

1 [Urban Forestry Ordinance Revisions]

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3 **Resolution supporting Ordinance: “Public Works Code- significant trees, landmark**
4 **trees, and penalties for violation (File: 050689)” and recommending clarification of**
5 **Ordinance components and additional consideration of responsibilities.**

6
7 WHEREAS, Trees that have: historic or cultural importance, contribute in an
8 exceptional way to the visual character of neighborhoods, or provide important environmental
9 benefits have a special value and meaning to the community; and,

10 WHEREAS, Trees that have special value and meaning to the community have been
11 designated as landmark trees in other cities; and,

12 WHEREAS, San Francisco’s current tree ordinance acknowledges landmark trees
13 (Article 16, section 810); and,

14 WHEREAS, San Francisco’s existing landmark tree ordinance can be strengthened
15 through a more comprehensive designation process, increased community awareness;
16 enforcement, and expansion of jurisdiction to include private property; and,

17 WHEREAS, The Urban Forest Council supports and applauds legislation that would
18 designate and protect landmark trees;

19 WHEREAS, Supervisor Chris Daly has introduced an **Ordinance (“Public Works**
20 **Code- significant trees, landmark trees, and penalties for violation (File: 050689)”** to
21 protect trees in the categories of landmark and significant; and,

22 WHEREAS, The Urban Forest Council seeks to clarify the parameters and criteria for
23 this legislation;

1 NOW THEREFORE BE IT RESOLVED, That the Urban Forest Council endorses the
2 following components of the proposed Significant Tree Ordinance: Hazard Tree amendment
3 (Sections 802, 806, 809), Tree Advisory Board amendment (Sections 802, 803), Landmark
4 Trees (Section 810); and be it

5 FURTHER RESOLVED, That the Urban Forest Council (recommends that the Board of
6 Supervisors) requests clarification on components of the proposed Ordinance including the
7 staffing and budget requirements necessary for enforcement and the public nomination
8 process for landmark trees; and be it

9 FURTHER RESOLVED, That the Urban Forest Council recommends strengthening the
10 penalties for injury or removal of any landmark tree to the tree's replacement value or
11 diminishment of the tree's value based on Council of Tree and Landscape Appraiser
12 guidelines; and be it,

13 FURTHER RESOLVED, That the Urban Forest Council will provide additional criteria
14 for the evaluation and nomination of landmark trees and accept public comment; and be it,

15 FURTHER RESOLVED, That the Urban Forest Council recommends that the draft
16 legislation be amended such that the review and recommendation of landmark tree
17 nominations becomes the responsibility of the Urban Forest Council with its scheduled
18 meetings providing a forum for this process; and be it,

19 FURTHER RESOLVED, Any lines in the Ordinance that state "any person seeking to
20 have a tree designated as a landmark must pay all costs related to the Board of Supervisors
21 hearing" be rescinded throughout the legislation; and be it

22 FURTHER RESOLVED, Landmark trees shall be determined as prescribed,
23 considering the five factors that are listed under Sec. 810(A)(d). Significant Trees shall have
24 a nomination process that goes before the Urban Forest Council, which makes a
25

1 recommendation to the Director of Public Works. (Appealable to the Board of Permit
2 Appeals.) The criteria and characteristics for this determination shall be public benefit and
3 public view trunk diameter, canopy and height. Additional recommendations for Section 810A
4 would be to (1) combine one category to simplify the code, i.e. Landmark significant trees; (2)
5 bring the intangible characteristics to a higher level making those items equal with tangible
6 sizes; (3) nomination of a tree on private property requires 3 parties if the property owner(s)
7 are opposed to the nomination; (4) the process requires nomination rather than automatic
8 designation; (5) make the size requirements greater; (6) encourage language that leaves
9 room for the requirements to broaden over time; and (7) to incorporate amendments to the
10 Significant Tree portion, Section 810A as recommended by the Urban Forest Council and in
11 the work done by others.

12 *I hereby certify that this resolution was adopted by the Urban Forest Council at its Special*
13 *Meeting on July 22, 2005.*

14 

15 Monica Fish
16 Commission Secretary

17 VOTE: Adopted (9-0) 5 Absent; 1 Abstain

18 AYES: Members Griswold, Quirke, Boss, Cohen, Miller, Milne, Blair, Herman, and Sacamano

19 NOES: None

20 ABSENT: Cornell, Costello, Fisher, Rodgers, and Sullivan

21
22 ABSTAIN: Member Grisso. The Council unanimously adopted a Motion to allow Member Grisso to
23 Abstain from the vote.

