



Planning & Transportation Commission Action Agenda: November 8, 2023

Council Chambers & Virtual
6:00 PM

Call to Order / Roll Call

6:01 pm

NOTE: The Video skipped throughout the meeting. These minutes reflect the best possible effort of providing accurate summary minutes. Skips are noted in such areas where they may have affected subject context.

Ms. Veronica Dao, Administrative Associate, conducted the roll call and announced all commissioners were present with the exception of Commissioner Reckdahl.

Chair Summa invited the public to comment during Oral Communications on the informational item that is listed after Adjournment on the Agenda.

Oral Communications

The public may speak to any item not on the agenda. Three (3) minutes per speaker.^{1,2}

Chair Summa invited members of the public to share their comments with the Commission on items not on the Agenda.

Ms. Veronica Dao, Administrative Associate, announced there were no speakers for oral communications.

John Kelley (Public Comment) questioned whether the Planning Director, or anyone from Development Services, has contacted the PTC about reviewing the impact fees for ADUs.

Agenda Changes, Additions and Deletions

The Chair or Commission majority may modify the agenda order to improve meeting management.

Ms. Amy French, Chief Planning Official, announced there were no changes from Staff.

City Official Reports

1. Directors Report, Meeting Schedule and Assignments

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1 Chief Planning Official Amy French provided the upcoming Planning and Transportation
2 Commission tentative agendas as well as the upcoming Council Agendas that contain planning
3 items. The Ellsworth item was not heard and continued to a date uncertain. The Housing
4 Element Implementing Ordinances and Los Trancos home, both of which the Planning
5 Commission reviewed, will be going before City Council in November, along with the rental
6 registry program. In December Safe parking will go before City Council, which the Planning and
7 Transportation Commission also reviewed, along with some other items that currently have
8 tentative dates. Later in November the Planning and Transportation Commission (PTC) will have
9 the Bike and Pedestrian Plan update from the Office of Transportation, who will be providing
10 their annual report on the progress on the Comprehensive Plan, in addition to the Housing
11 Element. Tentatively on December 13th staff will bring the Study Session on the NVCAP before
12 the PTC, in addition to a couple of tentative action items.

13

14 Rafael Rius, Senior Engineer with the Office of Transportation. The open comment period is still
15 open on the projects website. City Council approved the Crescent Park Traffic calming project at
16 their last meeting, which previously came to the PTC, along with the Car Free Streets for
17 Romona and [TIMESTAMP 11:57 VIDEO SKIPPED]. Blake Wilbur Drive between Sandhill Road
18 and Welch Road is now open as of Monday. A follow-up on the previous Middlefield Road and
19 Lincoln Avenue intersection improvements [TIMESTAMP 12:40 VIDEO SKIPPED] is happening
20 right now.

21

22 Commissioner Templeton shared that the City is participating in a meeting hosted jointly
23 between State Senator Josh Becker and State Assembly member Mark Burman, with CalTrans,
24 about the upcoming road paving project that will be affecting Palo Alto, Los Altos and Mountain
25 View. It will be held Tuesday November 14th at 11:30 AM at the Mountain View Community
26 Center on Rengstorff Ave. There's also a zoom participation option and information can be
27 found on the website of either the State Assembly member or the State Senator. CalTrans, the
28 people that are operating El Camino Real will be there to answer questions about what's
29 happening in the adjoining communities, including their consideration of bike lanes for Palo
30 Alto on El Camino as an option, because Los Altos and Mountain View are scheduled to get
31 them. It will be interesting to talk to them and provide feedback. Community involvement from
32 City residents is important.

33

34 **Study Session**

35 Public Comment is Permitted. Three (3) minutes per speaker.

36

37 2. Tree Protection Ordinance Year One Review and Recommendations

38

39 Palo Alto Urban Forester Peter Gollinger provided the staff report for the Implementation of
40 the new Tree Protection Ordinance which began in July 2022 and is still in progress. During the

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1 adoption of the updated Tree Protection Ordinance in June of 2022, Staff was directed by
2 Council to review the ordinance with the Parks and Recreation Commission (PRC) and Planning
3 and Transportation Committee (PTC) near the one-year mark. As directed by Council[1], staff
4 evaluated the updated ordinance over the first year and are presenting the findings to this
5 body, requesting feedback on staff-recommended changes to the Palo Alto Municipal Code
6 (PAMC) Title 8. Title 8 of PAMC contains regulations governing street trees, shrubs and plants
7 (Chapter 8.04), weed abatement (Chapter 8.08), and tree preservation and management
8 (Chapter 8.10). The Tree Protection Ordinance updates made in 2022 focused on
9 implementation of Council approved policies contained in the 2030 Comprehensive Plan
10 (Natural Environment Chapter), and the Urban Forest Master Plan. Additional code updates
11 included changes prompted by State law, specifically Executive Order B-29-15, also known as
12 the Model Water Efficient Landscape Ordinance. Changes made to the ordinance ranged from
13 significant policy changes, like expanding the types of protected trees and revising allowances
14 for tree removal, to more clerical updates, like updating authorized officers and accounting for
15 recent changes in other development-related codes. During the first year of ordinance
16 implementation staff noted many areas of the updated code that might warrant edits to
17 increase clarity. Many of the proposed updates that are included in the attached Draft Updates
18 to PAMC Chapter 8.10 center around this goal. The following areas have proposed changes to
19 increase clarity or simplify the wording of the code:
20

- 21 • 8.10.020(d) – Designated Arborist – Clarification as to when the applicant chooses the
22 arborist and when the arborist is chosen by the city.
- 23 • 8.10.020(l)(4) – Protected Trees - Designated Trees – Clarification that designated trees
24 are any trees that were planted as part of an approved project, past or current.
- 25 • 8.10.040(b) – Tree Disclosure Requirements – Reorganization of the types of trees that
26 need to be disclosed for clarity.
- 27 • 8.10.050(a)(1) – Clarification on type of permits needed – tree removals outside of
28 development on parcels other than single-family (R-1) or low density residential (RE, R-
29 2, or RMD) require a staff level architectural review through planning, not a tree
30 removal permit through public works.
- 31 • 8.10.050(a)(2) – Clarification on details of development moratoriums imposed as
32 conditions of tree removal permits.
- 33 • 8.10.050(d)(1) – Twenty-Five Percent Rule – clarification on method used to calculate
34 the percentage impact of protected trees on buildable area.
35

36 In addition to the areas listed above requiring clarification, other areas have more substantial
37 proposed changes. These changes are being proposed to address issues that arose during the
38 first year of implementation. Some of the issues raised during the first year of the updated
39 ordinance centered around the 2023 winter storm season. The series of storms the Bay Area
40 saw last winter was very unusual. The storms included high rainfall totals in very short time

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1 spans and strong winds from non-prevailing directions with little or no time for recovery in
2 between events. Many citizen concerns centered around the permission to remove a hazardous
3 tree. The ability of a tree owner to remove a hazardous tree is already contained in the
4 ordinance. While staff has presented potential updates to Chapter 8.10 intended to address
5 issues encountered during the first year of ordinance implementation, there are other actions
6 that could be considered. These options are being presented as potential additional actions in
7 response to concerns raised during the 2023 storm season, during the June 19, 2023 City
8 Council study session on Tree Ordinance Implementation, and through feedback on the City's
9 housing element from the State Housing and Community Development department. The State
10 Housing and Community Development department commented on the City's housing element
11 in its August 3, 2023 letter noting a need for further analysis related to, among other
12 regulations, the impact of the City's tree protection ordinance on housing. Specifically, the
13 City's updated housing element must analyze the tree ordinance as a potential constraint on a
14 variety of housing types. While the City has previously taken measures to address concerns
15 regarding ADUs and the contemplated changes referenced in this report would address single
16 family homes and some commercial mixed-use projects, more work may be needed to ensure
17 the City's tree policies are not a constraint to qualifying housing accountability projects.
18 Accordingly, staff is exploring the appropriateness of additional regulations that would seek to
19 balance the local and state interests for more housing production with City's desire to preserve
20 and support tree health and expand the tree canopy. Some initial concepts staff is considering
21 would apply to projects with four or more units with at least two-thirds of the project floor area
22 dedicated toward housing. If a tree protected by the City's ordinance would require a redesign
23 of the project that triggers one or more of the following, the tree or trees would be approved
24 for removal, including:

- 25
- 26 • A redesign to accommodate the tree costs two times the replacement cost of the tree
27 (existing provision) or more than 5% of the total project valuation (down from 10%
28 applicable to other projects) whichever is greater.
- 29 • A redesign that requires a greater parking reduction than authorized by the code; or
- 30 • A redesign that requires a density reduction of 5% or greater.

31

32 Staff continues to evaluate the need for these additional regulations in the context of the other
33 contemplated modifications and welcomes the PTC's initial feedback. Staff could explore
34 proposed changes to the definition of protected trees. Depending on the changes proposed,
35 the total number of protected trees would decrease in differing amounts based on changes in
36 protected species or protected diameters. Using a dataset of almost 10,500 private trees as a
37 representative sample, staff used an average of several calculation methods contained in the
38 2017 California Urban Forest Study by Greg McPherson[4], to estimate species and size
39 distribution for our entire private tree urban forest. If changes to the definition of protected
40 trees are explored, estimates of the impact on the total number of protected trees can be made

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1 using our existing sample data set. Staff could explore more substantial changes or additions to
2 the allowable reasons for removal. While staff believes the proposed changes included in
3 Attachment A address many of the concerns raised by both staff and the public in the wake of
4 this past winter's storms, additional changes could be considered. The proposed changes to
5 Chapter 8.10 should have no additional impact on staff resources. Public outreach regarding the
6 updated ordinance has been ongoing since the adoption of the updated ordinance in June of
7 2022. The majority of public outreach has been conducted by City staff and the City's urban
8 forestry non-profit partner Canopy. This proposed update to the Tree Protection Ordinance is
9 not subject to the California Environmental Quality Act.

10
11 Commissioner Akin asked if it is the total project valuation that's being applied or is it the
12 existing valuation plus the new and if they've seen signs of private property owners removing
13 smaller trees knowing that once they reach a certain size, they will become protected.

14
15 Mr. Gollinger explained the valuation is based on the project itself, not the property and the
16 project and they have not collected much data after the ordinance went into effect, some of
17 that may be happening, but he didn't feel it was a large issue.

18
19 Vice Chair Chang requested clarification regarding the definition of structurally incompatible.

20
21 Mr. Gollinger responded that would be a tree that was basically structurally unrepairable and
22 can't be maintained or changed to come back to a regular status, however it is not yet a hazard
23 such as a tree that is so unbalanced or strangely shaped it is incompatible with its immediate
24 environment. This is an attempt to capture those situations encountered during the first year
25 where the tree probably should be removed, but it didn't technically meet any of the criteria
26 currently in place for removing a tree.

27
28 Vice Chair Chang referenced the changes proposed on Packet Page 10 for Espaliers and inquired
29 what the actual implementation is for pruning and if it happens every year.

30
31 Mr. Gollinger explained that protected trees require a maintenance notice on file, but they only
32 need to apply for the exemption once. When an exemption is granted, pruning notices can be
33 filed online and allows staff to respond to potential concerned callers who may think a tree is
34 being removed without warrant. The specifics on the process will be included in the tree
35 technical manuals and will be published following any ordinance change approvals.

36
37 Commissioner Lu requested information about the exemptions that other cities apply to their
38 protected trees.

39

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1 Mr. Gollinger cited that Palo Alto palms are excluded, because they are not technically trees,
2 but grasses. Eucalyptus is also excluded from the ordinance because they are a high fire danger
3 and an invasive species. Some of the other municipalities include fruit trees, after considerable
4 discussion Palo Alto chose not to exempt them.

5

6 Commissioner Lu asked how the 25% rule works with ADUs.

7

8 Mr. Gollinger responded that he didn't believe staff had ever applied the 25% rule to an ADU.
9 It's been applied to the overall parcel as a whole, it may be something the PTC might consider
10 adding to the residential section.

11

12 City Attorney Albert Yang also note that in the last twelve months City Council adopted an
13 exception for ADUs so the tree ordinance should not be an impediment to ADU construction.

14

15 Commissioner Lu questioned what the reproduction cost of the tree might look like in reference
16 to the different penalties.

17

18 Mr. Gollinger explained that the reproduction cost of the tree is a calculation method that's
19 published by the International Society of Herbivore Culture. It's a process by which an arborist
20 would determine what it would cost to replace the tree as is. It is an estimate, because you
21 can't always replace a very large tree with a very large tree. There's a set way to calculate it
22 based on a series of factors including health, structure, size, and species.

23

24 Commissioner Templeton praised staff's work and inquired where she might find the list of
25 nonnative trees that was mentioned.

26

27 Mr. Gollinger explained it is not in the Agenda packet, it's housed on the City's website for the
28 ordinance, and the invasive species list is pulled from California Invasive Plant Council (CAL IPC)
29 and a few others list locally specific trees that are problematic, particularly high water users
30 such as willows, birches. The exception is Redwood, which is a high water user, but it's still
31 protected.

32

33 Commissioner Templeton referenced Packet Page 20, trees that constitute a nuisance under
34 80450 and noticed that all of the nuisances were to the public structures like sidewalks and
35 roads and questioned if public structures are the only kind of exemption they currently enforce.

36

37 Mr. Gollinger answered that the current nuisance language is in regard to its impacts to public
38 structures and retrenchment or incompatibility with its immediate environment was the reason
39 for the added language and that is based on an arborist report and a review by the City's
40 inhouse staff arborist.

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1
2 Commissioner Templeton expressed frustration that the City has good intentions with this
3 ordinance to protect the canopy, but they also need to recognize unintended consequences
4 and hoped staff would consider that for ordinance 8.4.050.

5
6 Mr. Yang noted that with respect to residents who may have disabilities and their interactions
7 with the tree ordinance, the City has a reasonable accommodation process that applies to all
8 city programs and policies.

9
10 Chair Summa opened Public Comments.

11
12 **PUBLIC COMMENTS**

13
14 JP Renaud, the new Executive Director of Canopy, stated that Canopy supports the
15 recommendations as they clarify several contemplated additional changes.

16
17 Leah Russin spoke regarding the recipe for success. LADWP is a program that will replace trees.
18 [TIMESTAMP 43.10 VIDEO SKIPPED] ... away in the environmental arena from mandates and
19 moving toward [TIMESTAMP 43.15 VIDEO SKIPPED]

20
21 John Kelley spoke about engaging with the community more and the impact this will have on
22 housing, in particular ADUs, and getting the Housing Element certified by the HCD. There
23 should be no review by urban forestry of an ADU application, it is not a ministerial decision.

24
25 Dashiell Leeds spoke regarding concerns about the changes proposed to this ordinance, the
26 proposed edition of discretionary removal for large developments, and the language seems to
27 say that any tree can be removed during a large project, so long as that removal is deemed
28 consistent with the Urban Forest Master Plan, or that the final project would result in net tree
29 canopy increase on the property within 15 years. Another concern is changes to the allowable
30 reasons for removal of a tree, particularly the changes to the definitions of protected trees and
31 the term structurally incompatible seems somewhat subjective.

32
33 Winter Dellenbach commented about the slide deck that she emailed and noted there
34 shouldn't be concerns about not engaging with the community because this is the eleventh
35 public meeting on this new tree ordinance. The climate action goals include increasing the
36 City's canopy by forty percent. There are free trees for anybody who wants one. Scientists find
37 that trees can lower air temperature in city neighborhoods by ten or more degrees, and reduce
38 electricity demand for air conditioning, saving money and emissions. Proximity to urban trees is
39 critical for interruption of climate change and for human health.

40

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1 Chair Summa returned the discussion to the Commission.
2
3 Commissioner Hechtman questioned if this ordinance is a good place to consider a policy about
4 bringing in clean soil to mitigate tree disease.
5
6 Mr. Gollinger responded that those kinds of guidelines would be better in the tree and
7 landscape technical manual that's forthcoming. Sudden Oak disease is one of the items being
8 addressed in the manual.
9
10 Commissioner Hechtman inquired about the cost of obtaining an urban forest tree removal
11 permit and if it is dependent upon the size of the tree.
12
13 Mr. Gollinger replied that it is not dependent upon the size of the tree, a public works tree
14 removal permit for a protected tree removal includes an arborist report and an application fee,
15 both together are just under \$500 dollars. The arborist report can sometimes depend on the
16 size and age of the tree, as well as level of disease, if infected.
17
18 Commissioner Hechtman continued with questions pertaining to how the numbers were
19 derived with regard to other municipalities and the measurements defining protective trees
20 based on size; and referenced Packet Page 16 with regard to the primary access of residential
21 being ten feet, expressing concern that buildable area for a twenty-foot driveway should be
22 looked at. Commissioner Hechtman referenced Page 15 and inquired why the dripline of a
23 canopy is extended past the edge of the canopy to ten times the diameter of a trunk or fifty-
24 four inches up, commenting the dripline should be the dripline.
25
26 Mr. Gollinger responded that some trees such as redwoods and other conical trees do not have
27 a very wide dripline, yet their critical root zone would extend out farther.
28
29 Commissioner Hechtman suggested they be more specific to mitigate unintended
30 consequences and make that second part applicable to those trees where the root structure
31 naturally extends past the canopy.
32
33 Commissioner Akin inquired if the protected tree ordinance constitutes a constraint on housing
34 production and if they went back through those materials in order to have an explicit response
35 to each of the issues that were raised in public comments. For example, Palo Alto Forwards
36 estimate for reproduction cost is somewhere between a factor 5 and 10 higher than was
37 described in the presentation. There may be disconnect there, but there needs to be a
38 response to the concerns that were brought up.
39

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1 Mr. Gollinger stated they had not gone through all of the public comments, they met with
2 Planning and Development management and included some of those proposed changes for
3 those projects of four more units and created an exemption for ADUs. Any table in ADUs are
4 not required to comply with the majority of the ordinance, so they're exempt from needing a
5 tree preservation report, they are asked to disclose trees, nothing more.

6
7 Commissioner Akin noted concern regarding multifamily construction, so that case may be the
8 most important and asked how the preservation ordinance is inconsistent with what
9 neighboring cities are specifying.

10
11 Ms. French responded staff could look into that and be prepared with that information for next
12 opportunity.

13
14 Vice Chair Chang inquired about twice the reproduction cost or ten percent of the project
15 valuation and what it means in the context of a single family home.

16
17 Mr. Gollinger explained that regarding the application with exemptions, they have encountered
18 the builder and the arborist discuss options and then explain why those options aren't feasible.
19 We haven't encountered a specific example where they've needed to provide the actual cost.
20 What's happened is, they'll get together and say we'll we could do this but, this would save the
21 tree, but it's not practical because X, Y and Z, and so once they explain that they've gone
22 through all the potential options, then that's good enough to satisfy us in those instances. We
23 haven't come across one where we've said ... you know, we need to see the numbers.

24
25 Vice Chair Chang expressed she wasn't sure how to solve the gap but it would seem
26 advantageous to be more specific and cited it leaves open the opportunity of moral hazard
27 where some residents may use it as a means of removing a tree based on project costs,
28 nefarious goals of a property owner. It's not hard to get to ten percent.

29
30 Commissioner Lu presented questions around fees and penalties, replacement trees, and what
31 in lieu of fees might like and/or the combination and if they were incurred in recent projects.

32
33 Mr. Gollinger, Urban Forester explained that in lieu fees are currently calculated at \$650 dollars
34 for one 24" boxed tree, and in lieu fees includes maintenance costs for trees including water for
35 the first two years, it's the whole thing and those figures are re-evaluated every five years. If it's
36 a very large project and they ended up needing twenty replacement trees but they could only
37 plant five, it would be more expensive but it's still per 24" boxed trees, so there's no scale to
38 that.

39

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1 Commissioner Lu inquired about administrative penalties and discretionary penalties, and what
2 that had actually looked like in practice.

3
4 Mr. Gollinger, Urban Forester responded [TIMESTAMP 1:09 VIDEO SKIPPED]... make and have
5 had updates to the administrative penalty which is waiting to go before Council. So, it would be
6 more in line with what's in the ordinance as opposed to...

7
8 Chair Summa mentioned the administrative penalty list is one list of all the penalties and it gets
9 updated all at one time.

10
11 Mr. Gollinger, Urban Forester added that these would be penalties that would be assessed by
12 City staff with the issuance of a violation notice.

13
14 Commissioner Lu asked about the range of fees [TIMESTAMP 1:09 VIDEO SKIPPED]

15
16 Mr. Yang, City Attorney, stated there's two different things in the discussion, one is
17 administrative penalties [TIMESTAMP 1:10 VIDEO SKIPPED] per day because each day can be
18 considered a separate violation until something is cured, that's where there is some staff
19 discretion of whether to apply something as a daily penalty or as a single penalty per
20 occurrence. And then [TIMESTAMP 1:10 VIDEO SKIPPED] can seek from a court, in the event
21 that the City takes someone to court under this ordinance. Those are civil penalties and
22 different that issuing citations.

23
24 Commissioner Lu inquired about the thirty-six month moratorium and how that it works.

25
26 Mr. Gollinger, Urban Forester explained that outside of development if a removal was
27 requested due to damage to foundations or eaves, a moratorium would be issues at that point
28 to mitigate a property owner from removing a tree due to damage and then remove the house
29 and rebuild in which the tree would have survived if they would have built around the tree.
30 Currently staff issues them for thirty-six months, there is a method for removal, if they seek
31 removal, the tree is examined and staff would suggest additional mitigation measures that
32 would allow them to remove it by way of tree replacement.

33
34 Commissioner Lu requested more information about subdivision of land into two lots and how
35 trees can be removed for access purposes and how that works with SB 9 and State Laws that
36 fast track or otherwise accelerate lot splits; citing page 21, bullet C, sub-bullet 1 about how
37 removal is acceptable if it restricts access to the property.

38
39 Mr. Yang explained during a lot split subdivision of property if a tree was blocking the means to
40 create two driveways it could be removed. The City has not yet encountered this in terms of SB

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1 9 yet, a similar analysis was if the lot split, depending on the shape of the lot was a flag pole
2 split and a tree was blocking their entrance, removal could be allowed. The ordinance is specific
3 to access, restrictive access, such as a driveway, or an entrance ... the ability to get to the
4 property, something like fence placement wouldn't factor in. The language was added into
5 Chapter 18.09 and there are two sets of ADUs that are addressed, one is the sort of State
6 mandated ministerial approval ADU, and for those ADUs all that we require is a tree disclosure
7 statement. So, just a statement telling us what trees are on the property [TIMESTAMP 1:16
8 VIDEO SKIPPED].. the property owner to fill out that statement where normally we would
9 require an arborist. So for an ADU, a property owner could just make a note of what are the
10 trees that are on the property, how large they are, et cetera. For larger ADUs that aren't in
11 compliance with the tree ordinance, trying to build a 1,000 square foot ADU as opposed to an
12 800 square foot ADU, you would need to show that [TIMESTAMP 1:17 VIDEO SKIPPED]
13

14 Commissioner Templeton appreciated the work in the project and supported the idea of
15 protecting trees but felt the that there wasn't enough emphasis on family safety, or impacts to
16 lifestyles such as ADA needs for elderly. If a tree is dead and diseased is different from infested
17 and that should be factored in. Those are the poisonous caterpillars that cause the rash. Are
18 they eligible? They are according to this. The way it's written, has a huge loophole. As you
19 mentioned before, I could take my very healthy beautiful fir tree in my back yard [TIMESTAMP
20 1:20 VIDEO SKIPPED]... too. We've got wires holding those trunks together, but it could be
21 taken down for those reasons too, because of the way it's currently worded. So that is tough
22 feedback, but if we really... if our intention is to protect trees, we have to be more specific.
23

24 Mr. Gollinger, Urban Forester responded that might be referencing public trees only.
25

26 Commissioner Templeton responded if that is the case they are missing an entire piece about
27 private property, but yet they are enforcing it on private property. We want to take what we've
28 already written and try to apply it more broadly, but there's some dangers in doing that.
29

30 Commissioner Reckdahl requested more information about the GIS data that was used to
31 measure the canopy.
32

33 Mr. Gollinger, Urban Forester explained they recently acquired the canopy module for
34 TreePlotter, a tree inventory softwares that is shared with Canopy and has a public interface. It
35 uses satellite data and spectral imagery to calculate the canopy percentage based on
36 neighborhoods all the way down to Parcels [TIMESTAMP 1:22 VIDEO SKIPPED] that gives you
37 actual visual data overlay for the whole city but it doesn't isolate individual trunks.
38

39 Commissioner Reckdahl referenced slide 18, and inquired if those were GIS numbers and noted
40 on top it said several different calculation methods.

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1
2 Mr. Gollinger, Urban Forester responded that referenced in the report, Greg McPherson wrote
3 a paper in 2017 and that provided multiple methods for calculating the total number of trees
4 within any given urban environment, staff took several different calculation methods that were
5 included and applied them to the City's data to come up with their best estimate for how many
6 trees were in the city. The numbers there started with actual inventory data collected from
7 development projects.

8
9 Commissioner Reckdahl questioned the margin of error and referenced the public comment
10 who talked about the goal of increasing the canopy by forty percent. And if that was feasible.

11
12 Mr. Gollinger, Urban Forester explained that the goal is not increasing by forty percent, it was
13 increasing to forty percent coverage by 2030. The current coverage is probably close to 32%. It
14 is a difficult goal, but they are also making some good progress and admitted there had been a
15 back slid in recent years. There is still work to be done and have only recently gained access to
16 this data in the last few weeks they have not yet had time to crunch the numbers.

17
18 Commissioner Reckdahl asked if the growth has been private land or on public land.

19
20 Mr. Gollinger stated that it's been a mixture of both having not yet analyzed the data. They are
21 still in the process of ensuring the accuracy of the data.

22
23 Commissioner Reckdahl inquired about in lieu fees, programs to plant trees that aren't funded
24 in the in lieu fees and reiterated that currently the canopy growth is stagnant because they are
25 focused on tree replacement and not expanding in new locations and also asked if parks and
26 open spaces might be potential locations.

27
28 Mr. Gollinger stated there is some public right of way that could be planted but in recent years
29 it has mostly been on private property. Underground infrastructure plays a part but there have
30 also been areas where they planted, and they all died so then they have to determine the
31 reason to mitigate future loss of trees that are planted. As far as parks go, it's a delicate balance
32 with whether or not there is room for substantial amount of trees in our parks as they also
33 require open space. The Parks Commission works closely with them on the climate goal and
34 expanding the canopy.

35
36 Mr. Gollinger explained those projects would go through the discretionary approval process
37 and during the preparation for the 2022 update to the ordinance, this was discussed multiple
38 times and staff felt that the discretion required to review and approve larger projects was
39 included in Title 18. After the ordinance was passed and they had additional questions and
40 concerns a deeper dive went into Title 18, the discretion that staff had been using on those

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1 types of projects was not explicitly granted. The change on slide 14 was their attempt to
2 capture that. It would include large multifamily projects. It would be non R-1, R-2, anything not
3 single family.

4

5 Commissioner Reckdahl suggested making that clear to HCD.

6

7 Commissioner Reckdahl inquired if exceptions included damages to driveways.

8

9 Mr. Gollinger answered they do not allow removal of protected trees for damage to a driveway.

10

11 Commissioner Reckdahl commented he felt quality of life of people should be factored in to
12 removal of trees with some form of replacement program.

13

14

15 Chair Summa began comments [TIMESTAMP 1:33 VIDEO SKIPPED]... with what she thought was
16 a very measured and thoughtful update to the tree ordinance. The video skipped constantly
17 through [TIMESTAMP 1:36 VIDEO SKIPPED] and ended her comments by saying she was fully
18 supportive with any changes that need to be made and moved on to Vice Chair Chang.

19

20 Vice Chair Chang also appreciated the work in updating the ordinance and felt it brought Palo
21 Alto up to surrounding cities standards for protecting trees. Her heart went out to the public
22 commenter who experienced [TIMESTAMP 1:37 VIDEO SKIPPED] ... having the trees more
23 balanced with buildings helps to decrease fire risks. She also believed that if the City was going
24 to take into consideration public nuisance, they should also factor in private nuisance and
25 quality of life, and storms that are outside of the norm. The maintenance has been
26 phenomenal, particularly looking at how few Palo Alto trees fell during the storms compared to
27 other cities. She was pleased about the codification of the current practices and hopes it will
28 address some HCD concerns. Staff are headed in the right direction, they just need to tweak it
29 here and there.

30

31 Commissioner Templeton expressed concern and didn't want a random bad infestation of the
32 caterpillars to be exploited as an excuse to take oak trees down. Vice Chair Chang mentioned
33 insurance. Many of the major carriers have stopped insuring homes in fire zones, she would
34 hate for that to happen to Palo Alto because they are making themselves more prone to tree
35 damage during storms. The liability would need to be researched. If the city refuses to let a tree
36 be removed and something happens to someone's property, the city being liable is a question
37 that needs to be considered when contemplating restrictions.

38

39 Chair Summa interjected that there is an appeal process about tree decisions, a standard
40 appeal process that hasn't come up yet in discussion.

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1
2 Commissioner Templeton continued that whether or not we've had significant or minimal
3 amount of damage to homes last year was substantial based on social media posts. She
4 suggested they may want to consider incentives for people to plant more trees, she really
5 appreciated there is a program in Palo Alto with a nonprofit partner that donates trees along
6 with the installation. The moratorium of building when a tree dies or is removed needs more
7 consideration, a property owner having to wait three years to do something about a dead tree
8 after waiting the natural life of the tree is excessive.

9
10 Commissioner Lu commented that he appreciated the updates and having a strong tree
11 ordinance, very much appreciated the flexibility residents are getting with the updates. He
12 suggested they consider adding an exemption for a density reduction of 5% or greater. The
13 ordinance in general, and list tree replacement revisions underneath that. If a protected tree is
14 removed just in general, issue a discretionary approval that provides replacement trees. That
15 would almost be saying discretionary development can just remove any trees as long as they
16 provide replacement on [TIMESTAMP 1:46 VIDEO SKIPPED]

17
18 [The remainder of the video skipped so often it was impossible to capture accurate context of
19 the Commissioner's comments]

20

21 **Commissioner Questions, Comments or Announcements**

22 None

23

24 **Adjournment**

25 8:21 pm

26

27

28

29

30

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Palo Alto Planning & Transportation Commission

Commissioner Biographies, Present and Archived Agendas and Reports are available online: <http://www.cityofpaloalto.org/gov/boards/ptc/default.asp>. The PTC Commission members are:

Chair Doria Summa
Vice-Chair Bryna Chang
Commissioner Allen Akin
Commissioner Bart Hechtman
Commissioner George Lu
Commissioner Keith Reckdahl
Commissioner Carolyn Templeton

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Write to us. Email the PTC at: Planning.Commission@CityofPaloAlto.org. Letters can be delivered to the Planning & Community Environment Department, 5th floor, City Hall, 250 Hamilton Avenue, Palo Alto, CA 94301. Comments received by 2:00 PM two Tuesdays preceding the meeting date will be included in the agenda packet. Comments received afterward through 2:00 PM the day of the meeting will be presented to the Commission at the dais.

Material related to an item on this agenda submitted to the PTC after distribution of the agenda packet is available for public inspection at the address above.

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