Resolution No. 003-04-UFC

[Preserve Tree Planting Sites]

URGING THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO TO ADOPT AN ORDINANCE TO PRESERVE SAN FRANCISCO’S TREE PLANTING SITES IN THE PUBLIC RIGHT-OF-WAY.

WHEREAS, The City and County of San Francisco has legislated through the Board of Supervisors Underground Districts designated for Rule 20A funds to be used by Pacific Gas and Electric (PG&E) to place the public utilities underground in each legislated district; and

WHEREAS, In 1997 a settlement was reached that PG&E underground 42 miles of wires in San Francisco. Of these 42 miles scheduled for underground placement, 8 miles have been completed and 34 miles are underway or scheduled for completion by 2006; and

WHEREAS, The purpose of the Underground Districts is to enhance the character of streets in San Francisco’s neighborhoods; and

WHEREAS, the Department of Public Works has the legal authority under The Master Agreement to direct PG & E as to where to place its utilities; and

WHEREAS, The Urban Forest Council has heard testimony in public hearings that placing the utilities underground in the Bernal Heights
neighborhood has permanently eliminated tree planting sites due to the manner
in which PG&E placed the utilities underground; and

WHEREAS, Street trees enhance the character of streets and eliminating
planting sites diminishes the character of San Francisco’s neighborhoods into the
future; and

WHEREAS, other neighborhoods which are scheduled to have utilities
placed underground by PG&E may also have their tree planting sites eliminated;
and;

WHEREAS, It is possible for utilities to be placed underground in a
manner that will not result in the loss of tree planting sites through the placement
of utility lines and boxes away from potential tree planting sites; and

WHEREAS, no environmental assessment has been done to determine
the impact of the loss of tree planning sites in the public right-of-way; and

WHEREAS, the preservation and protection of the public right-of-way for
San Francisco's urban forest is consistent with and will further the objectives and
policies of the City’s General Plan in that:

The Transportation Element of the General Plan states in Policy 24.2 that

“street trees are one of the most important elements in creating a livable
streetscape. They provide shade, create a human scale on the street, soften the
edge between the building and the street, and serve as a buffer between
pedestrian space and the street. Moreover, street trees are an important environmental consideration as they contribute to cleaner air."; and

The Urban Design Element of the General Plan states:

**POLICY 2.8** Maintain a strong presumption against the giving up of street areas for private ownership or use …

Street areas have a variety of public values in addition to the carrying of traffic. They are important, among other things, in the perception of the city pattern, in regulating the scale and organization of building development, in creating views, in affording neighborhood open space and landscaping, and in providing light and air and access to properties.

Like other public resources, streets are irreplaceable, and they should not be easily given up.

**POLICY 2.10** Permit release of street areas, where such release is warranted, only in the least extensive and least permanent manner appropriate to each case; and

WHEREAS, the preservation and protection of the public right-of-way for street tree planting sites is crucial to allow homeowners and developers opportunity to comply with Section 143 of the Planning Code which states:
that street trees installed shall be a minimum of one tree of 15-gallon size
for each 20 feet of frontage of the property along each street or alley, with any
remaining fraction of 10 feet or more of frontage requiring an additional tree; and

WHEREAS, Ordinance 171-03 amended the San Francisco Administrative
Code Chapter Five by adding Article XXIII to create an Urban Forest Council;
and

WHEREAS, Ordinance 171-03 charges the Urban Forest Council with
duties and responsibilities which include but are not limited to: advising the
Mayor, Board of Supervisors, city departments and commissions on urban
forestry concerns; reviewing project plans for major publicly sponsored
developments and civic improvements and changes to the public right-of-way as
they may impact trees; making recommendations regarding these projects to
effected agencies; adopting guidelines for protecting trees during project design
and construction; assisting with the formulation of legislation and policies that
effect trees; and

NOW, THEREFORE, BE IT RESOLVED, That the Urban Forest Council
urges the Board of Supervisors and the Department of Public Works to draft,
adopt and enforce an undergrounding policy that ensures the long-term
preservation of planting sites in the public right-of-way; and

BE IT FURTHER RESOLVED, That the Urban Forest Council urges the
Board of Supervisors and the Department of Public Works to adopt and enforce a
policy that will ensure property owners will be able to plant at least one tree of
15-gallon size for each 20 feet of frontage of the property along each street to the
extent permitted by existing city regulations in order to comply with Planning
Code Section 143; and

BE IT FURTHER RESOLVED, that the Urban Forest Council urges the
Board of Supervisors to amend the Excavation Code, which is part of the Public
Works Code, to allocate fees from Rule 20A for the Department of Public Works
to do the necessary review and enforcement of the placement of utilities; and

BE IT FURTHER RESOLVED, That the Urban Forest Council
recommends that the Board of Supervisors adopt the companion Ordinance to
preserve San Francisco's tree planting sites in the public right-of-way.

I hereby certify that the foregoing Resolution was ADOPTED by the Urban
Forest Council on October 26th, 2004.

Emily Rogers, Commission Secretary

Vote: Approved

Ayes: C. Blair, L. Costello, K. Cornell, S. Griswold, J. Herman, T. Milne, A.
Rodgers, P. Sacamano, M. Sullivan, and F. Vietor

Noes: None
Absent: J. Carrasco, J. Campos, D. Lakshminarayanan