

STAFF REPORT
PLANNING COMMISSION

FILE NO.: GP08-T-05**Submitted:** Staff initiated, 2/01/08**LOCATION:** Citywide

TEXT REFERENCE: Part IV. GOALS AND POLICIES, NATURAL RESOURCES, Natural Communities and Wildlife Habitats, Urban Forest, pp. 118-119

Existing Zoning	N/A
Proposed Zoning	N/A
General Plan	Text Amendment
Council District	Citywide
Annexation Date	N/A
SNI	Citywide
Historic Resource	N/A
Redevelopment Area	N/A
Specific Plan	N/A
CEQA	Use of EIR

PROJECT DESCRIPTION:

Amend the *San José 2020 General Plan* text to 1) incorporate Urban Forest Policies consistent with San José's Green Vision, 2) align the text with existing City tree ordinances, programs, and policies, 3) strengthen the existing text related to the benefits, importance, conservation, maintenance and preservation of the urban forest, and 4) establish an urban forest vision.

RECOMMENDATION

Planning staff recommends approval of the proposed text amendment to the *San José 2020 General Plan* for the following reasons:

1. The proposed text amendment incorporates Urban Forest Policies consistent with San José's Green Vision;
2. The proposed text amendment aligns the text with the existing City tree ordinances, programs, and policies;
3. The proposed text amendment strengthens the existing policies related to the benefits, importance, conservation, maintenance and preservation of the urban forest; and
4. The proposed text amendment establishes an urban forest vision.

BACKGROUND

In 2007, the City Council directed the administration to review City policies and procedures related to tree preservation and develop recommendations for collective improvements utilizing all available resources. As part of that effort, citywide community outreach was conducted between June and November 2007 to gather public input regarding the City's tree-related policies, programs, services, and procedures. The outreach uncovered several recurring themes ranging from a desire for greater emphasis on the importance of the urban forest to the need for a tree master plan, including an inventory of all street trees. As outcomes of the review and outreach process, staff recommended six strategies that encompass community concerns citywide to improve and augment tree-related City policies and procedures. These six strategies are:

1. Develop an overarching City policy on urban forestry in San Jose. This strategy includes the update of existing goals and policies to include the following items:
 - a. Connection to the City's Green Vision and Urban Environmental Accords;
 - b. Establishment of unprecedented partnerships with residents, businesses, and volunteers; and
 - c. An urban forest vision as drafted by the community and staff.
2. Simplify public access to City tree-related services.
3. Streamline the permitting processes and increase compliance with tree regulations.
4. Increase the organizational leadership capacity to oversee all City tree services and implement new urban forest strategies.
5. Address the deferred maintenance and on-going funding needs.
6. Develop and implement an Urban Forest Master Plan to include elements of the following:
 - a. On-going public outreach and education;
 - b. A useful tree inventory;
 - c. Established and expanded partnerships with other service providers and key stakeholders;
 - d. Best management and maintenance practices;
 - e. Urban forest flood mitigation policies;
 - f. Alignment of land use policies, development guidelines, and project requirements;
 - g. Tree planting and replacement guidelines;
 - h. Effective enforcement policies and practices;
 - i. Comprehensive and sustainable funding strategies.

As a parallel effort in October 2007, the San José City Council adopted the Green Vision, which identified ten goals as part of a comprehensive environmental responsibility strategy to be achieved within the next fifteen years. One related goal of the Green Vision is to plant 100,000 new trees in the City.

ANALYSIS

Community Outreach

The public outreach process identified the need for an overarching tree policy for all efforts throughout all departments in the City. Although the existing San José 2020 General Plan Urban Forest goals and policies serve this purpose, staff has identified sections in the General Plan text that can be amended to better reflect the City's urban forest practices, objectives, and stakeholder partnerships. The proposed text amendment to the General Plan is intended to 1) strengthen and expand the existing policies related to the importance of maintaining and conserving the Urban Forest, 2) incorporate the goal of planting 100,000 new trees by 2023 as identified in the Green Vision, and 3) support the Urban Forest vision developed by the community and staff.

San José's Green Vision

The proposed text amendment incorporates into the General Plan the Green Vision goal of planting 100,000 new trees by 2023 as an Urban Forest Goal. This text amendment also strengthens the existing General Plan text pertaining to tree planting and replacement as a means of conserving and renewing the Urban Forest.

Consistency with General Plan Major Strategies, Goals, and Policies

Urban Conservation/Preservation Major Strategy

The Urban Conservation/Preservation Major Strategy of the *San José 2020 General Plan* conveys the importance of protecting and enhancing San José's neighborhoods and physical assets to promote residents' pride and overall quality of living environments. This Major Strategy also identifies the need to conserve the physical assets through a combination of public policies and private initiative. The urban forest is one important physical asset of San José's neighborhoods that greatly impacts quality of life in which preservation and conservation are essential. The proposed General Plan text amendment furthers the intent of the Urban Conservation/Preservation Major Strategy by incorporating language in the Urban Forest Policies characterizing the urban forest as a community forest with significant social, economic, ecological, and environmental benefits that, through appropriate tree planting, conservation, preservation, stewardship, and City/community partnerships, promotes community pride, improves the overall quality of life, and preserves a vital asset and natural resource in San José.

Urban Conservation Goal

The Goals and Policies of the *San José 2020 General Plan* identify the Urban Conservation goal to improve the quality of life and create a stable, mature community. The proposed General Plan text amendment will contribute to this goal by strengthening the existing language to substantiate the inherent value of the urban forest and the importance of human intervention, sustainable tree management and practices, and community stewardship to foster an urban forest that will be thriving and sustainable and continually improve the quality of life in San José.

Sustainable City Major Strategy

The *San José 2020 General Plan* establishes, through the Sustainable City Major Strategy, the City's desire to become an environmentally and economically sustainable city. As part of achieving that sustainability, the City must manage and conserve its natural resources for the use of present and future generations. By conserving natural resources and preserving San José's natural living environment, the concept of sustainability becomes a means of encouraging and supporting a stronger economy and improving the quality of life for all who live and work in San José. The proposed General Plan text amendment furthers the intent of the Sustainable City Major Strategy by adding text facilitating the overall management, conservation, and renewal of the Urban Forest and the social, economic, ecological, and environmental benefits the Urban Forest provides as a natural resource.

Natural Resources

The General Plan is based on the premise that natural resources are not to be exhausted and exploited but rather valued assets to be wisely managed for the benefit of present and future generations. The intent of the Natural Resources goals and policies is to balance resource conservation and urban development to maximize the achievement of environmental, economic, and social objectives. The proposed General Plan text amendment is consistent with this premise and intent because it enhances and strengthens the existing policies regarding mature, ordinance-sized, significant, native, heritage, and street trees and trees in natural plant communities to facilitate effective sustainable management of the urban forest as a natural resource while balancing the needs of development.

Urban Forest Policies

The proposed text amendment is consistent with and enhances the existing Urban Forest goals and policies in the General Plan because it furthers the intent of the Urban Conservation/Preservation and Sustainable City Major Strategies, the Urban Conservation and Natural Resources goals, and existing Urban Forest Policy.

The proposed text changes to the *San José 2020 General Plan* are shown as underlined text additions, and strike-out text deletions as follows.

Part IV. GOALS AND POLICIES, NATURAL RESOURCES, Natural Communities and Wildlife Habitats, Urban Forest, p. 118-119

p. 118

Urban Forest

The urban forest is a community forest that is a vital element of the City's landscape. The urban forest is comprised of trees planted in an array of site locations that include street trees, trees in parks, gardens, and trail areas, riparian trees along creek corridors, native trees in natural plant communities, and trees located on public and privately owned land throughout the City. Heritage trees, which have been designated by the San José City Council for special protective status because of their unique characteristics, are also part of the urban forest.

A well-managed urban forest is diverse and sustainable; contributes to a sense of community pride and ownership; and provides social, economic, ecologic, and environmental benefits. In urban areas, trees provide scenic beauty and shade and serve as wind, noise, and visual barriers. They also filter air and water pollutants, help conserve energy, and reduce the urban heat island effect through natural cooling. Trees reduce carbon dioxide emissions, replenish oxygen, increase ground water recharge, and protect against flood hazards, landslides, and soil erosion by absorbing rainwater. They create feelings of relaxation and well-being and provide privacy, a sense of solitude, and security. Native and landscape trees provide important wildlife habitat for birds and other animals living in urban areas. All Large specimen and heritage trees, especially native oaks, also have special aesthetic and historical values. The urban forest is an infrastructure asset that increases its value and benefits to the community. Trees soften and screen the effect of urban development, establish visual harmony along City streets, impart a distinctive character to neighborhoods, and increase property values in neighborhoods and commercial areas, and enhance the economic vitality of the community by attracting businesses, customers, and residents. The City recognizes that the urban forest is not a self-renewable asset, but requires human intervention through effective stewardship and management to preserve, protect, renew, and enhance the urban forest.

Urban Forest Goals:

1. Preserve, protect, renew, and increase plantings of urban trees within the City to create a diverse, climate-appropriate, thriving, sustainable urban forest, and effectively manage the urban forest to maximize social, economic, and environmental benefits; improve quality of life; and foster a sense of community.
2. Identify and establish comprehensive and sustainable funding strategies and mechanisms to support citywide urban forestry efforts.
3. Plant 100,000 new trees within the City by the year 2023.

Urban Forest Policies:

1. The City should continue to support ~~volunteer~~ and develop partnerships with urban forestry programs that ~~encourage the~~ foster ownership and stewardship of the urban forest, provide public education, and facilitate participation of interested groups, non-profit organizations, businesses, volunteers, and citizens in tree planting, preservation, care, and maintenance ~~in neighborhoods and parks of the urban forest.~~
 2. Public and private ~~D~~development projects ~~should include the preservation of~~ should incorporate all reasonable measures to preserve native, ordinance-sized, and other significant trees. Adverse affects impacts on the health and longevity of native oaks, ordinance sized, or other significant trees should be avoided through appropriate design measures and construction practices. When tree preservation is not feasible, the project should include appropriate tree replacement to conserve and renew the urban forest. In support of these policies the City should:
 - Continue to implement the Heritage Tree program and the Tree Removal Ordinance.
 - Consider the adoption of ~~Tree Protection Standards and~~ Tree Removal Mitigation Guidelines.
 3. The City encourages the preservation and maintenance of mature trees on public and private property ~~as an integral part of the urban forest.~~ Prior to allowing the removal of any mature tree, all reasonable measures to which can effectively preserve the tree, should be pursued. When tree preservation is not feasible, appropriate tree replacement should be required to conserve and renew the urban forest.
 4. In order to realize the goal of providing street trees along all residential streets, the City should:
 - Establish and ~~Continue to update, as necessary the~~ maintain a master plan for street trees the urban forest which that identifies approved tree species, planting, stock, care, and maintenance standards, and the community and collective approach to manage a thriving, sustainable urban forest.
 - Require the planting and maintenance of street trees as a condition of public and private development.
 - Continue the program for management and conservation of street trees, which catalogs street tree stock replacement and rejuvenation needs.
 - Establish and maintain a City inventory of all street trees.
 - Encourage street trees and trees limited by impervious area to be planted with structural soil to promote full growth and health.
- p. 119
5. The City should encourage the selection and placement of trees appropriate for a particular urban site in consultation with a certified arborist. Tree selection and placement should consider species, mature size and form, function, canopy and root characteristics, soil conditions, water requirements, energy saving conservation and production values, potential stormwater quality and erosion control benefits, location of existing and proposed structures, nearby power lines, and root characteristics diversity, and sustainability of the urban forest.
 6. Trees used for new plantings in urban areas should be selected primarily from species with low water requirements.
 7. Where appropriate, trees that benefit urban wildlife species by providing food or cover should be incorporated in urban plantings.

8. Where urban development occurs adjacent to natural plant communities or water resources (e.g., oak woodland, riparian forest, reservoirs, and creeks), landscape plantings should incorporate tree species native that are sustainable and appropriate to for the area to the greatest extent feasible.
9. Disturbance to trees in riparian areas should be avoided whenever possible. When unavoidable, disturbance, removal and replacement should conform to the guidelines of the City adopted Riparian Corridor Policies and should maintain or enhance stream bank stability, flood control, and habitat quality.
10. City-partnered urban forest programs and public and private development should contribute to and facilitate the goal of planting 100,000 new trees within the City by the year 2023.

ENVIRONMENTAL REVIEW

The proposed General Plan text amendment is covered by Reuse of the *San José 2020 General Plan* Final Environmental Impact Report, certified by the City Council on August 16, 1994, Resolution No. 65459.

COORDINATION

Staff has coordinated the proposed text amendment with the City Arborist, the Department of Transportation, the Environmental Services Department, Public Works, and the local non-profit agency Our City Forest to review and discuss the proposed text amendment and receive comments.

PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

Although this item does not meet any of the above criteria, staff followed Council Policy 6-30: Public Outreach Policy. Notice of the Spring 2008 hearings on the General Plan was published in the San José Post-Record. A description of the proposed General Plan text amendment was posted on the Planning Division web page. The text amendment was presented at the Neighborhood Roundtable on February 12, 2008, at the Developers Roundtable on February 15, 2008, and at the Housing and Community Development Commission meeting on April 10, 2008 for review and comment. A Housing Commissioner requested that street tree removals initiated by the Redevelopment Agency go through the same process of public notification as other street tree removal requests. No additional comments regarding the proposed text amendment from the public were received. This staff report will be posted on the City's website. Staff has also been available to answer questions.

Project Manager: Rachel Roberts **Approved by:** Andrew Crabtree **Date:** 4-14-08

Owner/Applicant:	Attachments:
City of San José/Staff	<ol style="list-style-type: none">1. San José 2020 General Plan pages 118-1192. San José Green Vision Goals3. Transportation and Environment Committee Memo, dated 2-18-08