



**City of Davis  
Tree Commission Minutes  
Remote Meeting  
Thursday, January 20, 2022  
5:30 P.M.**

Commissioners Present: Colin Walsh-Chair, Larry Guenther-Vice-Chair, David Robinson, Jim Cramer, Tony Gill, John Reuter, Tracy DeWit, Allen Lowry (Alternate)

Commissioners Absent: None

Council Liaison(s) Present: Will Arnold

Staff Present: Stan Gryczko, Director, Public Works Utilities and Operations  
Anna Safford, Interim Urban Forestry Supervisor  
Adrienne Heinig, Assistant to the Director  
Chelsea Becker, Administrative Aide

Also in Attendance: Don Shor and Greg McPherson, Tree Davis  
(names voluntarily provided) Alan Hirsch

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**1. Call to Order and Roll Call**

Chairperson Walsh called meeting to order at 5:30 p.m.

**2. Approval of Agenda**

L Guenther moved to approve the agenda, seconded by J Cramer. Approved by the following votes:

Ayes: Walsh, DeWit, Robinson, Reuter, Guenther, Cramer, Gill

Noes:

Absent:

**3. Brief Announcements from Staff, Commission Members, and City Council Members**

- T DeWit mentioned report on heat island effects and GIS on the consent calendar, and asked when it could be discussed. C Walsh indicated that if the item was relevant to the topic of the parking lot shade guidelines discussion it could be mentioned then.
- S Gryczko informed the Commission that Brian Mickelson left the City.

#### 4. Public Comment

One member of the public provided comments:

- Alan Hirsch - He noted that with the DiSC project, the developer has agreed to fund the maintenance review of the tree plan, and have agreed to release the plan so the public can see the plan and what was promised as part of the development agreement. He indicated that it should be the process moving forward. He voiced concern around the agenda setting related to the 440 A Street item, and indicated he didn't understand why the subcommittee was formed. He asked about the status of the master plan for the urban forest, and the tree ordinance update, and concern about delays. He encouraged the Commission to understand the workplan and priorities of the urban forestry program. He encouraged the Commission to review the Downtown Plan, specifically for the tree plan, and requested room for the discussion on a future agenda.

#### 5. Consent Calendar

**A. Tree Commission Special Meeting Minutes - November 4, 2021**

**B. Tree Commission Minutes - November 18, 2021**

**C. Tree Removals List (*Informational*)**

**D. Report on Heat Island Effects and GIS (*Informational*)**

L Guenther moved to approve the consent calendar, seconded by J Reuter.

Approved by the following votes:

Ayes: Walsh, Robinson, Reuter, Cramer, Gill, Guenther, DeWit

Noes:

Absent:

#### 6. Regular Items

##### A. Street Tree Removal Requests.

The item was introduced by Anna Safford, who provided brief presentations on the requests for a street tree removal.

**Location**

**Tree Species**

**1. 722 K Street**

**Chinese Hackberry**

**Motion:** Follow staff recommendation to remove and replace the tree.

Moved by D Robinson, seconded by J Cramer. Approved by the following votes:

Ayes: Cramer, Guenther, DeWit, Reuter, Robinson, Walsh, Gill

Noes:

Absent:

The item was opened for public comment, and one comment was received:

- K Street/Tammy - stated that the tree is not doing well, and others on the street have failed, so they are trying to be proactive in removal, but have tried to keep the trees as long as possible. She indicated that staff have helped with looking at replacement trees, and added that PG&E continues to have to trim the tree.

## 2. 3721 Los Cerros Place      ‘Keith Davey’ Chinese Pistache

L Guenther moved, seconded by J Cramer to follow staff recommendation to retain and monitor the tree. Prior to the vote on the motion, a substitute motion was made. The substitute motion passed.

**Substitute Motion:** Move staff recommendation, request that the City pursue the party that caused the damage to the extent possible, follow-up with the commission on the action, and the Commission strongly recommends City take as aggressive a position as they can when this matter is investigated.

Moved by L Guenther, seconded by J Cramer. Approved by the following votes:

Ayes: Cramer, Guenther, DeWit, Reuter, Robinson, Walsh, Gill

Noes:

Absent:

The item was opened for public comment, and one comment was received:

- Alan Hirsch – Stated that this is a classic case of tree vandalism. He indicated he noticed someone cutting trees at 336 A Street, and tree cutting at 647 F Street, and there was no response or follow-up to the reporting party or the Tree Commission. He said the Tree Commission should include requirements in the 2x2 recommendations that solar panels take pictures of the trees as part of their permit process, before and after installation. He said tree vandalism is a difficult problem, and should be taken more seriously.

## B. Presentation from Tree Davis on Parking Lot Shade Considerations

The item was introduced by C Walsh, who introduced Don Shor and Greg McPherson of Tree Davis, along with providing a brief background of each panelist. Don Shor provided a presentation on the recommendations submitted by Tree Davis in response to the Commission’s consideration of the interim Parking Lot Shade Guidelines, as well as an outline of the background of the issue. Greg McPherson of Tree Davis was also available for questions.

Commission questions and feedback focused on:

- When considering “what can go on the roof,” that it would be easier to place solar panels on the roof rather than trees, but there are sometimes challenges to put solar panels on the roof of a building due to weight or other issues.
- That the City of Davis looks at solar panels as a “structure,” which minimizes the amount of parking lot necessary to cover with shade. The 2x2 recommendations included the expansion of the required area to cover the full parking lot, including solar panels.
- Feedback that a lot of good comments have been raised in the discussion of parking lot shade interim recommendations.
- The reiteration that the document prepared by the 2x2 is not a permanent document, and many of the updates and recommendations would go into the discussion of the Tree Ordinance. Staff agreed that the Urban Forest Management Plan would likely address many of the items, which would be reflected by updates to the Ordinance.
- Appreciation for the letter and recommendations of Tree Davis.
- The consideration of including requirements for bioswales or mini-forests within parking lots to acknowledge trees and the benefits of nature, in addition to acknowledging the benefits of solar panel coverage.
- Concern about the motion to accept a full report, and the challenges with accepting every contribution offered. Appreciation was expressed for the letter, but concern that the Commission not preempt the work of the 2x2 subcommittee.
- The qualification that the interim 2x2 recommendations are based on a constrained scope, with the Tree Davis letter focused on a broader picture, with recommendations that could apply to the interim ordinance, to the management plan, or the overall tree ordinance. The broader vision could be supported on principle, while understanding not all the goals could be accomplished in the short-term.
- Concern that solar panels are more popular because people are not as aware of the benefits of trees.
- A question about the history of the Tree Commission in supporting reports and letters as presented. It was clarified that the Tree Commission had supported letters in the past.
- The importance of putting something forward with the recognition that government moves slowly, and that interim ordinances and guidelines can become semi-permanent while waiting for formal approvals.
- Concern about staffing shortages related to the pandemic and subsequent resource issues that might impact progress of work.

The item was opened for public comment, and one comment was received:

- Alan Hirsch – stated that the 2x2 is stating that there will be a revolution in parking lots and a lot of trees cut. He indicated that we need to make sure that the right trees are cut. He stated he agreed with Don and Greg that trees are wonderful, and reiterated the need to cut the right trees. He stated the need for incentives for parking lots that work well. He requested the Commission include Don's comments on page 4, "practices, specifications and requirements" of how to plant a tree successfully in the recommendations. He stated that he agreed that open soil is best, however it might require that the parking lot be larger, so suspended pavement might be a second-best option and would prevent the need for larger parking lots (to include larger trees). He reiterated that it was important to include the "practices, specifications and requirements" in the recommendation.

At the close of the discussion, L Guenther moved, seconded by T Gill to support the recommendations by Tree Davis and to recognize the tree expertise of that body. Prior to the vote on the motion, a substitute motion was made. The substitute motion passed.

**Substitute Motion:** The Tree Commission would like to thank the representatives of Tree Davis for the work they did and generally support the principles they outlined in their recommendations.

Moved by L Guenther, seconded by T Gill. The motion passed by the following votes:

Ayes: Cramer, Guenther, DeWit, Reuter, Robinson, Walsh, Gill  
Noes:  
Absent:

### **C. 2X2 Parking Lot Shade Guidelines Discussion**

The item was introduced by C Walsh, who requested that the subcommittee members of the 2x2 (J Reuter, T DeWit and L Guenther) to introduce the interim guidelines. C Walsh also voiced appreciation for the work of the members of the 2x2, and City staff for the opportunities for public comment. L Guenther provided an outline of the recommendations. S Gryczko added that as envisioned, the discussion would be around what the 2x2 put together in their recommendations, and that the goal is not to change the recommendations, rather the alternative recommendations would be offered through motions by the Tree Commission for Council consideration.

Commission questions and feedback focused on:

- Clarification that the Natural Resources Commission would also be reviewing the interim guidelines, and providing feedback. Staff indicated the guidelines were on the agenda for the next meeting.
- Staff provided an overview on the 2x2 process, highlighted the recent change in scope to focus on the retrofit of parking lots, based on projects in the pipeline, and that the work of the 2x2 is not yet completed.
- Two key issues for consideration; specifically that the proposed guidelines are interim, and are recommendations for parking lot retrofits.
- The memo inclusion that trees and solar both have benefits, even if tree benefits are not as easily quantifiable. The subcommittee included numbers in the recommendations as “hard answers” to guide projects, and ensure that the recommendations were meaningful.
- The mention of the heat island maps included in the consent calendar, prepared by Thomas Miller, a first-year student in the graduate program in environmental policy and management at UC Davis, and the offer to tailor a GIS project tailored to the City of Davis. The maps were valuable and offered for free, and included the recommendation that the City pursue GIS as a tool for public engagement and education.
- Concern that the calculation of canopy coverage is an unrealistic and faulty measure.
- Public feedback received by the 2x2 implied that education on trees and their benefits needs to be increased.
- Clarification that the loss of a large tree would be extremely difficult to replace in kind, so the mitigation would be to replace the large tree with a number of smaller trees, if the tree cannot be replaced in the parking lot. The recommendations would increase the number of trees overall, but might impact the size or location of those trees, and there were concerns that the planting of the trees in an alternative location might take time.
- Concern that the recommendations are not clear in limiting the eligible parking lots to retrofit projects only.
- A reiteration that the recommendations are the result of a negotiation between commissions with different focuses, and would not be fully from the perspective of either individual commission.
- Clarification about where the removal of trees from existing parking lots requires mitigation is stated in the recommendations.

- A contradictory element of the recommendations that less than 30% coverage provides more latitude in removing trees, but the retrofit of the parking lot requires a minimum of 20% tree coverage.
- It was noted that a sunset was proposed with the recommendations.
- Concern that aspects of the preamble that gave Commissioners pause in fully recommending the language.
- Concern that the recommendations may be written from a pro-solar perspective, with statements promoting the benefits of solar systems and not stating the benefits of trees. Some Commissioners stated that they felt the preamble was balanced, and the discussion of “cradle to grave” impacts was included for both trees and solar installations, as was the discussion of financial benefits of solar panels and trees.
- In the discussion of suggested features, there was concern on how focused the language is on car parking, when parking lot areas have bicycle parking as well. Options for bicycle parking should be considered for enclosures with solar panel roofs should be included as a feature.
- Clarification that within the current ordinance, if the project covered 50% of the parking lot with solar installations, the remaining 50% of the uncovered parking lot would be required to have 50% tree shade cover.
- A note that recommendations coming from two commissions might carry more weight than individual commission recommendations, which might force the “choice” of one commission over another.
- Clarification that the recommendations included in the discussion apply only on retrofit projects, and the request that the mitigation of the removal of trees should be mandatory.
- Recommendations from the Commission should include specifications on planting conditions, including structural soils, structural engineering and sufficient soil by volume.
- Concern that the language on the developer’s responsibility in planting and maintaining trees, as well as the funding, is not worded strongly enough.
- Questions about the enforcement of tree maintenance in parking lots or if there is anything in the application or approval process that requires City maintenance. Staff clarified that trees are maintained by the property owner.
- The suggestion that tax credits should be provided as an incentive for planting trees.

The item was opened for public comment, and one comment was received:

- Alan Hirsch – stated that the recommendations are a liberalization of the removal of trees, and that the recommendations don't close all the loop holes. He indicated that the plan calls for 20% trees, but the plan is rarely accomplished. He also stated that the crown diameter of trees is overstated and needs to be fixed. He also stated that suspended pavement needs to be required in parking lots, and that there is no way of measuring the percentage of shade accomplished, based on a study in 2013. He said if there's no way of measuring, there's no enforcement. He asked who would pay for the enforcement, and suggested the developer should be required to pay for it. He added that raising fines should also be accomplished. He asked if the incentives were correct to retain the trees near the people, and asked if the mitigation plans were focused on where people are, as trees are mostly valuable when around people. He stated that the tree plan needed to be public to achieve accountability. He requested a test-drive of the guidelines, and that the regulations should sunset after two years, since the recommendations will not be perfect. He also provided a summary of his recommendations.

**Motion:** Recommend that the City include the Tree Davis 25% open soil recommendations in the interim ordinance.

Moved by T DeWit, seconded by J Reuter. The motion passed by the following votes:

Ayes: Cramer, Guenther, DeWit, Reuter, Robinson, Walsh, Gill

Noes:

Absent:

**Motion:** The interim recommendations for retrofit apply only to the retrofit of existing parking lots, and do not apply for new construction.

Moved by C Walsh, seconded by J Cramer. The motion passed by the following votes:

Ayes: Cramer, Guenther, DeWit, Reuter, Robinson, Walsh, Gill

Noes:

Absent:

**Motion:** Recommend that mitigation is required for the removal of any trees.

Moved by C Walsh, seconded by J Cramer. The motion passed by the following votes:



Ayes: Cramer, Guenther, DeWit, Reuter, Robinson, Walsh, Gill  
Noes:  
Absent:

**Motion:** Recommend in other suggested features, during retrofit for parking lots, bicycle parking should be addressed, and covered, secured parking should be provided with solar covering when possible.

Moved by C Walsh, seconded by T Gill. The motion passed by the following votes:

Ayes: Cramer, Guenther, DeWit, Robinson, Walsh, Gill  
Noes: Reuter  
Absent:

**Motion:** Because of the recommendation that 20% of the parking lot be covered by tree canopy, and the emphasis in the memorandum of the value of large, healthy, established trees; the removal of large, healthy established trees below the minimum recommended canopy cover should be prohibited.

Moved by L Guenther, seconded by C Walsh. The motion passed by the following votes:

Ayes: Guenther, DeWit, Reuter, Robinson, Walsh, Gill  
Noes:  
Absent:  
Abstain: Cramer

**Motion:** Tree planting or care of trees in parking lots should include consideration of structural soil and the use of Davis soils of sufficient volume.

Moved by J Reuter, seconded by T DeWit. The motion passed by the following votes:

Ayes: Cramer, Guenther, DeWit, Reuter, Robinson, Walsh, Gill  
Noes:  
Absent:

**Motion:** It is the responsibility of the applicant or subsequent property owner to properly maintain trees and the irrigation system according to the specifications of the certified arborist (as hired by the City).

Moved by J Reuter, seconded by L Guenther. The motion passed by the following votes:

Ayes: Cramer, Guenther, DeWit, Reuter, Robinson, Walsh, Gill  
Noes:  
Absent:

**Motion:** Recommend that the City write a permeant green parking lot design ordinance in as timely a way as possible.

Moved by C Walsh, seconded by J Reuter. The motion passed by the following votes:

Ayes: Cramer, Guenther, DeWit, Reuter, Robinson, Walsh, Gill  
Noes:  
Absent:

*Jim Cramer left the meeting at 10:00 p.m., Allen Lowry left the meeting at 10:03 p.m.*

**Motion:** Before any parking lot is considered to be retrofit for solar, all other options to install solar must be exhausted, such as rooftops, awnings or other structures that can support solar installations.

Moved by L Guenther, seconded by T Gill. A friendly amendment was offered by C Walsh (underlined) and accepted. The motion passed by the following votes:

Ayes: Guenther, DeWit, Reuter, Robinson, Walsh, Gill  
Noes:  
Absent: Cramer

**Motion:** Recommendation that all retrofit lots have some sort of reflective material to reduce heat island effect.

Moved by T DeWit, seconded by J Reuter. A friendly amendment was offered by C Walsh (underlined) and accepted. The motion passed by the following votes:

Ayes: DeWit, Reuter, Robinson, Walsh, Gill  
Noes:  
Absent: Cramer  
Abstain: Guenther

**Motion:** Tree commission recommends that the City investigate various incentives to planting trees beyond the basic requirements.

Moved by J Reuter, seconded by T DeWit. The motion passed by the following votes:

Ayes: Guenther, DeWit, Reuter, Robinson, Walsh, Gill  
Noes:  
Absent: Cramer

**D. 440 A Street Reconsideration of Previous Commission Action and Formation of Subcommittee**

The item was introduced by S Gryczko, who provided a quick introduction on the background of the request to reconsider a removal recommendation that had been approved in October. The Commission formally requested to reconsider the action in December. Additional background and insight was provided on the removals in the staff memo. The Commission was also asked to consider the formation of a short-term subcommittee to review the removals and bring information back to the Commission in March.

Commission questions and feedback focused on:

- Concern about rescinding the motion now, without guidance from the subcommittee. Clarification was provided on the action to rescind the motion.
- That the approval or denial of the removal could be done in March, and would avoid a challenge to the removal being filed.

*No public comment was received on the item.*

**Motion:** To rescind the previous commission action on the 440 A Street trees.

Moved by L Guenther, seconded by T DeWit. The motion passed by the following votes:

Ayes: Guenther, DeWit, Reuter, Walsh, Gill  
Noes:  
Absent: Cramer  
Abstain: Robinson

**Motion:** To form a short-term subcommittee to discuss the specific recommendation and potential alternatives, reporting back to the full Commission by March regarding the trees at 440 A Street.

Moved by L Guenther, seconded by J Reuter. The motion passed by the following votes:

Ayes: Guenther, DeWit, Reuter, Walsh, Gill  
Noes:  
Absent: Cramer

Abstain: Robinson

**Motion:** To appoint Colin Walsh and Tony Gill as members of the subcommittee on the 440 A Street Reconsideration.

Moved by L Guenther, seconded by T DeWit. The motion passed by the following votes:

Ayes: Guenther, DeWit, Reuter, Robinson, Walsh, Gill

Noes:

Absent: Cramer

#### **E. Subcommittee Formation to Research Disposition of Tree Material After Removal**

The item was introduced by C Walsh, who outlined the focus of the subcommittee to look at the wood being cut down in the community, and how that wood might be diverted rather than mulched or shredded. The subcommittee would review what happens with tree waste.

Brief commission discussion focused on:

- In a response to a question on the timeline of the effort, it was indicated that there's no set timeline.
- Enthusiasm within the Commission on the topic.

*No public comment was received on the item.*

**Motion:** To form a subcommittee to research the disposition of tree material after removal with members John Reuter and Larry Gunther.

Moved by C Walsh, seconded by T Gill. The motion passed by the following votes:

Ayes: Guenther, DeWit, Reuter, Robinson, Walsh, Gill

Noes:

Absent: Cramer

### **7. Commission and Staff Communication**

#### **A. Subcommittee Updates.**

#### **B. Workplan and Long Range Calendar**

There was brief discussion of the long range calendar, with consensus of the Commission to cancel the February meeting.

**8. Adjourn**

Motion: To adjourn the Tree Commission meeting at 10:32 p.m.

Moved by Guenther, seconded by DeWit. The motion passed by the following votes:

Ayes: Guenther, Reuter, Robinson, Walsh, DeWit, Gill

Noes:

Absent: Cramer