density-based canopy standards, preservation credits, monitoring, and a broader tree canopy bank or fund structure.

Why It Matters

Tree canopy is not just beautification infrastructure. Virginia Beach's own parking-lot landscaping ordinance identifies tree and vegetation cover as supporting air purification, groundwater recharge, stormwater runoff reduction, heat abatement, habitat, property values, and public health.

That matters in Virginia Beach because canopy protection directly supports flood resilience, stormwater management, heat mitigation, neighborhood livability, and the City's stated goal of reaching 45% canopy by 2045. A policy that only plants new trees, without stronger tools to preserve existing mature canopy, is unlikely to deliver the same near-term environmental value.

Opportunities

1. Adopt a local ordinance under the HB 549 framework once effective. Virginia Beach can adopt or amend a local ordinance using the authority created by state law. Under Virginia's Constitution, regular-session laws generally take effect on July 1, unless another date is specified. The HB 549 conference substitute changes the tree-replacement framework by defining canopy at 10 years' maturity, requiring site plans to include preservation or replacement of trees, and expanding density-based canopy percentages: 10% for business/commercial/industrial; 10% for residential over 20 units per acre; 15% for more than 8 but not more than 20 units per acre; 20% for more than 4 but not more than 8 units per acre; 25% for more than 2 but not more than 4 units per acre; and 35% for two or fewer units per acre.

2. Move from fragmented planting requirements to preservation-first development review. Current Virginia Beach rules already require trees in several contexts, but HB 549 would allow a stronger policy architecture: first emphasize preservation of healthy existing canopy where feasible, then require new planting where preservation cannot meet the required percentage. The bill also allows localities to consider five- and ten-year assessments of planted and preserved trees, and to use higher replacement percentages to achieve MS4 nutrient reductions, mitigate urban heat islands, improve climate resilience, reduce flooding, and mitigate air pollution.

3. Use the tree mitigation fund more strategically, with legal guardrails. Virginia Beach's current tree mitigation policy appears focused on trees removed from City property or public right-of-way during or incident to private construction. The City's 2024 notice says

those trees must be replaced on City property or mitigated as directed by the City Arborist; if replacement cannot occur on site, a mitigation payment is required for Park and Landscape Services to plant trees on City property off site. The proposed schedule includes $29,925 per acre for complete removal of forested areas and per-tree mitigation rates based on DBH.

4. Align the local mitigation fund with the broader state tree canopy fund model. State law authorizes a locality to establish a tree canopy fund to collect and distribute developer fees when full canopy requirements cannot be met on site. Under § 15.2-961.3, money may be used to plant and maintain trees on public or private property, or disbursed to qualifying 501(c)(3) community-based organizations with tree planting, stewardship, or community beautification missions; funds must be spent within five years of collection.

The policy opportunity is to clarify whether Virginia Beach's Tree Mitigation Fund is only a public-property mitigation account or whether it can be formally aligned with a state-authorized tree canopy bank/fund. If aligned, the City could create a legally durable community planting program that supports public sites, private sites, neighborhoods, nonprofits, churches, civic leagues, HOAs, and landowners through either city-administered planting or grants to eligible 501(c)(3) partners. This would convert mitigation dollars into a proactive canopy-expansion tool while keeping the City focused on the highest-value principle: preserve existing trees first, replace unavoidable losses, and reinvest mitigation dollars where canopy is needed most.