

1 [Extending review time for landmark tree designation at 730 28th Avenue.]

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3 **Resolution extending the landmark tree designation review period for a California**
4 **buckeye at 730 28th Avenue (Assessor's Block 1617, Lot 030) for an additional 90 days**
5 **in accordance with Public Works Code Section 810(d) and requesting other official acts**
6 **in connection with this extension.**

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8 WHEREAS, Public Works Code Section 810 establishes a procedure for the
9 nomination, designation, and removal of landmark trees; and,

10 WHEREAS, Supervisor McGoldrick introduced a resolution of intent to nominate the
11 California buckeye (*Aesculus californica*) located at 730 28th Avenue (Assessor's Block 1617,
12 Lot 030) for landmark tree status. The Board of Supervisors adopted this nomination in
13 Resolution No. 13-07. A copy of this Resolution is on file with the Clerk of the Board of
14 Supervisors in File No. 061693 and is incorporated herein by reference; and,

15 WHEREAS, The Board of Supervisors adopted landmark tree designation criteria in
16 Resolution No. 440-06. A copy of this Resolution is on file with the Clerk of the Board of
17 Supervisors in File No. 060487 and is incorporated herein by reference; and,

18 WHEREAS, On February 27, 2007, the Urban Forestry Council, at a duly noticed public
19 hearing, adopted Resolution No. 005-07 recommending landmark designation for this tree
20 based on the abovementioned landmark tree designation criteria. A copy of said Resolution is
21 on file with the Clerk of the Board of Supervisors in File No. _____ and is
22 incorporated herein by reference; and,

23 WHEREAS, The Urban Forestry Council determined that this tree satisfies the criteria
24 as delineated in the City's landmark tree designation criteria; and,

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1 WHEREAS, The Public Works Code Section 810(d) provides that once a tree is
2 nominated for landmark status the subject tree is temporarily designated as a landmark tree
3 for 180 days so that the tree is protected while the designation proceedings are pending.
4 Once this 180-day temporary designation terminates, the tree loses its temporary landmark
5 protection status; however, Section 810(d) allows the Board of Supervisors via resolution to
6 extend the protections of temporary designation status for an additional 90 days to allow
7 adequate time to consider the pending landmark designation; and,

8 WHEREAS, Due to scheduling and other factors, the Board is concerned that
9 temporary landmark designation status for the subject tree may lapse prior to final Board
10 action on landmark designation for the subject California buckeye and such an occurrence is
11 not in the public interest; now, therefore, be it

12 RESOLVED, The Board, in accordance with Public Works Code Section 810(d),
13 extends temporary landmark designation status for the California buckeye (*Aesculus*
14 *californica*) located at 730 28th Avenue (Assessor's Block 1617, Lot 030) for an additional 90
15 days or until action on the landmark tree designation status is final and effective, whichever
16 first occurs; and, be it

17 FURTHER RESOLVED, The Board directs the Department of Public Works to notify
18 the owner of 730 28th Avenue (Assessor's Block 1617, Lot 030) of this 90-day extension of
19 temporary designation status and the special permit and approval requirements for
20 maintenance and removal of a landmark tree pursuant to Public Works Code Section 810.

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