

TREE COMMISSION COMMENTS
MEETING WITH TAKOMA PARK CITY COUNCIL - NOVEMBER 14, 2016

1. Introduction (10 minutes)

2. Role of the Tree Commission (15 minutes).

A. The Tree Commission's perspective of our role:

2.16.020 Establishment. [*This and other numbers refer to Takoma Park Municipal Code*]

A Tree Commission is established to preserve, protect and promote the urban forest of Takoma Park. (Ord. 2004-3 (part), 2004

2.16.040 Function. The Tree Commission, with the assistance of the Arborist, shall propose rules, regulations, procedures and actions to be taken by the City to preserve and protect the urban forest, subject to the approval of the Council, and perform any other related duties assigned by the Council by ordinance or resolution.

(1) Advisory: Tree Commission proposes policy to City to preserve and protect urban forest (per 2.16.040)

(2) Judicial: Tree Commission presides over hearings on denied tree removals (by homeowner), permits (by other TP residents), or in certain cases tree protection plans. (per 12.04.010 Definitions, "Tree Commission")

(3) Outreach & Education: Tree Commission advises residents on provisions of Tree Ordinance, and directly promotes preservation of urban forest to residents (per 2.16.020).

B & C. What improvements can be put in place to help Tree Commission do its work? And how to improve transparency, communication & documentation? We think these two bullet points are best treated as one.

(1) Urban Forest Manager should serve as liaison between Tree Commission and City staff, including attendance at monthly Commission meetings. We saw this mentioned in UFM job description—thanks!

(2) We suggest more active collaboration among City staff, City Council and Tree Commission on tree related issues and proposed changes in policy, including timely communication on issues when they first arise, such as proposed utility work, before final decisions are made.

(3) Access to relevant data, such as number of tree permits granted, denied, number & species of trees planted, canopy cover, etc., helps Tree Commission to fulfill its advisory role.

(4) We recommend annual meetings with City Council and staff to discuss and suggest improvements to Ordinance and tree-related issues.

(5) We recommend improving documentation for tree permits. For example, keep written records of all tree evaluations ("health analysis rating scale" in Chapter 12). Evaluations should be made available, preferably placed on line or by request.

(6) Tree evaluations should be provided for each tree removal denial or approval in letter to homeowner. Homeowners have expressed puzzlement and frustration over lack of information in permit form letters. Providing them with more information is good customer service, and may lessen the sticker shock of tree replacement assessments.

A. Should the role of the Tree Commission be expanded?

We feel that we have plenty to do under our current mandate.

3. Role of the Urban Forest Manager (new title for City Arborist) (15 minutes)

Responsibilities and expectations

We were concerned that the job description for the Urban Forest Manager did not appear to include as requirements either ISA certification nor possession of a Maryland Tree Expert License, but were reassured by DPW Director that the City would not consider hiring someone without those qualifications.

We consider it desirable that the Urban Forest Manager have a background in native (mid-Atlantic seaboard) forestry and a focus on native trees. [Doug Tallamy's talk on Oct 15 in the City Auditorium highlighted the value of native plants in maintaining biodiversity: see video here:

<https://www.youtube.com/watch?v=YIKQ0pT-LuE>

City should consider restoring administrative support for tasks such as filing permits, placing evaluations online, maintaining arborist's page, etc., to lighten Urban Forest Manager's workload.

4. Priorities for the City (20 minutes)

A. Outreach & Education activities that we have either engaged in, or suggest as future activities:

- (1) City should send mailings on Tree Ordinance and tree maintenance annually to all residents (the Commission is actively working on draft text).
- (2) City could provide simplified explanations outlining the tree permit process on website (we have templates from other cities and are working on suggestions for improvements).
- (3) The Tree Commission should continue our popular tree walks for residents in different wards, continue preparing occasional articles for City Newsletter, and work with the Urban Forest manager on other community oriented events.
- (4) The City and Tree Commission could explore ways of engaging school groups and scouting associations to assist in planting and maintaining trees.
- (5) The Tree Commission could work with Sustainability Manager and other City staff to incorporate trees in sustainability goals, e.g., in moving toward a zero carbon footprint, energy savings, etc.
- (6) The Tree Commission and City should explore ways of including apartment and condo residents and owners in tree education and planting opportunities
- (7) The City should consider continued support for activities of Natural Takoma consortium (comprising Tree Commission, Takoma Park Committee on the Environment, Takoma Park Horticultural Club, Friends of Sligo Creek, Historic Takoma), promoting trees, nature and natural heritage in Takoma Park (e.g., topics in City newsletter, sponsorship of talks on relevant topics (such as Tallamy talk).
- (8) The City should ensure that all contractors, realtors and house buyers are aware of requirements of tree ordinance. For example, the City could conduct workshops for businesses that do work in the city that potentially impacts trees, including all activities covered by the Tree Ordinance.

B. Tree Commission recommendations to devote more resources to maintaining current canopy & caring for newly planted trees.

- (1) Private property is largest potential area for expanded tree canopy. One way to achieve this would be to devote some funds from tree permits to providing grants to residents and/or neighborhoods for tree planting on private property. The City could consider directing emphasis toward wards with lower overall canopy cover (wards 4 & 6).
- (2) Incorporate tree canopy considerations into land use Master Plan and in other City Planning, including incentivizing planting on private property.
- (3) Propose more funds go into City tree care and maintenance, e.g., watering newly planted trees for three years, mulching, etc.
- (4) Consider dedicating part of new environmental enforcement position to outreach and education about tree care.
- (5) City should model best practices for tree care, such as correct mulching, of trees in the care of the City, such as those in right of way and on City property.

5. Discussion of Issues Related to Pepco, WSSC, and other Public Utility Projects (15 minutes)

- A. We recommend that City staff secure and convey information to the City Council, the Tree Commission, and residents on proposed public utility projects that will impact trees as soon as City becomes aware of them. Robust and appropriate environmental impact assessment for large projects should be made available to homeowners before they are required to make decisions.
- B. Closer supervision of utility crews is needed, and utilities should be held accountable for errors.
- C. City should ensure that residents are informed, before utilities begin work on a project, about the scope of the proposed work on their property and in their neighborhood, through written notification and legible maps on City website for proposed work.
- D. City should insure that homeowners know their rights regarding utilities, for example ability to decline pruning or removal on private property.
- E. City should consider removing incentives for homeowners to remove non-hazardous trees (i.e., by allowing utilities to remove trees without cost to homeowner). [This may not have been entirely clear during meeting, but by ‘hazardous’ we mean the definition given in Chapter 12.04.010 (Definitions) “...defective, diseased or dead, and posing an unreasonable risk of failure or fracture with the potential to cause injury to people or damage to property.”]
- F. City should consider making utility tree permit decisions publicly available, giving a 15 day posting and appeal for trees not considered hazardous or interfering with utilities.
- G. City should consider requirement for higher level of analysis (Level 3 analysis) for trees not considered hazardous or directly interfering with utilities.
- H. City Council should consider updating Memos of Understanding with PEPCO and WSSC. It may be necessary or more desirable to make changes in MOUs rather than through changes in Tree Ordinance.

6. Tree Ordinance (15 minutes)

- A. How’s it working overall?

Tree Ordinance is basically working, from our perspective. We hear only occasional grouching about it, and that’s to be expected when you have such a strict, forward-thinking ordinance. Absence of grouching

may indicate public largely supports Tree Ordinance, and may expect it to do more to counter public utilities. Much grouching is over clarity of Tree Ordinance—this could be rectified by clearer explanation on website (we are working on suggestions modeled on other cities, e.g., Portland, OR.) We hear loudly and clearly from public its desire for the Tree Commission (and the City) to take stronger stand against public utilities' indifference to tree canopy.

B. Should there be a process for appeals other than appeals of tree permit decisions?

We have concerns that allowing homeowners to appeal arborist's assessment of tree health could undermine both Ordinance and authority of Urban Forest Manager.

C. Should there be a process for hardship appeals?

We definitely think it's worth considering for cases of real financial hardship. We are concerned that tree replacement assessments are regarded as a fine (and therefore can be reduced under certain circumstances). We prefer to see it as replacing something that has been lost. We do see strong support for tree-planting that assessments support.