

1 [Landmark tree designation of holly at 733 27<sup>th</sup> Avenue.]

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3 **Ordinance designating the holly at 733 27<sup>th</sup> Avenue (Assessor's Block 1617, Lot 003) as**  
4 **a landmark tree pursuant to Public Works Code Section 810, making findings**  
5 **supporting the designation, and requesting official acts in furtherance of the landmark**  
6 **tree designation.**

7 Note: Additions are single-underline italics Times New Roman;  
8 deletions are ~~strikethrough italics Times New Roman~~.  
9 Board amendment additions are double underlined.  
Board amendment deletions are ~~strikethrough normal~~.

10 Be it ordained by the People of the City and County of San Francisco:

11 Section 1. Findings.

12 (a) Public Works Code Section 810 establishes a procedure for the nomination,  
13 designation, and removal of landmark trees.

14 (b) Supervisor McGoldrick introduced a resolution of intent to nominate the holly (*Ilex*  
15 *altaclarensis*) located at 733 27<sup>th</sup> Avenue (Assessor's Block 1617, Lot 003) for landmark tree  
16 status on November 6, 2006. The Board of Supervisors adopted this nomination in Resolution  
17 No. 12-07. A copy of this Resolution is on file with the Clerk of the Board of Supervisors in  
18 File No. 061530 and is incorporated herein by reference.

19 (c) Neighborhood residents have expressed support for conferring landmark status on  
20 this tree.

21 (d) The Board of Supervisors adopted landmark tree designation criteria in Resolution  
22 No. 440-06. A copy of this Resolution is on file with the Clerk of the Board of Supervisors in  
23 File No. 060487 and is incorporated herein by reference.

24 (e) On February 27, 2007, the Urban Forestry Council held a duly noticed public  
25 hearing to consider the nomination of the subject tree for landmark designation status. At this

1 hearing, the Council was unable to affirmatively recommend or reject landmark status for this  
2 tree. In accordance with Public Works Code Section 810(b)(3), the Council's inability to act  
3 within 90 days of receiving the nomination request resulted in the landmark nomination  
4 request being deemed approved without findings on the subject tree.

5 (f) Pursuant to Public Works Code Section 810(b)(4), if the Urban Forestry Council  
6 does not issue findings within the specified time limits, the Board of Supervisors shall adopt its  
7 own findings in order to designate the nominated tree for landmark status. Consequently, the  
8 Board adopts herein its own findings as set forth below and based on documents on file with  
9 the Clerk of the Board of Supervisors in File No. \_\_\_\_\_ and as part of Board of  
10 Supervisors Resolution No. 12-07, File No. 061530. These documents include, but are not  
11 limited to, an arborist report from Mr. Leggitt, III, dated December 12, 2006, Urban Forestry  
12 Council staff findings concerning the subject tree's compliance with landmark tree designation  
13 criteria, a petition from interested neighbors, and various pictures of the subject tree. The  
14 documents in Clerk of the Board of Supervisors File Nos. 061530 and \_\_\_\_\_ are  
15 incorporated herein by reference.

- 16 (1) Low tree density: This tree is in a low tree density area;
- 17 (2) Important wildlife habitat: The tree has observed and potential habitat for  
18 wildlife shelter and/or food;
- 19 (3) Interdependent group of trees: This is a male Holly tree. Nearby female  
20 Holly trees rely on the subject tree as a pollen source to produce their red  
21 berries so removal of the subject tree may have an adverse impact on these  
22 adjacent trees;
- 23 (4) Historical association: This tree may have historical association with the  
24 neighborhood;
- 25

- 1 (5) Neighborhood appreciation: Community members signed a petition  
2 supporting landmark designation;  
3 (6) Prominent landscape feature: The tree is prominent and visually beautiful;  
4 (7) Extends between multiple properties: High visibility, multiple neighbors  
5 share an visual appreciation of the tree.

6 Section 2. Landmark Tree Designation. (a) Based on the abovementioned findings,  
7 the Board of Supervisors, pursuant to Public Works Code Section 810, designates the holly  
8 (*Ilex alba*) located at 733 27<sup>th</sup> Avenue (Assessor's Block 1617, Lot 003) as a  
9 landmark tree.

10 (b) The Board of Supervisors directs the Department of Public Works to record the  
11 landmark designation of this tree on the property record of 733 27<sup>th</sup> Avenue and list the tree in  
12 the Department's Official Book of Landmark Trees.

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14 APPROVED AS TO FORM:  
15 DENNIS J. HERRERA, City Attorney

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17 By: \_\_\_\_\_  
18 John D. Malamut  
19 Deputy City Attorney

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