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**CITY AND COUNTY OF SAN FRANCISCO
URBAN FORESTRY COUNCIL
LANDMARK TREE AD HOC COMMITTEE**

**Special Meeting Minutes Approved
Thursday, March 3, 2016 4:15 p.m.**

**City Hall, Room 421
One Dr. Carlton B. Goodlett Jr. Place
San Francisco, CA 94102**

COMMITTEE MEMBERS: Rose Hillson (Chair), Malcolm Hillan, Dan Kida, Carla Short, Jon Swae

1. Call to Order and Roll Call.

Chair Hillson called the meeting to order at 4:17p.

Chair Hillson, Members Short & Swae present. Hillan absent (later, arrival at 4:24 pm.) Member Kida excused. Quorum declared.

2. Approval of Minutes of the January 7, 2016 Urban Forestry Council Landmark Tree Committee Special Meeting.

Chair Hillson moved to correct Paragraph 3, 11th line down based on an email from Mei Ling to her and to Carla. The word “resolutions” should be changed to “motions.” Member Swae moved, 2nd by Short as amended; approved without objection.

3. Landmark Tree Evaluation Process Flowchart.

Chair Hillson stated that the Landmark Tree (LT) process flowchart was discussed at the 10/15/15 LTC meeting in response to PC & HPC not being clear of the LT process; 12/3/15 ladder-style; revision to symbol-style on 1/7/16; 2/4/16 meeting canceled due to noticing issues; discussion on flowchart revisions: A) Page 1, eliminate text in right top square (“Private property owner to seek a source.”); addition of superscript #1 in first long horizontal box to note how file nominations are kept with the staff as public wants to know where those are. Member Swae commented that BOS (Board of Supervisors), HPC (Historic Preservation Commission), PC (Planning Commission), UFC (Urban Forestry Council) & other acronyms be spelled out or have key or reduce font. Member Short stated that the name should be “Public Works” vs. “DPW” or “Department of Public Works;” B) Page 2, regarding resolution and when these packets are to be sent to the Board (of Supervisors), etc. and in Mei Ling’s email, she stated she checked with the City Attorney and that only for a positive recommendation would a resolution occur (“UFC’s legal counsel advised UFC staff that of the three potential outcomes from the UFC hearing process (quorum vote in favor, split vote, or quorum vote against), only a quorum vote in favor would trigger the adoption of a UFC resolution.”) Chair Hillson stated that due to this, the arrow that goes from the box that goes from “Split vote tie, no recommendation” that goes to “UFC staff sends information packet” gets deleted. Chair Hillson passed out a corrected version with this arrow deleted. Chair Hillson also stated that she reflected the language in the Ordinance as “‘majority’ to support” rather than

“quorum’ to support;” C) Page 3, Member Short that for Page 1, make the first text “box” larger and spell out the acronyms and for the top right box, put “See Page 3 for details” because that’s where the sources are and the right box on Page 1 refers to that. Discussion ensued on the issue with a member of the public having to seek out a sponsor when it went before the Planning Commission or the Historic Preservation Commission. Chair Hillson asked if the Planning Commission ever sponsored a nomination. Member Hillan said, “No.” Chair Hillson said the case at Planning Commission was not a sponsor issue but an intent to initiate only, that the Planning Commission does not sponsor trees. Member Hillan asked if that was right. Member Short stated that the neighbors took it to the Planning Commission. Chair Hillson stated that they got one of the commissioners to initiate it. Member Short agreed. Member Short asked how that was different than sponsoring. Chair Hillson stated that she believed the sponsors could bring it to the Board of Supervisors but the Planning Commission cannot. Member Hillan asked who the sponsor was at this point in time for the Cook Street tree. Chair Hillson replied that it is sent back to the Council by the Board of Supervisors. Member Short stated that it came to UFC from the Planning Commission. Chair Hillson agreed, after the initiation as the proper flow; and then even after UFC hears it, there needs to be a sponsor to get it to the Board of Supervisors to get it agendized on their calendar unless there is a sponsor. Member Hillan asked who that was, us? Chair Hillson replied, “No, we (UFC) cannot sponsor trees.” Chair Hillson explained that if there is a positive recommendation at UFC, it goes to the Board of Supervisors and if there is not a positive recommendation, it gets killed. Member Hillan agreed. Chair Hillson stated, if Member Hillan was talking about the Cook Street tree, there is nobody right now and that if it were to get anywhere, there would need to be a sponsor. Member Hillan asked, “Who is that sponsor then for that Cook Street tree if it is going anywhere?” Chair Hillson stated, “I don’t know.” Member Hillan stated, “Then it’s dead.” Chair Hillson agreed unless some sponsor steps up for it. Member Hillan asked, “And who is qualified to do that?” Chair Hillson stated, “Number 3, 4 or 5; somebody from Department Head, Board of Supervisors member or the Mayor.” Member Hillan asked, “OK. So is anybody doing that for them?” Chair Hillson responded, “I don’t know. I’m not. I don’t think anybody here is.” Member Hillan said, “And the Planning Commission isn’t qualified to do that?” Chair Hillson stated, “I don’t see it in the Code – unless you see it in the Code.” Member Hillan responded, “I haven’t looked.” Member Hillan stated he was not aware of the difference between someone who initiates the process and someone who carries it through. Chair Hillson stated she didn’t know until she was thrown into creating the flowchart and Mei Ling’s explanations of some of it when she gave her presentations. Chair Hillson stated that there was a nominator and then a sponsor. Chair Hillson stated that when her tree was nominated, even though she is the property owner, she still had to find a sponsor, and that these trees need a sponsor. Chair Hillson stated that the Mayor could be a nominator and a sponsor. Member Short stated he cannot designate a tree. Chair Hillson said he would still have to go through the process. Member Short agreed. Member Swae brought up the 3066 Market Street redwood tree wherein in that case, the neighbors got the supervisor to nominate it and sponsor it. Member Short commented that she did not think there was a difference between nominator and sponsor. Member Hillan echoed that. Member Short read from 810 (Public Works Code): “Nominations: A tree may be nominated for designation as a landmark tree by any of the following parties: the property owner whose property contains the subject tree by a written request to the Urban Forestry Council, the Board of Supervisors, Planning Commission, or Landmarks Preservation Advisory Board by adoption of a resolution of intent to nominate a tree for landmark status or the director of any City agency or department by filing a nomination letter with the Urban Forestry Council. Each tree nominated for landmark tree status shall be the subject of a separate individual nomination.” And stated, “Then ‘Content of Nominations,’ then ‘Urban Forestry Council Hearing and Determination.’” Member Short stated that the Council has a hearing, adopts findings to approve or reject these nominations and forward these findings to the affected property owner; if the Council determines that the tree meets the adopted designation criteria, it shall forward said decision to the Director, as to a tree on private

property, or to the subject City agency, commission or department. If the Council rejects it, they shall not accept a new... (rest of sentence not stated). Member Hillan stated that he has not heard anything about sponsors yet. Member Short said, "Right." Chair Hillson stated that Mei Ling made it clear that there was a difference between a nominator and a sponsor. Member Hillan said, "I would love to see where Mei Ling got that and it's not that I don't believe you and it's not that I don't believe her but I just don't...this is the first time I ever heard of it and I don't see it." Member Short stated that it (the Code) says, "If the Urban Forestry Council determines that the tree qualifies as a landmark tree, its written findings on the nomination along with any recommendations of relevant City agencies, commissions or departments, shall be forwarded to the Board of Supervisors for its consideration pursuant to Section 810(b)(4) of this Article. If the Urban Forestry Council fails to forward said findings to the Board of Supervisors within 120 days, the Board of Supervisors may, in its discretion, schedule a public hearing on the nomination, which should in the Council's failure constitutes approval." Member Short said, "The Council forwards it to the Board no matter who nominated it. There is no sponsor required to take it to the Board." Member Hillan said, "Right." Member Short said, "Those nominating individuals or entities have the authority to initiate nomination but then the Council forwards it to the Board." Chair Hillson said, "From the Board, it doesn't go anywhere unless a Board member or somebody sponsors it because it doesn't get agendaized. That is a Board of Supervisors' process." Member Short said, "Even if we fail to forward it to them, they calendar it. So if we do forward it to them, they should certainly put it on the calendar. Even if the Council fails to forward them the information, they take it as approval of the nomination." Chair Hillson produced the email document from Mei Ling. Member Hillan stated, "I believe you." Chair Hillson read from it, "When trees have been nominated by department heads, those trees are nominated by providing a letter directly to UFC staff. The only nominations that require BOS input are BOS sponsored nominations." Member Hillan said, "Right. And what she really meant is Board of Supervisors nominated resolutions." Chair Hillson asked Member Hillan if he was referring to nominations or resolutions. Member Hillan stated nominations. Chair Hillson finished off from the email document, "i.e., other nominators don't have to get any kind of sign off from the BOS on their nomination." Chair Hillson stated that again she uses the words sponsor and nominators. Member Hillan stated that she uses them interchangeably. Chair Hillson asked, "What are you suggesting this chart look like?" Member Hillan asked for a heading. Member Short suggested "Landmark Tree Nomination Process Flowchart." Member Swae suggested for the listing of sources at the top, it should say, "Sources for nomination" and just list them. Chair Hillson asked if the "3, 4, 5" text should be crossed off as it was not on there before. Member Swae thought there needs to be clarity on that. Due to the Committee's confusion on sponsors and nominators Chair Hillson put a note to ask Mei Ling about handling the sponsor text with 3,4, & 5 which was not resolved. Member Hillan stated that wherever there is a nomination, he sees a slash and if the word 'sponsor' were eliminated, then we were OK. Chair Hillson stated that we went over this at the last meeting and Mei Ling said we had to have it on there, and it was OK the last time but taken off in this meeting due to confusion. Member Short stated that the only thing to change on this is the last box, 4, 5, does not need to happen. She said, "When the UFC adopts a resolution that the tree qualifies for landmark tree designation, we then send our written findings to the Board of Supervisors." Member Hillan stated, "That sounds right to me." Member Short requested to read Mei Ling's email. Member Hillson produced Mei Ling's email that was sent to her and to Carla on the subject of nominations and UFC resolutions. Member Hillan asked if the Committee was working on the top section of Page 3 with the information on nominators and sponsors when he walked in and that was acknowledged by the rest of the Committee in the affirmative. Member Short stated that as she read Mei Ling's email, she thinks Mei Ling meant, "if a member of the Board nominates a tree, they have to do it at the Board, they have to initiate a resolution of intent to nominate." Chair Hillson asked, "After?" Member Short said, "After it comes to us, we automatically send it to the Board. For example, if my Director wants to nominate a tree in a median for

landmark status, he sends a packet to the Urban Forestry Council, we go through our process, we recommend approval, we send it to the Board of Supervisors, they vote on it, the tree gets designated. At the front end, my Director brings it just to the Urban Forestry Council. If Scott Wiener wants to nominate the tree at Market Street, he has to initiate a resolution of intent at the Board, then it comes to the Urban Forestry Council, then we do our process, then that goes back to the Board directly.” Chair Hillson asked, “Planning Commission?” Member Short said, “Planning Commission sends it directly to us after they do their own findings, they have their own hearing, they send it directly to Council, with intent to initiate and the Planning Commission resolution and that comes to the Council and it does its thing and the Council takes it to the Board. So the Council goes directly to the Board after our process.” Chair Hillson asked, “With a positive, negative and hung, all three?” Member Short replied, “Yes.” Chair Hillson stated, “With a findings packet.” Member Short stated, “We don’t do the findings packet...no, we go to the Board only if it’s positive or hung. If it’s negative, it dies. If it’s positive, we give them all the findings. If it’s a hung jury, we give them no recommendation, we don’t give them any written findings, we don’t give them a packet.” Chair Hillson stated, “Mei Ling said the packets are sent on the hung ones.” Member Short stated, “I don’t think we have to. And that’s what we corrected on your flowchart for “split vote, no recommendation” on Page 2 and that it was right to do that.” Chair Hillson read part of the Code about the Council forwarding findings. Member Short stated that we forward it to the Board with “no recommendation.” Member Short stated that the findings are to be sent to the applicant and the property owner but not to the Board and only on an approved case are the findings and recommendation sent to the Board. Chair Hillson asked if we should delete all the 3, 4, 5 sponsor text and delete the yellow box. Member Short stated that Planning Commission and Historic Preservation Commission do have to adopt a resolution of intent. She stated that 4 and 5, the orange box joins the yellow box. Member Short stated it’s a bit more complicated. She stated that the Board of Supervisors is the same as the Planning Commission and the Historic Preservation Commission; and the Mayor is the same as the Head of any City Agency because they just come to us. It was determined that the Mayor goes in the green box and Member of Board of Supervisors goes in the yellow box. Member Hillan stated that makes sense. We discussed that the orange box is crossed out. Chair Hillson asked where the resolution of intent triangle, decision-making item goes because it has to go to some temporary designation as landmark tree, that the “Does resolution of intent to initiate nomination pass?” happens simultaneously with the temporary designation, and asked if that takes a vote. Member Short replied that she was pretty sure they (Supervisors) do not actually vote on it. Chair Hillson stated that at HPC/PC the tree is temporarily designated at resolution adoption. Member Short stated that for the Board, it is the introduction of resolution of intent that triggers protection, and UFC notifies Public Works Director and the applicant is notified it is temporarily protected. The Committee went over additional details and changes in order to attempt a cleaner version of the chart with change for BOS temporary protection at introduction of resolution of intent to initiate and amendments with the yellow and orange boxes. Member Hillan asked, “At what point can this DPW Director issue an emergency order take place in relationship to what you’ve just done?” Chair Hillson stated that was separate from the entire landmark tree process, the DPW Director and it is not related to this process really at all. Member Hillan stated it was confusing having the DPW Director item near the top and near the bottom. Chair Hillson stated she has the asterisks there and included it because it is in 810 (Public Works Code) and people have to know that. Member Hillan suggested it all be in one place. Amended to delete the text at the top, delete the two asterisks and show in one box at bottom with the word “optional” for Public Works Director. The new text for the box is “Optional: DPW Director issues EMERGENCY ORDER temporarily designating (protecting) tree on property under its jurisdiction to prevent immediate removal of tree.” The LTC continued with the orange and yellow box discussion for changes. 3 is the Member of Board, add Mayor. The green box should be OK with the white box under it. Diamond (under the orange box) is crossed out. For all of them, the UFC hears the nomination.

Chair Hillson stated that all of them go to an “x” process whereby the UFC hears the nomination. Member Hillan asked if the Landmark Tree Committee hears the nomination. Chair Hillson stated it goes to “A” and Member Short agreed. Member Swae went over the process for the various sources of nominations to check out what we changed so far. Member Hillan asked about the split boxes for temporary designation and DPW notification if those always happen it should not be a split. Amended to show the two bullet points in one box. Chair Hillson stated that in flowcharting, choices are designated by a diamond. Member Hillan stated not everyone knows that and he and Member Swae suggested to combine them in a box. Member Short said the Mayor and the Property Owner should be in the green box as they come directly to the Council. Member Hillan requests the slash be taken out and list Property Owner, Director of DPW, Director of Any City Agency, Commission or Department Head as it is in 810. Member Short stated she agreed with Member Hillan but said, “It is not actually any commission. It’s just Planning and HPC, we have covered them already, so we should say, ‘Property Owner, Director of Any City Agency,’ that’s it.” Chair Hillson asked, “You don’t want to use the word “Commission” as it is in the ordinance?” Member Short responded, “But the only commissions that can do it are Planning and HPC.” And Member Hillan and Swae agreed that those two were already covered. It was clarified that Department Head is the same as Director of City Agency. The superscript “1” is still retained for the Director of City Agency or Department Head. Member Swae finished off the rest of the flowchart. Member Short stated that the temporary protection for Mayor, Director should go in process A (on Page 2) unless it is already protected by the Director of Public Works’ emergency order which he will do every time so the tree goes through the process. Additional conversation on process discussed regarding 810(4)(d) for temporary designation. Member Short moved that the LTC adopt as amended at this meeting for Chair Hillson to clean up the chart. Member Hillan seconded the motion. The motion passed unanimously without objection. Chair Hillson asked if a motion was needed to bring to the full Council. Members Short and Hillan stated Chair Hillson can have copies of the draft flowchart distributed as part of her LTC report. Member Short also stated that there could be one last email review of it to confirm these changes prior to going to full Council. This was agreed upon by all members to ensure accuracy of these changes at this meeting.

4. Alternative Tree Protection Policies: A table was presented on various tree protection policies from various cities is in the packet. The work was done by Stephanie Ng, an intern, last summer. She looked at various private tree protection policies. In summary, some cities have tree protection policies based on species – Los Angeles looks at oak species as protecting on private properties; size – Portland and DC has thresholds for permits based on size. Member Short mentioned Oakland has a size factor as well. Member Swae will add Oakland. Member Swae continued that Portland also has policy for trees in sensitive environmental zones as explained in the notes – landslide areas, seismic zones. Member Short asked for clarity when speaking of private tree policy, if this was only about trees on private property. Member Swae responded in the affirmative and continued that Seattle has a policy on exceptional trees – no more cutting down of more than 3 exceptional trees 6 inches in size. Member Short asked if exceptional was defined. Member Swae stated it only says exceptional. Chair Hillson added that we do not know the criteria for exceptional in Seattle so that was an unanswered question. Member Swae continued to talk about Portland and non-nuisance trees on vacant development sites and developers are required to keep non-nuisance trees 12 inches or more in diameter. Member Short read aloud that one-third of non-nuisance trees 12 inches or more in diameter be preserved. Page 3 of 7 (for non-development sites). Chair Hillson stated that was only for sites 5,000 sq. ft. or larger. Member Hillan asked about smaller sites. Member Hillan stated that he is looking for some sort of precedent here and that it is often a question of development and he finds it interesting that they (Seattle) differentiate between development and non-development and thinks that may come into question here (San Francisco). Chair Hillson asked if there should be some criteria for San Francisco to differentiate between development and non-development as criteria for trees. Member Hillan said, “I don’t know. I’m looking to see if there is a precedent

in these other municipalities because sometimes that is a clue as to what is legal, what can fly legally and what can't." He asked if Palo Alto was included in the study. Member Short stated that Palo Alto has a strong tree policy. Member Hillan agreed with Member Short and stated that Palo Alto is really activist about tree protection and management. The LTC suggested to add Palo Alto. Member Swae thought of larger urban areas and Member Hillan was not aware of any municipalities there but maybe Ross. Member Hillan thought Palo Alto could provide some local expertise. Chair Hillson asked about Marin such as Tiburon. Member Swae stated those were more rural suburban type places with homes on larger acreage vs. San Francisco with small lots with back yards and trying to create housing. Member Hillan stated that Palo Alto is a place with a lot of activism and there are people and there is a lot of money at stake in these situations with a lot of stakeholders who care and there might be something to be learned. Add Palo Alto and maybe one place in Marin and Oakland. Member Short asked if there were any recommendations for this and Member Swae stated it was only for discussion at this point. Chair Hillson asked if there would be any potential incentives in line with what Malcolm said, maybe in distinguishing development and non-development, and incentives for people if they were to keep some trees they would get some sort of benefit or some tax reduction. Member Swae thought that would be a good idea in addition to the protection policy to have an incentive program or something. Chair Hillson asked what the cities have in terms of incentives tied to tree protections. Member Swae stated that research was not done. Chair Hillson commented that we nor Public Works can go out for tree appraisals based on past conversation we had. Member Short then stated that her department goes out for appraisals all the time because they can cite people. Member Hillan found it interesting that Portland says that for trees on private property, if you have a big tree, you can't do it without a permit. Member Hillan stated that what Portland has done is extends what San Francisco has for the protection of significant trees. Member Short stated that the history of that is that the initial resolution was not limited to within 10 ft. of the public right-of-way and there was a lot of pressure and it was unknown who exactly but before it got introduced, there were negotiations amongst the supervisors what could be lived with but it was clear that private property owners did not want anywhere on the property. Member Hillan stated that was understandable. Member Short stated that certain species or exceptionally large trees should require a process before they can be removed. Member Hillan said, "Yeah." Member Short stated maybe oaks, redwoods – as in Oakland – and anything 12 inches or greater supposed to come before the... sentence not completed with Member Hillan interjecting that he thinks we "are doing something to protect trees outside the landmarking process so that when people come and they use landmarking, because my fear has been that we're going to do this until some day, we run up against somebody that has enough money and enough legal wherewithal to come back and invalidate our ordinance based on the fact that property owner, because you buy this property, the neighbors come out of nowhere, to basically say, 'no, you can't do anywhere close to what you had intended to do with that property because we really like this tree in your back yard' and you're screwed. And I just don't know how that would hold up in court." Chair Hillson stated, "We're not going to talk about legal things here." Member Swae said, "Yeah." Member Hillan continued and said, "But that's my fear." Member Short stated that once the ordinance gets passed, it becomes San Francisco law and somebody can sue San Francisco; and Chair Hillson stated that there are laws being passed that go against state law and Member Short stated that many lawsuits have been filed against the city. Member Short would like to see something based on certain species or exceptionally large. Member Swae asked how large that would be. Member Short stated that is tricky. Chair Hillson stated that depends on the species because it could be large for one species but not for another. Member Short stated that this does not eliminate the landmark process. She continued that if somebody has a petite tree that is very important he can still landmark it and this process does not take away the landmark tree process. Member Hillson and Member Short both stated it is a separate process. Member Short stated that with this, you have to get a permit or some form of public process for a tree of perhaps certain species – she likes this idea because she believes there are

some species in San Francisco we would like to keep around. Chair Hillson commented if there could be a choice with an “and/or.” Member Hillan and Short said it could be species and/or certain size. And Member Short stated the size is tricky because we don’t have huge trees in San Francisco like the sequoia. Member Short said the 12-inch is for significant trees and it will not work for throughout the property and thought perhaps twenty inches or something as 12-inches is for Significant trees and will not fly for throughout the property so the size is going to be tricky because that is the trouble they ran into for Significant trees. Member Swae mentioned looking at the landmark trees sizes. Member Short suggests looking at the sizes of the recent landmarked trees to see what size they are. Member Short thought 20 inches as the redwood and the pine were certainly 20 inches. Member Hillan also suggested height also. Chair Hillson asked if the species would correspond to a certain size then it would count. Member Short stated that if it is certain species, they need to get a permit, end of story. Member Short was thinking buckeye, oak, redwood, CA native species, whatever those are, if that is what we decide, and/or if they are x diameter, x height. Member Short suggested it would have to be more than 12 inches because there would be too much push back. Member Hillan agreed. Member Short stated that there would at least be a public process like the one for the street trees. Member Hillan suggested that it should go directly to something like that rather than to have it go through some committee. Chair Hillson stated that this would be a DPW thing. Member Short stated it would be like the street trees process but an extension of the Significant Tree ordinance. She stated that the problem was that many do not know about the Significant Tree Ordinance, and DPW issues fines for people all the time. Member Hillan, as an example of people not knowing about significant trees, wrote to his neighbor cutting down a significant tree but he wouldn’t rat him out. Member Short also stated that this will take an ordinance change and by going to the Board, it will get attention, and would need outreach campaign even if property developers get looped in at Planning but regular property owners would not know. Chair Hillson noted that this would require some education to the public. Chair Hillson asked Member Swae if he would like to bring this item back with additional information and to let her know when ready to agendize again. Member Short is willing to brainstorm with Member Swae. Member Short asked Member Swae if this relates to Phase 3 (of Urban Forest Plan) and he answered in the affirmative. Member Swae asked what would happen if we see a person’s tree is 30-inch diameter, you need a permit for it, the person applies for a permit. Member Short stated that significant trees, they are treated just like street trees in terms of the protections but also to look at like seven qualitative analysis such as contribution to the neighborhood, and have findings on that. Member Short stated that something similar can be done with assessing the tree. Member Hillan stated he likes that idea because there is precedent. Member Short stated that the person can appeal the permit at the departmental hearing with appellant, public can attend, the Public Works Director makes a decision based on that hearing; and that decision is appealable to the Board of Appeals and that mimics permit processes throughout the city. Chair Hillson also stated that with this process, there are going to be fewer and fewer landmark tree nominations, maybe. Member Short said, “And I’m OK with that. We might be getting fewer but we’ll be getting quality applications.” Member Hillan said, “Right.” Member Short stated in response to Chair Hillson asking if there is a 30-inch special tree under this new thing, would the property owner be aware of any landmarking program, could that person switch from this new process but go for landmarking, would that be available? Member Short stated that he could and that the trees would already be protected like the street trees and some landmark trees are street trees so it wouldn’t be precluding the landmark process. Chair Hillson asked, “It’s not going to kill that (Landmark) program?” Member Short responded, “No.” Member Hillan said, “I think if it becomes more among neighbors, among developers, if everybody is more aware of the fact that trees are protected, it might lead to greater awareness of the landmarking program but differentiate it and so if there are appropriate trees for our landmark then maybe they’ll end up in our, you know.” Chair Hillson also stated that with landmarking there is no incentive there but basically it is an encumbrance on the person who owns the tree. Member Short

stated that this was less about incentives but of penalties but one thing is if the city grants the removal of a large tree, she likes the idea of splitting between development-related and not. Member Hillan said, "Yeah." Member Short stated that this is the opposite of incentives and more about penalties. She stated that we know we want more housing, but if we were to grant the removal of a large tree or whatever we call it, she likes the idea of splitting between development-related and not; and potentially, we do an appraisal and if it's development-related, you pay the value of that tree to take it out. Member Hillan said, "Yeah." Member Short stated that sometimes that leads to people having to work their way around it because of the value of the tree. Member Hillan said that there is found a creative use of the tree in the plans. Member Short stated that there could be use of a \$22,000 tree. Member Hillan said, "And rightfully because it is of value to the neighborhood." Member Short brought up a concern about an elderly property owner with a big tree in his backyard who wants to take out a tree and the permit gets issued after the Director's hearing but he is going to have to pay \$22,000 for the value of that tree? She said that is something she struggles with but a developer who makes a fortune... Chair Hillson asked so if that was the reason for making the distinction between developer and non-developer. Member Short answered in the affirmative with the added details of "in terms of the penalties associated or allowing removal if they pay the value or something like that." Member Swae stated that for those cases where someone wants to remove a tree because it's too big or pruning is too daunting, maybe that's where some of the incentives come in like a loan program with a low interest loan. Member Short stated she would love to see how to tie the incentive programs whether in the ordinance or to get some seed money since the problem is that nobody has a budget for an incentive program unless the Board decides to give us the budget for it and it would make it less burdensome for the property owner. She stated that there could be a program where we monitor every six months an elderly person's tree with nothing wrong with it and give you a report but cannot do that currently because we cannot afford that. Member Swae stated that perhaps from the fines we will be self-funding. We will bring this back with more information and inform Chair Hillson when he is ready for another meeting on it.

5. Landmark Tree Markers: Item has been discussed since 2008 and in last meeting the LTC discussed that DPW would determine the size, two sizes brought up in December 3rd meeting – 6" x 9" round or 5.5"x14" rectangle; and that DPW or PG&E has vendors. Dan Kida reported he completed the overhead electric lines and was looking at the underground gas lines. There was a potential of a \$2,500 grant from PG&E and not sure about Planning being able to add to the funding. Member Short stated she heard that PG&E funding is now only \$1,000.

Chair Hillson stated it is only for 7 trees (1801 Bush, the Mary Ellen Pleasant trees; 1701 Franklin, the Flaxleaf Paperbark; 1221 Stanyan, New Zealand Christmas tree; 500 Cortland; 3555 Cesar Chavez, Moreton Bay Fig; 555 Battery; and Bernal, Blue Elderberry. Member Short stated the funds will probably pay for the markers but not the install. Member Short stated that she is nervous about Stanyan because that basin is full of roots. Member Short asked what we discussed for the materials. Chair Hillson stated we talked about concrete stamps. Member Short will talk to the cement shop and show them a couple of examples and how much it would cost to create a form to pour concrete and stamp it. Also, Member Short asked about a little raised marker that gets stamped like concrete podium-shaped thing to go into the ground and just stamp on the top slanted surface. Member Short is saying it could be a way to not dig into all the roots. Member Short will ask the cement shop on this idea and also about pouring a corner of the basin for per unit costs. Member Hillan asked if there is going to be any identification like with numbers to reference trees for information on it. Chair Hillson asked if he meant to have QR codes for the trees. Member Hillan responded that would be great but may be ambitious. Member Short stated that in the Landmark Tree Book, when Terry Milne was the Council Chair, he felt strongly that the trees got numbered so he did and the new ones just got the consecutive numbers as they got landmarked. No public comment.

6. New business/future agenda items. None.
7. Public Comment. None (no public available during entire meeting).
8. Adjournment at 5:42pm.

Copies of explanatory documents are available at (1) the Department of the Environment office, 1455 Market Street, Suite 1200, San Francisco, California, 94103 between the hours of 9 a.m. and 5 p.m., Photo identification is required for entry to the building. (2) on the Urban Forestry Council's website <http://sfenvironment.org/about/taskforce/urban-forestry-council>; (3) upon request to the Commission Affairs Manager, at telephone number 415-355-3709, or via e-mail at anthony.e.valdez@sfgov.org within three business days of a meeting. If any materials related to an item on this agenda have been distributed to the Council after distribution of the agenda packet, those materials are available for public inspection at the Department of the Environment, 1455 Market Street, Suite 1200, San Francisco, CA 94103 during normal office hours or will be made available on the Commission's website <http://sfenvironment.org/about/taskforce/urban-forestry-council> as attachments to the agenda or meeting minutes.

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