

1 [Landmark Designation Nomination - Tree Located at 3066 Market Street]

2
3 **Resolution of intent initiating the nomination of the Sequoiadendron giganteum tree at**
4 **3066 Market Street for landmark tree status pursuant to Public Works Code, Section**
5 **810(b); acknowledging the temporary designation of such tree pursuant to Public**
6 **Works Code, Section 810(d); and authorizing other official acts in furtherance of this**
7 **Resolution.**

8
9 WHEREAS, The Board of Supervisors adopted Ordinance No. 17-06, which amended
10 the Urban Forestry Ordinance, Public Works Code Sections 801 et seq. concerning landmark
11 and significant trees. 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 this Board of Supervisors
16 adopt such criteria and procedures. Said criteria and procedures were subsequently adopted
17 by Resolution No. 0440-06 which is on file with the Clerk of the Board of Supervisors in File
18 No. 060487 and is incorporated herein by reference; and

19 WHEREAS, Trees provide numerous environmental, social, and economic benefits
20 such as reducing storm water runoff, reducing energy use, improving air quality, increasing
21 property values, shading for tenants, and promoting wildlife habitat; and provide residents with
22 a source of serenity in the inner city; and

23 WHEREAS, The purpose of this resolution shall be to initiate landmarking proceedings
24 for one Sequoiadendron giganteum tree, located on Assessor's Block 2656, Lot No. 020 and
25

1 listed individually below with corresponding photographs on file with the Clerk and referenced
2 herein; and

3 WHEREAS, The tree that is the subject of this resolution satisfies many of the
4 designation criteria in Public Works Code, Section 810(f)(4)(A)-(E), including having
5 prominent and beautiful visual impacts, as well as environmental and economic significance to
6 its surrounding community; now, therefore, be it

7 RESOLVED, This Board, pursuant to the Public Works Code, Section 810(b), hereby
8 adopts this Resolution of intent to initiate a landmark tree nomination for the Sequoiadendron
9 giganteum tree located at 3066 Market Street, Assessor's Block 2656, Lot No. 020; and, be it

10 FURTHER RESOLVED, That this Board requests an independent evaluation of the
11 tree, by a Department of Public Works arborist or independent third party arborist, to report on
12 the condition of the tree, including health and structural stability; and, be it

13 FURTHER RESOLVED, This Board acknowledges the temporary designation of such
14 tree for landmark tree status pursuant to Public Works Code, Section 810(d); and, be it

15 FURTHER RESOLVED, The Board directs the Clerk to forward this Resolution and
16 accompanying documents contained in the file to the Urban Forestry Council, and due to the
17 urgent nature of the situation, to urge the Urban Forestry Council to expeditiously complete
18 the landmark tree designation review for the subject tree; and, be it

19 FURTHER RESOLVED, The Board urges the Director of Public Works to immediately
20 notify the affected property owner of the pending nomination and inform said owner of the
21 special permit and approval requirements for removal of landmark trees under Public Works
22 Code, Section 810(f) if such notification has not yet occurred.



City and County of San Francisco
Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 140127

Date Passed: April 01, 2014

Resolution of intent initiating the nomination of the Sequoiadendron giganteum tree at 3066 Market Street for landmark tree status pursuant to Public Works Code, Section 810(b); acknowledging the temporary designation of such tree pursuant to Public Works Code, Section 810(d); and authorizing other official acts in furtherance of this Resolution.

March 24, 2014 Land Use and Economic Development Committee - RECOMMENDED..

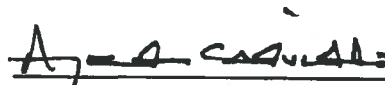
April 01, 2014 Board of Supervisors - ADOPTED

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener and Yee

Excused: 1 - Mar

File No. 140127

I hereby certify that the foregoing Resolution was ADOPTED on 4/1/2014 by the Board of Supervisors of the City and County of San Francisco.


Angela Calvillo
Clerk of the Board


Mayor


Date Approved

SAN FRANCISCO URBAN FORESTRY COUNCIL

Landmark Tree Nomination Form

Disclaimer: Any information you include on this form will be part of the public record. Anyone may request to see the information you submit for a landmark tree nomination. For more legal information, see the last page of this form.

Who can nominate a landmark tree?

- The Board of Supervisors, Planning Commission, and Landmarks Preservation Advisory Board may nominate a tree.
The head of a City department or agency may nominate a tree on property under their jurisdiction. City departments and agencies should conduct an internal approval process before nominating a tree.
A property owner may nominate a tree on his or her property.
A member of the public may ask an authorized nominator to nominate a tree.

Please note that a permit will be required for any future removal of a landmark tree.

Pursuant to Ordinance 0017-06 and Public Works Code 810, the Urban Forestry Council requests the following information.

I am one of the following authorized nominators

- Property owner
Board of Supervisor member
Head of a city department or agency
Planning Commission member
Landmarks Preservation Advisory Board member

Authorized nominator (Supervisor, Planning Commission, Landmarks Advisory Board, Head of City Department, Property Owner):

Member of the public who initiated nomination (if applicable):

Supervisor Scott Wiener
Name
1 Dr. Carlton B. Goodlett Place Room 244
Address
San Francisco, CA 94102
Address
415-554-6968
Phone (day)
Fax #
Scott.Wiener@sfgov.org
Email

Name
Address
Address
Phone (day)
Fax #
Email

I am an authorized nominator and I support this nomination.

I am the property owner and I grant permission for city staff to evaluate the nominated tree on the property with advance notice.

Signature
Date

Signature
Date

The Urban Forestry Council will use the following criteria to evaluate each potential landmark tree. If you need more space to describe the tree, please attach additional sheets.

TREE DESCRIPTION

Tree name (species and common name): Sequoiadendron giganteum Giant Sequoia

Number of trees: 1

Street address: 3066 Market Street, San Francisco 94114

Location of Tree: Front yard Rear yard Side yard Corner-side yard

Public right-of-way Public lands Not sure

Other: _____

If the tree which extends beyond multiple properties:

Which part of the tree does so?

Trunk Canopy

Where in the neighboring area?

Front yard Rear yard Side yard Corner-side yard

GPS units (OPTIONAL): Block 2656, Lot 020

Height approx. 75 feet

Average canopy width approx. 25 feet

Distance from one edge to opposite edge of tree canopy

Circumference at chest level approx. 185 inches

Distance around trunk at 4.5 ft off the ground. <http://www.isa-arbor.com/publications/tree-ord/heritage.aspx>

Circumference at ground level approx. 250 inches

Distance around trunk on the ground where the trunk meets the soil.

Rarity

Rarity: Rare Uncommon Common Other
 Unusual species in San Francisco or other geographic regions.

Comment: _____

Physical

Size: Large Medium Small
 Notable size compared to other trees of the same species in San Francisco.

Comment: Compare with *Sequoiadendron giganteum* at Garfield Square, Treat, 25th and 26th Streets, Several Examples in Mission District.

Age: Significantly advanced age for the species.

Comment: _____

Distinguished form: Yes No
 Tree is an example of good form for its species, has a majestic quality or otherwise unique structure.

Describe: Majestic and unique for the area

Tree condition: Good Poor Hazard
 Consider overall tree health and structure, and whether or not tree poses a hazard

Describe: _____

Historical

Historical Association: Yes None apparent
 Related to a historic or cultural building, site, street, person, event, etc.

Describe nature of appreciation: _____

Profiled in a publication or other media: Yes Unknown
 Tree has received coverage in print, internet, video media, etc. **Attach documentation** if appropriate.
 Describe coverage: _____

Environmental

Prominent landscape feature: Yes No

A striking and outstanding natural feature.

Describe, attach photo if possible: _____ Photo attached. Unique species in neighborhood.

Low tree density: Low Moderate High

Tree exists in a neighborhood with very few trees.

Describe: No other trees of this size and variety.

Interdependent group of trees: Yes No

This tree in an integral member of a group of trees and removing it may have an adverse impact on adjacent trees.

Describe: _____

Visible or Accessible from public right-of-way: Yes No

High visibility and/or accessibility from public property.

Describe: _____

High traffic area: Yes No

Tree is located in an area that has a high volume of vehicle, pedestrian or bike traffic and has a potential traffic calming effect.

Describe: _____

Important wildlife habitat: Yes No

Species has a known relationship with a particular local wildlife species or it provides food, shelter, or nesting to specific known wildlife individuals.

Describe: Home to various species such as ravens, hawks, squirrels, songbirds.

Erosion control: Yes No

Tree prevents soil erosion.

Describe: Down-slope building is below grade.

Wind or sound barrier: Yes No

Tree reduces wind speed or mitigates undesirable noise.

Describe: Reduces traffic noise from Market Street; Mitigates prevailing SW winds

Cultural

Neighborhood appreciation: Yes None apparent

Multiple indicators such as letters of support, petition, outdoor gatherings, celebrations adjacent or related to tree, etc. Attach documentation:

Describe:

Cultural appreciation: Yes None apparent

Particular value to certain cultural or ethnic groups in the city.

Describe nature of appreciation:

Planting contributes to neighborhood character: Yes No

Tree contributes significantly to, or represents, neighborhood aesthetic.

Describe contribution: It is an important part of the open space for block 2656 and reflects the aesthetic of the homes of the area.

Profiled in a publication or other media: Yes Unknown

Tree has received coverage in print, internet, video media, etc. **Attach documentation** if appropriate.

Describe coverage:

Prominent landscape feature: Yes No

A striking and outstanding natural feature.

Describe, attach photo if possible:

Additional comments

This tree could be trimmed to provide the open aesthetic desired by the contractor by a certified arborist instead of being removed permanently

If you have any questions about this form, tree terms or tree concepts, please contact the Urban Forestry Council staff (below). It is acceptable if you cannot provide some of the information requested on this form.

A photograph of the tree must be submitted with this form.

Please attach **optional** supporting documents such as letters, arborist report, etc.

Send to: Urban Forestry Council, c/o Mei Ling Hui, 1455 Market Street, 12th Floor, San Francisco, CA 94103

OR meiling.hui@sfgov.org

Any information you submit will be part of the public record.

The Public Records Act defines a "public record" broadly to include "any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by any state or local agency, regardless of the physical form or characteristics." Govt. Code § 6252(e). The Sunshine Ordinance defines "public information" as the content of "public records" as defined in the Public Records Act. Admin Code § 67.20(b). Pursuant to the Public Records Act and Sunshine Ordinance, this document is a public record and will be available to the public upon request, at the hearing site, at the San Francisco Main Library, and on the Urban Forestry Council's website. Admin Code §§ 8.16, 67.7 (b), and 67.21(a).





Application received date _____	Received by _____
Tree evaluation form _____	UFC recommendation date _____
Board of Supervisors Decision _____	
Landmark Tree # _____	Title recorded date _____



SF Environment

Our home. Our city. Our planet.

A Department of the City and County of San Francisco



EDWIN M. LEE
Mayor

DAVID ASSMANN
Acting Director

**URBAN FORESTRY COUNCIL
LANDMARK TREE AD HOC COMMITTEE SPECIAL MEETING
DRAFT MEETING MINUTES**

**Thursday, May 1, 2014, 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

STAFF: Mei Ling Hui

CITY ATTORNEY: Zachary Porianda

Order of Business

- 1. Call to Order and Roll Call.** The Landmark Tree Committee meeting convened at 4:15 p.m. Present: Members Hillson, Hillan, Kida, Short and Swae. Ms. Hui ascertained quorum and called the agenda items.
- 2. Approval of Minutes of the April 4, 2013 Urban forestry Council Landmark Tree Committee Special Meeting.** Explanatory Document: April 4, 2013 Draft Minutes) (Discussion and Action).

Upon Motion by Member Hillson, second by Member Hillan, the April 4, 2013 Draft Minutes were approved without objection (AYES: Members Hillson, Hillan, Kida, Short and Swae).

- 3. Hearing on Nominations for Landmark Tree Status.** The Landmark Tree Committee will hold a hearing to determine whether the tree nominated at the following location meets the criteria for designation as a landmark tree. (Discussion and Action)

Giant Sequoia (*Sequoiadendron giganteum*), located at 3066 Market Street, Assessor's Block 2656, Lot 020, San Francisco, CA. (Explanatory Documents: Nomination Form, Committee and Staff Evaluation Forms, Tree Images, Arborist Report, Board of Supervisors Resolution)

As Sponsor for the initiation for the landmarking, Andres Power from Supervisor Wiener's Office spoke on how the nomination came about from many phone calls and emails from neighbors from the neighborhood including the neighborhood associations. Mr. Power stated that the Supervisor is supportive of the process and looks forward to the recommendation from the Committee to inform their Office as this moves forward to the Board of Supervisors and then he ceded his time to the neighbors' arborist, Mr. Torrey Young.

Mr. Young, Consulting Arborist, provided a packet which contained his tree assessment report, his curriculum vitae, his outline and notes for his presentation and a chart summarizing the Sponsor's and the four evaluators' responses to the landmarking criteria. He stated that he was present not to advocate for the landmarking of the tree but to present an objective opinion of the condition of the tree. Mr. Young found that there were not any issues with insect or disease with the tree, that the tree had no structural or architectural issues that would make this tree a significant risk, and that the lean appeared to be phototropic due to a eucalyptus tree that was adjacent and removed from a photo he saw and not related to a structural issue. He stated he made the observations from an adjacent property.

Mr. Young is in agreement with Mr. Leggitt, the property owner's arborist's report. Mr. Young states the exception is Mr. Leggitt's statement that although the tree is uncommon and has no detrimental features that it was inappropriate to be designated as a landmark tree.

Mr. Young went into the rich heritage of the tree -- into the history of the development of this country and the world. He quoted some statistics of the number of landmark trees and the fact that there are no giant sequoias with only 3 being conifers. He summarized that he found no detrimental attributes and on the few giant sequoias in San Francisco; and he does not see any reason why it would not be appropriate to be a landmark tree. He asked if there were any questions and there were none.

Ms. Hui gave her Staff Analysis Report. She found the tree to be rare or uncommon and that the Urban Forest Map shows 11 of this species of tree. She stated the map was a user-generated map so not all are confirmed. In addition, she stated the tree is large for a tree in San Francisco; not of significantly advanced age; that it was planted and if we consider that trees were planted only in last 100 to 150 years, this one is of advanced age; it is a nice-looking tree; that no historical information was found after checking with the San Francisco Public Library and she looked for people who had lived in the building before and nothing was found in census data; there was environmental benefit as being large and evergreen; it was visible from the public in an area of moderate tree density; it was not part of an interdependent group of trees; as a backyard tree, there did not appear to be any traffic-calming effect but difficult to quantify; did observe a bird land and rest in the tree but no nests were seen, though possible that pieces of the tree were used for nests; likely provides some wind and sound barrier to the nearby houses; that the tree has some cultural appreciation with neighborhood support for the landmarking of this tree and is a good-looking tree that contributes to the neighborhood character; there was nothing found in print or media about this tree; overall, it is a large tree, in good health and there is neighborhood support. She asked if there were any questions and there was none.

The Property Owner, Mr. Lipton, was not present to give a presentation, nor was there present a representative for Mr. Lipton.

Gary Weiss, President of Corbett Heights Neighbors and member of the Eureka Valley Neighborhood Association, handed out copies of the 96 people who signed a petition in favor of landmarking the tree. Mr. Weiss stated that Mr. Leggitt's report was very accurate but disputes the finding that the species is not well suited for the San Francisco climate and elevation. He made mention of other locations such as the park on 25th & Harrison St. where there are huge ones there. He looked up facts on Wikipedia on where they are grown worldwide which are not at the elevations noted. He felt the tree does not just belong to the person with the tree as much as to the residents around it for the entire block to enjoy as well as the people who drive by, that it helps with the Market St. noise and pollution and that it is gorgeous.

Susan Detweiler of Eureka Valley Neighborhood Association read into the record the association letter signed by Allen Beach-Nelson, President. The letter supports Supervisor Wiener's nomination, lists the many benefits of the tree, refers to the over 90 petitions signed in support of the tree, and mentions the agreement with the previous property owner about retention of the tree and to then support and assist the contractor in his building permit application and the present contractor owner is completing that work. A copy of the letter was in the Committee's packet.

Member Short asked Ms. Detweiler whether the mentioned agreement was formalized in any way or if there was any documentation. Ms. Detweiler deferred to Mark who would be speaking later on that.

Leslie Koelsch of 197 Corbett Avenue, a resident for 37 years, gave a history of the tree as provided in the Committee packet. Ms. Koelsch spoke of the Steinbergs who purchased the house in 1969 and lived there until 1999. Ms. Koelsch found the son in Santa Cruz and he told her the tree was there when he moved in and it was about 15-20 ft. tall at that time. She referred to a letter he wrote about the tree. She said the tree is like a landmark and affords privacy for the adjacent properties. She also looked at city directories and Ancestry.com about the people who lived there from 1948-1958, Hazel Adams Causley and S. Daryl Adams. She mentioned Mr. Adams who worked for the US Forestry Service and gave the relative a sequoia in a gallon bucket. She provided his obituary.

John Koelsch provided 5 glossy photographs of the tree and surroundings and one page of bird images which show the 9 species of birds for which the tree provides an environment. Mr. Koelsch says it is environmentally significant, it softens the neighborhood. He showed views from Market St. and the view taken from Tank Hill as a significant sentinel, how it softens the noise and air pollution.

Nancy Wuerfel stated she was appointed by 3 supervisors and served over 9 years on PROSAC. She spoke about the importance of open space and about large trees that anchor a place in the minds of those who know the area. She stated it is notable and establishes the character of the place and first noticed the tree on her drive down Market St. to get to her City Hall monthly PROSAC meetings. She said the tree can be seen from a very busy upper Market St. She said that the reports which state that the tree is not visible from the public right-of-way are wrong. She stated the tree is already a symbol of the area. She thinks the tree is worthy of landmarking as it provides habitat for wildlife, is loved by the neighbors, provides privacy and beauty in a very dense city and is forever green. She believes that this tree was what the Landmark Ordinance was about when it was crafted.

Ian Berke, residential real estate broker who worked in San Francisco for the past 40 years, stated that he looked at the house when it came up for sale and saw the tree and says "majestic" is not too strong a word. He stated the tree was on the north side of the property and does not shade any part of the house or deck or block views; he was baffled by why anybody and why the contractor would want to cut the tree down. Mr. Berke said the tree adds substantial value to the property, it adds 5% or more to the value of the property. He says if the house is expected to sell for \$2.5 million, the tree could not be worth less than \$125,000. He urged the Committee to protect the tree.

Mark Reiser, member of Corbett Heights Neighbors, 19 year resident, stated that a request was made to the Property Owner to allow their arborist to examine the tree on two occasions from the subject property but were denied. Mr. Reiser said the petition signers were all from the immediate area. Mr. Reiser stated that Mr. Young's measurements with his instruments of DBH (diameter at breast height) and height are both larger than what Mr. Leggitt states in his report. Mr. Reiser spoke on the agreement with the prior developer / contractor and stated that the retention of the tree was marked on the

approved building plans which he distributed to the Committee. He said Mr. Lipton purchased the property and those entitlements.

Chair Hillson spoke about the formation of the cones on the monocious evergreen taking 2 years to form and that it is partially rare but uncommon. She asked the people to look at her pictures and the references to the sources of information on which she based her report in the packet. She stated it was a large tree and directed everyone to the error in her report which calculated the diameter from the circumference of 219 inches and to correct it to 5.8 ft. vs. 2.9 ft. She stated that the tree had distinguished form with a slight lean, was in good condition with no oozing around the roots with no insects, no apparent issues. She referred back to neighbor's previous remarks on historical as she did not find them herself, that the cultural / historical association was with the local Indians and their belief about the Northern Spotted Owl guardian and the sequoias, and the environmental aspects with the size of the tree and water and carbon sequestration. She stated that the tree is in a moderate tree density area with very few large trees anchoring the hillside; it could possibly an interdependent group of trees; visible from many vantage points including from a Muni bus on Corbett; some erosion control function on the slope. She mentions the high traffic area near the fork at Merritt and Market and refers to her photos. She states it was not noisy; measured wind speed with an anemometer and determined it was low with maximum at 6.0 mph that day; contributes to neighborhood character; unknown media publication; species found good for San Francisco Bay Area conditions per Jepson and Sunset in contrast to opinion it is good only in certain elevations in the Sierras; mentioned it is a California native tree; use for house building; logging history of old growth redwood; and that it is a good tree.

Member Hillan stated he was pleased to see a candidate for a landmark tree but was not presently in favor of supporting this tree as a landmark tree. He said he will give his report to show how he went that way. He apologized for not having the report in front of everyone as he stated he sent it in to the wrong address and Mei Ling apologized that there was the wrong address listed on the evaluation forms. Member Hillan informed everyone he turned in his report some time ago but will give what he wrote on it. He stated that with regard to rarity, he saw the tree as between uncommon and common, but not rare as there are plenty of these around town but uncommon in the city, and this tree would not be landmarked based on rarity. He stated that physically, it is small for the species if one has ever visited the General Sherman tree, it is medium for one in San Francisco of that species, as specimens in Garfield Park are specimens that are larger, though medium for the species and large for San Francisco; not significantly advanced in age; has a leader in pyramidal form and has retained this form typical of this species but it is not distinguished in that way in a landmarkable fashion; tree is in good condition, is thrifty, even though lower branches have been removed, it is sound and arborists have established that very clearly and he concurs. Member Hillan states it is not a hazard and is a sound, well-located tree and the lean is inconsequential in terms of its soundness and it is a very stable specimen; historical association not known at the time he prepared his report, he was not aware of any significant association and he appreciates the historical background from Ms. Koelsch and the personal value it has for many but the broad-based historical association, he believes is somewhat narrow; and limited in terms of the public record of the tree. Member Hillan felt that it was not a prominent landscape feature because of its location behind the homes. He said it was visible coming down Market St. and across the way but not prominent. He referred to the photograph which showed the tree with the black arrow pointing to it and he said the necessity of the black arrow to point it out speaks to the fact that it is not prominent. He said it is not to say it is not a fine and handsome specimen. The tree is in the moderate to low tree density in the general area and feels he would like to see more trees like this and it would be a shame to see this tree removed. It is not part of an interdependent group of trees and that it is visible and accessible from the public right-of-way, 'Yes' but not in a landmarkable way; have a lot of traffic on

Market St., not an important wildlife habitat in that there are birds going in and out of the tree but there is not an important nesting pair and is not landmarkable on that basis; it does not serve for erosion control nor a wind and sound barrier. Member Hillan states that certainly after today he sees the neighborhood support for the tree as significant but he does not see that alone would mean the tree is landmarkable. Member Hillan does not see any cultural appreciation with the tree, does not particularly see the tree as contributing to neighborhood character like the palms on Dolores, not in any publication, not a prominent landscape feature in regard to the entire community but for the neighbors in that one locale, not like the Norfolk Island Pine there on Market St. (Member Hillan's time was up but Chair Hillson afforded Member Hillan an additional minute to finish). Member Hillan stated that this nomination was a classic misuse of the Landmark Tree Ordinance, the interest in this tree did not come up until the tree was threatened with removal, and it does not come close to qualifying on its own merits as a landmark tree but that it would be a serious mistake to remove it, and the contractual obligations should be pursued in a legal fashion but this nomination should not come before the Landmark Tree Committee.

Member Kida stated that tree is uncommon, that there are a few in Golden Gate Park and not many in San Francisco, that it is large relative to San Francisco though larger ones exist in the Sierra Nevada, it is of a young age relative to its lifespan, found it had a distinguished form, the trimming had a slight effect since two or three larger branches were removed, stated that the members (Landmark Tree Committee) did not have a lot of time to evaluate the tree and as a certified arborist thought the overall condition of the tree was good, and he looked to see if there was uprooting on the back side of the tree with a lean and he did not see any, and agrees with arborists' reports that it is in good condition, had good taper, not top-heavy nor a candidate for failure eminently; not historical although it has a personal history -- looking for something more historic, an event, to the city -- and nothing was found in the media. Member Kida did see it as a prominent landscape feature and agrees that it would stand out although maybe not a tree everybody in the city will drive to see it; it is in a low tree density area, not part of an interdependent group of trees, noticed some Japanese maples that like shade and might have some effect if the tree is removed but not overall effect; definitely a high traffic area and may help in cutting down the noise but put 'No' on the form because it was not on the traffic side of the right-of-way as the tree but overall traffic in front of that house, he felt it is absolutely is; for important wildlife habitat, likely that squirrels and birds used the tree but did not see a nest maybe due to their possibly being scared by the traffic, and very likely the birds in the photos provided used the tree, did not see any permanent nests in the tree; did not think there was erosion control; felt that there was a wind and sound barrier for the people who lived back there; cultural, it means a lot to the folks in the area so 'Yes'; in general this tree means a lot to folks in San Francisco and California in general aside from what Chair Hillson provided, and it does contribute to character of the neighborhood and believes it is a prominent feature.

Member Swae, comments mainly on the rarity and cultural comments sections of the evaluation form. Member Swae inquired with the Recreation and Parks Department to see what the presence of these trees was like in San Francisco and there are 2 trees in Golden Gate Park, the Liberty Tree, planted by the Daughters of the American Revolution in 1894 in Conservatory Valley and 1 in the Botanical Garden and the 2 giant trees in Garfield Square. While not rare in a scientific sense, it is highly unusual in San Francisco and it is a native California tree that has a distinct range of 260 miles on the western Sierra Nevada and in 3,000 – 9,000 ft. elevation. Member Swae thinks that it is somewhat rare and surprising to see it growing in San Francisco; it provides numerous benefits to many people in the community – not only current property owner, future property owner, surrounding neighbors; have letters of support from neighborhood associations and previous owner letter, the tree has economic and environmental benefits, and a realtor's report that the tree adds substantial value to the property; the Property Owner expressed

concern on the space for backyard use such as a patio but the diagram of the yard and the canopy looks like it takes up only 140 sq. ft. of the backyard so there is significant amount of backyard for future homeowners and it does not really impact light in the backyard or on the roof deck. Member Swae finds it to be an interesting specimen and strongly urged the Committee to consider it for landmark status.

Member Short apologized for not having copies of her report available for the Committee but brought her copy and will make it available for anybody who is interested. The tree is uncommon in San Francisco and not rare, it is medium sized, there are much larger trees like at Garfield Park, not advanced in age for the species, not of a distinguished form but the form is fine and a nice tree with a rather somewhat substantial phototropic lean with an overall condition of very good. Ms. Short expressed concerns that it may show more wind burn as it gets above the rooflines where now it is being somewhat protected by the roofs around it and she has seen this species when they get above the roofline or their protected zone they can be susceptible to wind burn but in its current condition it is in good condition and no structural concerns. Ms. Short also stated that she looked at the root structure, particularly opposite the lean, and did not see any signs of problems so she was in agreement with the arborists' reports on that; as for historical association, she was pleased to hear the personal story of the one-gallon bucket with the sapling from the Sierras which got planted to become this tree but she believes the principle of the historical association is for the city of San Francisco; and Member Short was unaware of it being profiled in any publication or media. She stated that the tree is a prominent landscape feature that is very visible from the surrounding streets, that the area has a relatively high tree density for San Francisco and no question it is a prominent tree in that area; that the tree is not an integral member of a group of trees – interdependent; that it is visible from the right-of-way but not high visibility for most people but for the neighbors it is; it is in a high-traffic area though it does not provide a traffic calming benefit. She stated that it is likely to provide wildlife habitat and is a California native species, is a substantial tree in the landscape and has no question that it is used by many bird species and critters in the area; that it is not providing a huge amount of wind or sound barrier nor erosion control though maybe for localized effect. She said In order for it to provide sound barrier, would need substantial massing. Many neighbors are invested in this tree in re neighborhood appreciation. Member Short stated that cultural appreciation was not apparent but found the historical interesting from Chair Hillson but she thinks more of the Mary Ellen Pleasant trees on Octavia and that cultural role to the city of San Francisco and the many people who came through the Underground Railroad but stated she would like to read more about the Indian history. She said 'No' but stated it does contribute to neighborhood character for the neighbors. The tree is in the backyard and is visible from the surrounding streets but in a localized sense. Member Short mentioned again she is curious about the wind burn as it gets larger. Member Short, like Member Malcolm, feels the tree should remain and that if there is an agreement with the neighbors it should be pursued with the drawings that the Property Owner got as part of the permits. She would like to see a giant sequoia nominated but the purpose of the purpose of the Landmark Tree Ordinance is to attribute landmark status to the most exceptional individual trees of a species or those with really substantial historic or cultural significance so Member Short is not likely to support this landmark nomination.

Member Hillan chimed in to say that it was hard for him to say that with all of the support but from the historical perspective of this Committee there have been many people in the past who have come to the Committee wanting to protect their trees and this one certainly is worthy of protecting but the use of the Landmark Tree Ordinance...(City Attorney Zachary Porianda interjected to caution Committee members to limit discussion to the tree evaluation staff reports until the item for discussion is reached on the agenda.)

Ms. Hui gave her staff rebuttal. She stated that potential removal is not one of the criteria to be considered because it is not the criteria that exists that has been adopted. Ms. Hui urged the Members to consider the tree against the criteria that have been adopted and is part of the code.

Ms. Hui also sensed there was confusion on some of the criteria so she made clarifying statements. For the historical association, Ms. Hui stated that when the Council developed this criteria, it was looking for a specific important person to San Francisco history or general history so the Mary Ellen Pleasant trees are great examples of that -- important historical person or place or something like that. The cultural appreciation is about the tree as it stands in the place who it is important to like with support from the neighborhoods, cultural association of a community groups, non-profits, e.g. Quesada Gardens had a community-building effort that sprang up around those trees so they loom large in the minds of the people who live near there.

Member Hillan continued discussion of his earlier statements. He explained how there have been in the past that trees came to the Committee with the intent to protect them and it is simply not the purpose of the ordinance as it was drafted. He stated the Committee is looking to landmark truly outstanding trees that have landmarkable qualities in perhaps even more than one category and he would like to see all avenues outside this Committee and this ordinance to protect the tree and retain it. Member Hillan stated in concurrence with Mr. Berke that the tree has enormous value to the neighbors and to the Property Owner so he was a little bewildered that it was threatened to begin with. Member Hillan, however, does not see it as this Committee's or this Ordinance's mission to save these and how there would be a long line of people with their neighbor's tree in mind and would misuse the purpose of the Committee. Member Hillan then deferred to Ms. Short on the city's protections in place in the regulations as opposed to landmarking.

Member Short stated that there are no protections for trees on private property if not within 10 feet of the public right-of-way. If the tree is within 10 feet of the public right-of-way, and meet one of any 3 size criteria, they are protected under the Public Works Code and a permit is required before they can be removed. Any tree in the public right-of-way is also protected by the Public Works Code and a permit is required before it can be removed. San Francisco does not have any protections for trees on private property that do not meet those criteria.

Member Hillan asked Member Short then that the neighbors would be reliant on the agreement reached with the Property Owner at the time of purchase to protect that tree. Member Short believed that was the case with the approved plans that show that the tree is to remain. That is something that could be pursued. Member Short is unsure what the Planning Code would say about the tree since that was part of the approved plans and whether there was any enforcement on that side.

Member Swae mentioned that if there was the community input when the drawings were considered and approved, it probably would be considered.

A question arose from an unidentified male about the number of landmarked trees on private property. The guess was about a total of 20 landmark trees, there are 5 to 6 on private property. Member Short mentioned that the Landmark Tree Ordinance initially existed it was for only public trees but it got revised around 2006 or 2007 to allow for private property landmark situations. Ms. Hui stated that since it was codified she believes there are more trees for private property being nominated with probably about 3 for public property nominations.

Member Kida stated he agreed with Malcolm although he does not have the history but he was a little uncomfortable with the way this was brought to the Committee but he tried his best to restrict his evaluation to the tree and he finds it compelling that he finds so many people in this area who deem this tree worthy; and when evaluating trees, it is hard to come up with a scientific criteria to tell the value of the tree and not that it does not matter but that if this tree were put up next to the other trees mentioned it may not stack up but even the historical aspect may not be there and reflect the stature of the tree. Member Kida explained how he visited Plymouth Rock and he was surprised with the small rock but obviously it was something where something important happened.

Member Hillan stated that he appreciates the love from the neighborhood for this tree but his biggest problem was the arborist's report that we have so few conifers, we do not have a *sequoiadendron* and maybe we should have one and it is a nice tree; however, Member Hillan felt that if this was going to be the city of San Francisco's *sequoia giganteum*, it would be a travesty when compared to one planted by the Daughters of the American Revolution, or that in Conservation Valley, or Garfield Park. He said that *that* (emphasis) is landmark; and he would love to see the Supervisor bring one of those trees to the table. Member Hillan says it breaks his heart to sit there and see all these people and say it is not landmarkable. The Committee is not here to protect every tree that comes here.

Ms. Hui stated that the Committee is not to consider the removal of the tree as a result of this action. Ms. Hui reminded Member Hillan about this being outside his scope regardless of the concern in the room.

Chair Hillson mentioned previous landmark trees and that not all have met the criteria as some are common, some do not have historical and yet they are landmarked. She stated that one hardly sees the *sequoia giganteum* on private property due to its size and also trees do come with a bunch of petitions; are not always landmarked due to rarity, on historic reason or size. She also directed the Committee to refer to a chart as yet not mentioned by anybody which was made by the arborist, Mr. Young. The chart showed 4 evaluators' responses to the criteria from the evaluation forms which had been received prior to the Committee meeting. The chart is interesting and helpful in a black-and-white manner to see a lot of 'Yes's and where there is much consensus but it is not all decided that way. Chair Hillson thought it was a landmarkable tree.

Member Swae asked for clarification of the landmark tree process – historical significance, exemplary form, whether species is part of that and the criteria. Ms. Hui explained that there could be confusion regarding the criteria of the code and proceeded to state that there are 5 areas to be considered: rarity, physical attributes, historic, environmental and cultural. She stated each of the sub-questions are to determine if the tree meets each of those five criteria, that the tree does not have to exhibit all the criteria and she was not aware of a tree that has met all the criteria. The purpose was to identify exemplary examples of specimen trees that exhibit these criteria, a criteria, some group of these criteria, in a way that the tree is a credit to trees in San Francisco. Ms. Hui stated that the terms "exceptional," "exemplary" are the terms to be thinking about when talking about landmarking trees. Ms. Hui reminded Member Hillan to that they were at the meeting when they discussed and re-did the criteria most recently and those were the words used, and that it was the Committee that is to decide whether the specimen is an exemplary specimen based on the criteria that are established only. Ms. Hui also stated that these trees are the most protected trees in the city, that Ms. Short (DPW) looks over them to make sure they are safe, and a law is written to protect each tree under threat of even jail time for harming these trees so it is a serious thing to landmark a tree.

Member Hillan asked and stated that the owner was not present at the meeting. Ms. Hui stated that she spoke with him and is aware of the meeting, mailed the notice and emailed him and was surprised given the notification and thought he was attending. Member Hillan stated he was just clarifying this.

Ms. Hui explained what the outcomes of the vote would mean. She stated that 3 votes are needed for a quorum and that a split vote of 2-2 would not happen. Whatever decision comes from this Committee will go to the full Council for consideration and it will take the final vote to send to the Supervisor's Office. Chair Hillson moved to landmark the tree, second by Member Kida.

Roll call vote to landmark the tree was taken -- AYES: Hillson, Kida, Swae; NAYES: Hillan, Short. Motion passed to send the recommendation to the full Council to landmark the tree. This matter will be heard before the full Council meeting on Friday, May 23, 2014, 8:30 a.m. in Room 400, City Hall.

Committee Members and public were asked to retain copies of the materials for the next meeting.

- 4. New Business / Future Agenda Items.** (Information and Discussion). The Committee thought about previous topic identifying landmark tree with markers – could be held at the call of the Chair or the next meeting. Members in the past thought about marking landmark trees and this could be added as an agenda item for the next meeting, to keep this topic alive. There is interest to identify the trees also not necessarily with markers. Questions on sabotage of trees that are marked arose and Member Short stated she never heard of heritage or landmark trees to be targeted.

Chair Hillson also asked about DPW Code in Chapter 16 Section 811 for penalties for landmark trees as being around maybe \$100. Member Short stated that DPW uses administrative penalties and can fine for the value of the tree if it is known; and in order to do an appraisal of the tree, there must be sufficient information prior to the illegal destruction or illegal pruning or removal and there is in many cases not enough information for the height, DBH, quality of the wood, quality of the canopy, etc. but in some cases there is that information due to the tree having been examined prior to removal so in those cases they fine for the value of the tree. Landmark trees would have sufficient information to fine for the value of the trees because they have been examined and have sufficient information to fine for the value unlike regular street trees without that information. Ms. Short stated that for landmark trees, the fine would be very high and jail time exists.

- 5. Public Comment:** Members of the public may address the Committee on matters that are within the Committee's jurisdiction and are not on today's agenda. There were no members of the public present at this time.
- 6. Adjournment.** The Landmark Tree Committee meeting adjourned at 5:43 p.m.

Minutes written and submitted by Chair Hillson.

Copies of explanatory documents are available to the public at (1) the Department of Environment, 1455 Market Street, Suite 1200, San Francisco, California 94103 between the hours of 9 a.m. and 5 p.m., (2) or may be available at the Landmark Tree Committee Meeting website <http://www.sfenvironment.org/about/taskforce/urban-forestry-council/agendas> posted with each agenda or meeting minutes, or 3) upon request to the Council Secretary at the above address, telephone number 415-355-3709, or via e-mail at Monica.Fish@sfgov.org. Audio recordings of all meetings can be accessed at the following website <https://sites.google.com/a/sfenvironment.org/commission/urban-forestry-council/urban-forestry-council-and-committee-meeting-audios>.

**Findings Summary Report of May 1, 2014 LTC Meeting
Giant Sequoia (*Sequoiadendron giganteum*) at 3066 Market St. (Block 2656, Lot 020)
for May 23, 2014 full UFC Meeting**

Respectfully submitted by
Rose Hillson, Chair, Landmark Tree Committee of the Urban Forestry Council

Mr. Andres Power of Supervisor Wiener's Office stated that many calls and emails prompted the nomination of the sequoia and that the Supervisor was supportive of the process to inform their Office.

The LTC moved with a vote of 3 – 2 in favor of forwarding a recommendation to landmark the Giant Sequoia tree to the full Council.

To evaluate landmark designation for the tree, the LTC members were instructed to focus on 5 main criteria categories:

- 1) RARITY;
- 2) PHYSICAL ATTRIBUTES (size, age, distinguished form, tree condition);
- 3) HISTORICAL (historical association, profiled in a publication or other media);
- 4) ENVIRONMENTAL (prominent landscape feature, low tree density, interdependent group of trees, visible or accessible from public right-of-way, high traffic area, important wildlife habitat, erosion control, wind or sound barrier);
- 5) CULTURAL (neighborhood appreciation, cultural appreciation, planting contributes to neighborhood character, profiled in a publication or other media, prominent landscape feature).

These criteria are what are within the purview of the LTC and the full UFC to make the decision when deciding on the recommendation to landmark the tree.

Among other findings, the LTC found the specimen satisfies the following landmark tree criteria:

- It is an uncommon tree
- It is a large tree for San Francisco with 42-inch DBH
- It is a prominent landscape feature
- It provides habitat for numerous wildlife
- It is visible from various public right-of-ways
- It is in good condition as found by both property owner's and neighbors' arborists
- It has neighborhood appreciation as evidenced by over 90 signatures on petitions
- It contributes to neighborhood character

NOTE: Issues were brought up which were outside of the criteria scope above. LTC members were reminded to consider only the 5 criteria to landmark a tree.

Informational background ("detailed narrative" & "table summary") which formed basis of findings are in the Addendum to this Summary Section. As well, refer to LTC meeting explanatory documents.

ADDENDUM TO SUMMARY

BACKGROUND – “DETAILED” NARRATIVE SUMMARY:

ARBORISTS' evaluation reports (Mr. Torrey Young for neighbors + Mr. Roy Leggitt for property owner):

- ordinary nice tree, uncommon around town, not rare (Leggitt)
- not more than 50 yrs. old (Leggitt)
- no issues with insect or disease (Young), flagging but not likely to be fatal (Leggitt), no uprooting (Leggitt), root crown undisturbed (Young)
- 42” diameter at 54” dbh, 53 ft. tall, 21 ft. canopy at widest (Young); 30” diameter, 40 ft. tall, 30 ft. spread (Leggitt)
- no structural or architectural issues to pose a significant risk (Young)
- lean of 20 degrees (Leggitt); lean of 16 degrees upper, 0 degrees lower + lean appeared to be phototropic (Young)
- tree species has history in native range, the U.S. and the world (Young)

-
- RARITY: rare or uncommon, uncommon to common, uncommon threatened status, uncommon and somewhat rare in San Francisco, uncommon → UNCOMMON
 - PHYSICAL (Size): large for San Francisco, small tree for species, medium for San Francisco, large for San Francisco, medium, Mr. Young's measurements of the tree with instruments was larger than Mr. Leggitt's → LARGE
 - PHYSICAL (Age): not significantly of advanced age, although relatively old for treeless landscape history for SF; not significantly advanced in age; not advanced in age for species
 - PHYSICAL (Distinguished form): typical pyramidal form but not distinguished, good taper, not distinguished form, distinguished form with lean, form fine but not distinguished
 - PHYSICAL (Tree condition): In good health, good tree condition, sound tree, good condition overall, good root structure, no uprooting → GOOD
 - ENVIRONMENTAL: environmental benefit being evergreen and large, environmental benefit with water and carbon sequestration
 - ENVIRONMENTAL (Prominent landscape feature): not prominent since backyard tree, prominent to immediate neighborhood, prominent landscape feature → PROMINENT
 - ENVIRONMENTAL (Low tree density): in area of moderate tree density, low tree density, moderate to low tree density area
 - ENVIRONMENTAL (Interdependent group of trees): Possible interdependent group of trees, not part of an interdependent group of trees, may effect some Japanese maples near it if removed
 - ENVIRONMENTAL (Visible or accessible from public right-of-way): visible from the public, visible from various public right-of-ways, visible from public right of way but not high visibility and visible from surrounding streets in a localized sense → VISIBLE
 - ENVIRONMENTAL (High traffic area, potential traffic calming effect): high traffic area, not immediately in front of house but overall traffic in front is high traffic area, high traffic area but does not provide a traffic calming effect

Summary of May 1, 2014 LTC Meeting

Members' evaluations of *Sequoiadendron giganteum* at 3066 Market St. (Block 2656, Lot 020)

Presented at May 23, 2014 full UFC Meeting – Rose Hillson

- ENVIRONMENTAL (Important wildlife habitat): Many species of birds seen in the tree, provides habitat for wildlife, not important wildlife habitat, likely provides wildlife habitat and does not question use by many birds and critters as a substantial tree → HABITAT FOR WILDLIFE
- ENVIRONMENTAL (Erosion control): erosion control, no erosion control
- ENVIRONMENTAL (Wind or sound barrier): wind and sound barrier, wind or sound barrier for nearby homes, not wind or sound barrier, not a huge amount of sound or wind barrier
- CULTURAL (Neighborhood appreciation): cultural appreciation with neighborhood support; 96 petitions filed in favor of landmarking the tree and shows the love for the tree; clear neighborhood support; letters of support from neighborhood associations, petitions → NEIGHBORHOOD APPRECIATION
- CULTURAL (Cultural appreciation): cultural / historical local native American connection w/ Northern Spotted Owl guardian; wood used in buildings of early days of SF; no cultural appreciation
- CULTURAL (Planting contributes to neighborhood character): Good-looking tree that contributes to neighborhood character, tree belongs to the entire block and not just to the person with the tree, tree affords a sense of place due to its prominence and as already a symbol of the area, not contribute to neighborhood character → NEIGHBORHOOD CHARACTER
- HISTORICAL (Historical association): history of tree as sapling from the Sierras from prior owners of 3066 Market, no historical association except for what neighbors report, no historical association to the City (see CULTURAL also for local native American and early SF building use)
- HISTORICAL (Profiled in a publication or other media): Nothing in media or print on it

See Page 4 for “DETAILED” TABLE SUMMARY.

Summary of May 1, 2014 LTC Meeting
 Members' evaluations of *Sequoiadendron giganteum* at 3066 Market St. (Block 2656, Lot 020)
 Presented at May 23, 2014 full UFC Meeting – Rose Hillson

BACKGROUND – “DETAILED” TABLE SUMMARY:

SUMMARY OF NOMINATOR / EVALUATOR RESPONSES for Giant Redwood at 3066 Market St.									
Nominator / Evaluator	WIENER	HILLSON	HILLAN	HUI	KIDA	SHORT	SWAE		
*** RARITY ***	rare	partially rare--uncommon	uncommon-common	rare or uncommon	uncommon	uncommon	partially rare-uncommon		
*** PHYSICAL ***									
Size	large	large	small for species; medium for SF	large	Large for SF	medium	No comment		
Advanced age for species	No comment	No	No	Yes and No	No	No	No comment		
Distinguished Form	Yes	Yes	No	Yes	Yes	No	No comment		
Condition	Good	Good	Good	Good	Good	Good	No comment		
*** HISTORICAL ***									
Historical association	No	native Americans, early SF bldgs, logging	No	No	No	No not to SF	No comment		
Media or print	unknown	unknown	unknown	unknown	unknown	unknown	No comment		
Prominent landscape feature	Yes	Yes	No	Yes	Yes	Yes	No comment		
Low tree density	moderate	low-moderate	low	moderate	low	relatively high	No comment		
Interdepn't group of trees	No	Yes and No	No	No	No	No	No comment		
Visible/access. fr/ Public ROW	No	Yes	Yes (oral), No(written)	Yes	Yes	Yes	No comment		
High traffic area	No	Yes and No	Yes	No	No ("Yes on other side")	Yes but not traffic calming	No comment		
Important wildlife habitat	Yes	Yes	No	No	Yes(oral) No (written)	Yes	has environmental benefits		
Erosion control	Yes	Yes	No	No	No	No	No comment		
Wind or sound barrier	Yes	No	No (oral), Yes (written)	Yes	Yes	No	No comment		
*** CULTURAL ***									
Neighborhood appreciation	Yes	Yes	Yes	Yes	Yes	Yes	Yes-letters of support		
Cultural appreciation	None apparent	None apparent	None apparent	some(oral) None apparent (rpt)	None apparent	None apparent	Yes		
Contribution to ngrhnd character	Yes	Yes	No	Yes	Yes	Yes	No comment		