URBAN FORESTRY SUMMIT: CHALLENGES AND SOLUTIONS

A summit on urban forestry was held on November 18, 2014 in Tualatin, Oregon. The summit was organized by Tualatin Riverkeepers, the Oregon Department of Forestry, and Teragan & Associates, acting as leaders in The Intertwine Alliance. The objective of the summit was to address key challenges facing urban forestry policy in the region, as well as to learn from case studies of successful policy. This report documents the work of summit participants. It provides the initial steps towards addressing challenges to developing comprehensive tree policy in the Portland-Vancouver Metropolitan Region. More work on these and other topics is planned as part of The Intertwine Alliance's ongoing efforts in urban forestry.

CHALLENGES

CREATING EFFECTIVE BUT MANAGEABLE TREE POLICIES AND CODE SYSTEMS

The City of Lake Oswego issues over 1,000 permits annually for the removal of trees. This requires considerable staff labor, both in processing applications and in enforcing the code. A current City Council goal is to "Amend the tree code to more appropriately address large land parcels, both private and public, for forest management." The Council has also said it wants to "convene a community dialogue on the tree code [as a whole] to see if there is a better way to meet the intent of the code while responding to residents' desire for less stringent regulation." This process of revising the current tree code will be discussed including some of the concerns that have prompted Lake Oswego to review its overall code. These concerns includemanagement of trees on overgrown residential lots, costs and delays in the building process associated with tree permits, city costs in administering the tree permit process, and opportunities for cost savings through process improvements. issues:

- Trees can be cut down before code was passed; city council needs to support code (Milwaukie)

- When residents and developers are boxed in by regulation there can be push back

- Conflict between city and county code; causes clearing before annexation, confusion, dealing with unregulated islands

- Planting trees creates private responsibility: cost, raking leaves, buckling sidewalks, ability for upkeep

QUESTION:
- How can a community meet the competing demands of a strong tree policy while desiring less stringent regulation regarding urban trees?

SOLUTIONS:
- Remember that one size does not fit all; be clear about lessons learned and consider how to apply that to your own community/neighborhood

- Make the case for the public benefit – stormwater, health, economic

- Provide discounts on stormwater fees

- Provide workshops such as "how to prune a tree" by Friends of Trees and the City of Portland
- Start a recognition program similar to Backyard Habitat certification that rewards instead of having a purely punitive approach
- Utilize home associations since they can be good intermediaries
- Raise awareness of conservation easements and their ability in some cases to attract tax benefits

POORLY INTEGRATED TREE CODES AND DEALING WITH COMPETING OBJECTIVES

Homebuilders often view inconsistencies in policies that promote increasing urban density on the one hand, while requiring tree preservation on the other. They also question the overall need for tree preservation regulations citing examples of neighborhoods such as Laurelhurst in Portland that were largely cleared of trees during initial development but are now known for their iconic, big trees that have grown since that time. Also, there are concerns about tree policies that may not reflect individual property owner preferences and needs such as solar access, views, and minimal maintenance. These and other issues will be presented from the perspective of homebuilders that work with tree regulations throughout the region.

ISSUES:
- Codes need to address planting strip issues – tree space vs. bioswale/rain garden; maintenance: trees belong to property owner; rain garden becomes city property
- Regulatory approaches are not integrated. All stakeholders aren't included (i.e. utilities, transportation, homeowners) and conflict at all levels makes it difficult for utilities, homeowners, etc.

QUESTIONS:
- How do tree policies overlap with other city and regional policies (such as increased density requirements and solar access)? And, what have cities done to weigh the impacts of each and how do they coordinate these policies amongst neighboring communities?
- How do tree planting or preservation requirements affect homeowners' tree preferences and maintenance abilities or desires (i.e. planted or protected trees that the end homeowner may not want)?

SOLUTIONS:
- Periodic review is good time to integrate; advertising positive examples (Tigard example)
- Move away from parking strips and looking at parking lots. Focus on where you can create more bang for your buck.
- Allow trees to count towards stormwater credits
- Allow planting trees on private lawns as credit for planting in strips
- Tree infill: look beyond the strip to the overall tree canopy
- Build into regulations the preparation of soils to promote longer life

THE CHALLENGES OF WORKING WITH UNINCORPORATED AREAS

Urbanization is a significant risk to trees and forests in unincorporated county areas within the Portland metropolitan urban growth boundary. However, county governments typically do not address urban forest management and regulation in these areas given intense competition for county budget resources. Several grass roots citizen efforts to convince county governments to better address urban forestry issues have had limited success.

ISSUES

- There is not a lot of precedence for counties dealing with this – there are historical barriers and land use laws that limit opportunities

QUESTIONS:

- Why has it been so challenging to convince elected officials to adopt urban forestry regulations in unincorporated urban areas?

- How can citizens work effectively with county staff and policymakers to adopt urban forestry regulations in unincorporated urban areas that reflect community values?

SOLUTIONS

- Define what we mean by "urban" and incorporate that into policy

- Provide more education on benefits - messaging and relationship building about trees as an urban service. Point to dollar amounts corresponding to environmental services.

- Get both government and advocates at the table to develop shared understanding

- Engage CPOs and all parties with interest in tree preservation

- Talk "standards" or best practices rather than policy to encourage participation

- Try a non-regulatory approach – can this be created by a broader authority? (in Portland area case perhaps Metro or the state? (there is some precedence for this already)

- Invite industry in the area to come on as advocates

- Develop partnerships with groups who can support advocacy: environmental/ social justice groups

- Put the issue on the table and request funding; region-wide policy

- Seek examples outside of tree code related issues of unincorporated areas receiving or accessing services

- Look at state goals/requirements; could they be used for guidance? Land use planning guidelines/policy?

WORKING SUCCESSFULLY WITH LANDOWNERS AND DEVELOPERS

Local governments have struggled with the best ways to promote and protect trees that add diverse benefits to their communities. Often regulations that require mitigation for tree cutting are seen as unfair and punitive, and can actually motivate clearing of urban forests before development to avoid mitigation fees. Predevelopment clearing can be a particular problem in unincorporated county areas that will be annexed into a city. Landowners and developers have different priorities

and sometimes values. Getting them on board with a positive shared vision is often challenging

SOLUTIONS:
- Building trust is paramount
- Blending everyone's needs must be part of this
- Long term commitment/vision vs. short term focus – culture needs to change; profit motive needs to be assessed; more conversation around the benefits of received from the lifetime of the trees
- Tree fund money could be used for grants or rebates to assist with projects to improve parking lots or any other development/upgrades
- Soil volume regulation, standards can have an effect on compliance (not sure what to say here)
- Provide consistency in code application and staff interpretation by removing staff subjectivity
- Sites could offer tree technical assistance to property owners
- Create awards and recognition for good work
- Align internal city departments to be conscience of and consistent with regards to tree policy
- Allow staging planting of trees for developers (West Linn has had success with this model)
- Include arborists fees in tree mitigation costs to ensure the trees are properly retained or replanted
- Encourage good design through whatever means are possible
- Make a variety of trees available that suited to site conditions (communication with nurseries); this supports assuring native or non-invasive plants are part of a new development vs. others
- Improve teamwork through the design/construction/maintenance stages
- Mandate density types
- Commit to giving homeowners solar access
- Mandate stormwater management
- Commit to making sure there is parking, circulation, space for urban agriculture, and improve site design
- Implement systems thinking and coordination; move outside silos
- Be up front with issue of maintenance costs

THE SPECIAL CHALLENGES OF WHITE OAK HABITAT
According to Metro, Oregon white oaks are at about 7 percent of their historical population in the Willamette Valley, and even lower in the Portland metropolitan area. Well managed Oregon white oak woodlands are characterized by widely spaced trees, with ample light for understory grasses and the production of acorns for reseeding. Unmanaged oak woodlands eventually become crowded out by more dense stands of conifers, which limit oak regeneration. There are concerns that emerging policies and

codes aimed at increasing tree canopy could put already threatened Oregon white oak woodlands at risk in favor of trees and forests with more dense canopies.

ISSUES:
- There is a lack of public education on the historical and ecological significance of Oregon White Oak
- There is pressure to plant Douglas Fir and other conifers
- There are more buffer requirements than with other trees
- Other trees grow faster and give more Instant gratification toward % of canopy, so are usually more favored
- White Oaks are large for right-of-way plantings so placement is limited
- White Oaks are expensive and not always available for yard trees
- Over-mature stands are not regenerating. There is a lack of successional stage diversity
- Other uses compete for Oak habitat including livestock, wineries and other agriculture

SOLUTIONS:
- Create incentives
- Public education is needed on value of this habitat

  Conservation easements can be set around oak stands. Conservation easements to reflect the natural open canopy nature of this tree
- Increase funding and capacity for tax incentives to protect wildlife habitat at state level
- Determine if there are endangered species associated with oak habitat (i.e. California condor or various cavity dwellers)
- Work with agriculture industry as partner in habitat protection
- Redefine "canopy" to benefit Oak
- Expand heritage tree program for Oregon White Oak specifically
- Seek support from soil and water conservation districts – Yamhill is focusing on oaks
- Build off the oak-mapping project (The Intertwine Alliance)
- Use Gresham program as a model (introducing oaks)

THE OPPORTUNTIES AND CHALLENGE SOF TRANSPORTATION CORRIDORS AND STREET TREES

Healthy trees within the right-of-way are important for air quality as well as walkable, livable cities. Yet it is the explicit policy of transportation bureaus to heavily restrict the placement of trees in these zones. Concerns cited include needing to keep the visual corridor open, concern about falling limbs or trees, and maintenance costs. There is also no policy in transportation departments to mitigate particulate matter pollution with adjacent tree planting thereby diminishing a key benefit of locating trees here.

ISSUES:

- There is a need to balance between vertical clearance and visual clearance - small canopy, narrow trees equal reduced canopy

- Leaf collection creates issues on ROW

- Private vs. public ownership of trees leads to questions about responsibilities

SOLUTIONS:

- Establish ROW minimum width guidelines– trees vs. planting strip widths

- Clarify maintenance responsibilities – who does it; how do we fund?

- Use pervious pavement when possible(in lower trafficked areas/sidewalks)

- Provide public education and involvement

- Provide more flexibility in road design standards; more site specific design

- Adjust tree easements to ROW ("tree infill")

- Coordinate and integrate street tree/landscape/stormwater tree plantings

- Provide opportunity to fund programs through urban lumber harvest

- Ensure urban forestry representative has seat at the table as part of planning process (working interdepartmentally)

- Alter placement of signs to allow for trees

- Increase plantings along highways/clover leafs

TREE POLICY AND ITS IMPACT ON LOW INCOME PEOPLE,COMMUNITIES OF COLOR, AND OTHER UNDERSERVED GROUPS

It is residents' responsibility to plant and maintain trees. Trees increase property values over time, yielding a payoff for the investment that residents make. Yet low income residents may not have the money, up front, to plant and maintain trees to take advantage of their aesthetic and monetary benefits. Elderly, similarly, have physical and monetary limitations that prevent support of a tree planting program

ISSUES:

- Trees are costly to install and maintain

- Low income neighborhoods often have a transient population (renters) and absentee landlords have less at stake

- Historically there has been higher development density in these neighborhoods

- Homes might have both parents working with fewer resources/time to invest in this

- Lack of awareness of importance of trees (education) with this population potentially

- May not be a high level of personal connection to trees/nature; lack of exposure to value of outdoors; or ecosystem services historically viewed as an amenity not a necessity

- Wealthier communities have more political clout – get amenities before other neighborhoods; institutional racism/inequity; transient communities do not have a strong voice; may want to use their voice to advocate for other issues

- Trees perceived as security risk by some (places for hiding)

- Burden is on private landowners and system is split between public and private responsibilities
- Other things like sidewalks could be perceived as priorities before tree planting
- Added trees can raise home values and lead to gentrification
- Cities need dedicated funding to care for street trees particularly in underserved communities where homeowners/renters are unable

SOLUTIONS:
- Shift responsibility of maintenance of trees to public agency removing onus from land owners (City of Beaverton example)
- Create a community dialogue. Reach out to community organizations, churches, cultural groups, and community leaders. Provide print materials in multiple languages. There is a good case study in community involvement: Aloha-Reedville Transportation outreach effort (they received a $500K grant for community engagement in creating county transportation plan)
- Provide a stipend, child care, meals offered to get people to meetings
- Tie trees to other equity issues, i.e. streets/trees/sidewalks in transportation plans; health benefits of trees; trees at schools lead to improved learning
- Provide tools to address gentrification such as
    - Rent control
    - Tax code revisions to keep current owners and renters
    - Dedicated funding (sewer funds for green infrastructure support/ maintenance of trees) for trained maintenance crews
- Provide job training (GRUNT/youth investment) to assist with maintenance (?)
- Engage residents in citizen science projects (data collection needed, canopy analysis and inventories, etc.) to create a deeper connection
- Implement a communications campaign. Make it a broad campaign that educates on the value of trees – must include images of underserved communities ("must see people like me to imagine myself there")
- Make connecting to trees about art, fun and cultural relevancy
- Provide Incentives (i.e. tree-bate, free street trees w/signed maintenance agreement, Clean River Rewards stormwater rebate to reduce stormwater fees, creating an equitable stormwater fee structure)
- Incentivize landlords of Section 8 housing (less dense housing, often single family) to plant trees; use argument that they reduce crime; could connect with these landlords through existing landlord training program; promote improved site/building design (front porches, tree locations); other cities in region can offer this as well
- Incentivize arborists to engage homeowners (Vancouver, WA example); win-win business development and for arborists
- Work through Habitat for Humanity
- Find willing partners (Nature Conservancy, Ducks Unlimited, Portland Timbers, Friends of Trees, brewers in Grand Rapids, MI)

- Promote friendly competition – TIA Plant Off!; tree hug event – to build connection to trees
- Tie to existing home visit programs (health, other) – visiting person would have some arboriculture training; families get tree at the same time of life changing event; visiting professional checks on family and tree health (having a baby/ new baby visits, pet adoption, elder care visits, etc.)
- Establish or retain a non-profit organization to maintain trees for elderly or others
- Focus on industrial or business developments, which often lack trees
- Fruit trees (gleaning) vs. canopy; diversifying trees and do a better job of connecting trees to neighborhood needs (food/hunger)
- Use to address health related issues such as air pollution and asthma

CASE STUDIES

FROM TODD PRAGER (TERAGAN & ASSOC.)

Trees need soil to grow. This may seem like a no brainer, but providing trees with enough soil to grow large and healthy canopies is often overlooked during the site design process. We have all seen trees struggling and/or damaging pavement when planted in small cutouts surrounded by pavement.

The City of Tigard recently became one of the first jurisdictions in the United States to adopt minimum soil volumes standards for street and parking lots trees so they are able to grow and shade streets, sidewalks, and parking lots (and create expanded canopy cover).

TAKEAWAYS:
- Planning and research can be effective at framing key urban forestry issues and driving positive change.
- Soil volume standards guide appropriate site design to grow large and healthy trees at relatively low cost to developers.

FROM ROBERTA JORTNER (CITY OF PORTLAND, DEPARTMENT OF PLANNING AND SUSTAINABILITY)

The Portland City Council unanimously adopted new tree regulations in April 2011 after a 3 ½ year-long planning effort. The Citywide Tree Policy and Regulatory Improvement Project (aka "Citywide Tree Project) involved extensive collaboration with City staff and community stakeholders. Due to budget constraints, implementation of the new tree code, Title 11, Trees, has been delayed since Council adoption. Earlier this year the City Council funded the project and the new regulations will go into effect on January 2, 2015. Roberta shared key successes and challenges of the Citywide Tree Project. She addressed approaches taken to meet multiple goals and interests, including to improve tree preservation, increase tree canopy in tree deficient neighborhoods, support urban development and infill, and provide efficient cost-effective permitting options for new development. She also highlighted activities underway to prepare for full code implementation early next year.

TAKEAWAYS:
- Collaboration with diverse stakeholders groups produces more dynamic urban forestry regulations that can meet multiple community goals.

FROM GARY PAGENSTECHER (TIGARD)

Urban Forestry in Tigard is now based on ensuring tree canopy into the future. The code provides flexibility for developers in how projects meet canopy targets including fee in-lieu, discretionary review, flexible standards, and incentives. Development that has occurred since the new tree code became effective has for the most part simply complied with tree canopy requirements without resorting to alternative approaches. Incentives for the preservation of significant tree groves, as mapped and defined, remain unused. However, the effect of the new code has arguably saved more trees than under the old code.

TAKEAWAYS:

- Flexible code standards and incentives may result in more tree preservation than punitive regulations such as mitigation fees. However, incentives need to be extremely attractive to result in the preservation of larger groves of trees.