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A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to remove three trees located near the property line of 450 Xenia Street S.E., in Ward 8.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Xenia Street Tree Removal Emergency Declaration Resolution of 2023”.

Sec. 2. (a) In November of 2020, the Urban Forestry Division of the District Department of Transportation (DDOT) planted 22 trees on the ____ block (s) of Xenia Street S.E. after posting notice on their website. The notice included a map showing the accurate location of the proposed trees but contained an error concerning the written address. After the trees were planted, DDOT was responsive to requests from the community and held meetings with the community and local leaders to remove some of the trees, and eventually 14 of the 22 trees were removed. After the 14 trees were removed, an additional request was made to remove three trees (which may grow up to 40 feet each) located on or near the property line of 450 Xenia Street by the Condominium Board and other residents. DDOT maintains that the removal of the 14 trees was pursuant to a final agreement with the community and has indicated that no further removals are possible due to concerns with the amount of tree canopy in the ward.

(b) Since DDOT has made this determination, members of the community have contacted the Council over 25 times through testimony during budget and performance oversight hearings,

32 at other Council hearings, and through calls and emails to members of this Council to remove the
33 three trees. The basis for removal is to avoid any interference with the property line and to avoid
34 a threat to the safety of residents, because there is a concern that bad actors can use the trees to
35 avoid detection and jump out on residents to rob or commit other crimes. Residents have
36 suggested that the trees may be replanted on the block away from the walkway.

37 (c) Without legislation to compel DDOT to remove the trees, the trees will grow larger
38 and overwhelm the property line, residents will feel less safe in their residences and their
39 community, and residents will feel displaced in their own communities due to the inability to
40 determine the conditions of their living environment.

41 (d) Emergency legislation is necessary to avoid any further interference with the property
42 rights of the owners at 450 Xenia Street, to resolve present and future public safety concerns
43 expressed by members of the community, to respond to the request for the removal of the trees
44 made by an official resolution of the relevant Advisory Neighborhood Commission (ANC 8
45 Resolution 2023-05.3-Reccomendation for District Department of Transportation's Urban
46 Forestry Program to Remove Three Trees from the Property Line of 450 Xenia Street, S.E.), and
47 to ensure that the residents in that community are able to decide for themselves the the conditions
48 of their community.

49 Sec. 3. The Council of the District of Columbia determines that the circumstances
50 enumerated in section 2 constitute emergency circumstances making it necessary that the Xenia
51 Street Tree Removal Act of 2023 be adopted after a single reading.

52 Sec. 4. This resolution shall take effect immediately.