

1 [Approval of 90-Day Extension for Urban Forestry Council Review of Landmark Tree
2 Designation - 46A Cook Street]

3 **Resolution extending by 90 days the landmark tree designation review period by the**
4 **Urban Forestry Council for a Norfolk Island Pine at 46A Cook Street (Assessor's Block**
5 **No. 1067, Lot No. 032) in accordance with Public Works Code, Section 810(d), and**
6 **referring the matter back to the Urban Forestry Council for further review.**

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8 WHEREAS, The Board of Supervisors adopted Ordinance No. 17-06, which amended
9 the Urban Forestry Ordinance, Public Works Code, Sections 801, et seq., concerning
10 landmarks and significant trees; and

11 WHEREAS, A copy of said ordinance is on file with the Clerk of the Board of
12 Supervisors in File No. 051458 and is incorporated herein by reference; and

13 WHEREAS, As part of this implementation of Ordinance No. 17-06, the Urban Forestry
14 Council, after duly noticed public hearings, developed criteria and procedures for the
15 designation and removal of landmark trees and recommended that the Board of Supervisors
16 adopt such criteria and procedures; and

17 WHEREAS, Said criteria and procedures were subsequently adopted by Resolution
18 No. 440-06 which is on file with the Clerk of the Board of Supervisors in File No. 060487 and
19 is incorporated herein by reference; and

20 WHEREAS, On July 2, 2015, Planning Commission initiated landmark proceedings at
21 the request of Commissioner Dennis Richards by adopting Resolution No. 19404 for one
22 Norfolk Island Pine (*Araucaria heterophylla*), located at 46A Cook Street, Assessor's Block
23 1067, Lot 032 and; and

24 WHEREAS, The Planning Commission acknowledged the temporary designation of
25 such tree for landmark tree status pursuant to Public Works Code, Section 810(d), and

1 directed the Commission Secretary to forward the Resolution and accompanying documents
2 contained in the file to the Urban Forestry Council and urged the Urban Forestry Council to
3 expeditiously complete the landmark tree designation review for the subject tree; and

4 WHEREAS, On August 6, 2015, the Urban Forestry Council held a public hearing on
5 the landmark tree designation review for the subject tree but continued the matter to October
6 27, 2015, stating that they did not have enough information and needed further historical and
7 species clarification; and

8 WHEREAS, On October 27, 2015, the Urban Forestry Council held a public hearing on
9 the landmark tree designation review for the subject tree and after a motion was made to
10 nominate the tree for landmark status, the nomination failed in a 5-5 vote and instead was
11 referred to the Board of Supervisors without recommendation pursuant to criteria and
12 procedures for designation and removal of landmark trees adopted in Resolution No. 440-06;
13 and

14 WHEREAS, Public Works Code, Section 810(d), provides that once a tree is
15 nominated for landmark status the subject tree is temporarily designated as a landmark tree
16 for 215 days so that the tree is protected while the designation proceedings are pending; and

17 WHEREAS, Once this 215-day temporary designation terminates, the tree loses its
18 temporary landmark protection status; however Section 810(d) allows the Board of
19 Supervisors via resolution to extend the protections of temporary designation status for an
20 additional 90 days to allow adequate time to consider the pending landmark designation; and

21 WHEREAS, The temporary landmark status for the Norfolk Island Pine (*Araucaria*
22 *heterophylla*), located at 46A Cook Street, Assessor's Block 1067, Lot 032, expires on
23 February 1, 2016 and the Board of Supervisors does not have adequate information to
24 landmark said tree at this time; now, therefore, be it

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1 RESOLVED, That the Board, in accordance with Public Works Code, Section 810(d),
2 extends temporary landmark designation status for the Norfolk Island Pine (*Araucaria*
3 *heterophylla*), located at 46A Cook Street, Assessor's Block 1067, Lot 032, for an additional
4 90 days and refers the matter back to the Urban Forestry Council for further review; and, be it

5 FURTHER RESOLVED, That the Board directs the Department of Public Works to
6 notify the owner of 46A Cook Street (Assessor's Block 1067, Lot 032) of this 90-day extension
7 of temporary designation status and the special permit and approval requirements for
8 maintenance and removal of a landmark tree pursuant to Public Works Code, Section 810.

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