

1 [Public Works, Administrative, Planning, Business and Tax Regulations Codes - Street Tree
2 Standards, Appeals, Urban Forestry Program, and Adopt-A-Tree Fund]

3
4 **Ordinance amending the Public Works Code to allow development projects to satisfy**
5 **street tree planting requirements through payment of an in lieu fee or providing**
6 **alternative landscaping; exempt accessory dwelling units from street tree planting**
7 **requirements; eliminate appeals to the Board of Appeals and the Director of the**
8 **Department of Public Works for hazardous tree removals undertaken by City**
9 **departments and commissions; amending the Administrative Code to specify a**
10 **separate account within the Adopt-A-Tree Fund to receive in lieu fees for street tree**
11 **requirements; amending the Planning Code to update street tree applicability**
12 **requirements; amending the Business and Tax Regulations Code to prescribe**
13 **timeframes for the hearing and decision on appeals of certain street tree removals to**
14 **the Board of Appeals; affirming the Planning Department's determination under the**
15 **California Environmental Quality Act; making findings of consistency with the General**
16 **Plan, and the eight priority policies of Planning Code, Section 101.1; and making public**
17 **necessity, convenience, and welfare findings under Planning Code, Section 302.**

18 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
19 **Additions to Codes** are in *single-underline italics Times New Roman font*.
20 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
21 **Board amendment additions** are in double-underlined Arial font.
22 **Board amendment deletions** are in ~~strikethrough Arial font~~.
23 **Asterisks (* * * *)** indicate the omission of unchanged Code
24 subsections or parts of tables.

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

Section 1. Environmental and Land Use Findings.

1 (a) The Planning Department has determined that the actions contemplated in this
2 ordinance comply with the California Environmental Quality Act (California Public Resources
3 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
4 Supervisors in File No. 251211 and is incorporated herein by reference. The Board affirms
5 this determination.

6 (b) On _____, the Planning Commission, in Resolution No. _____,
7 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
8 with the City's General Plan and eight priority policies of Planning Code, Section 101.1. The
9 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
10 the Board of Supervisors in File No. 251211, and is incorporated herein by reference.

11 (c) Pursuant to Planning Code, Section 302, this Board finds that this ordinance will
12 serve the public necessity, convenience, and welfare for the reasons set forth in Planning
13 Commission Resolution No. _____, and incorporates such reasons by this reference
14 thereto. A copy of said resolution is on file with the Clerk of the Board of Supervisors in File
15 No. 251211.

16
17 Section 2. Background and Findings.

18 (a) San Francisco's urban forest creates a more walkable, livable, and sustainable city.
19 Trees and other vegetation clean the air and water, create greener neighborhoods, calm
20 traffic, improve public health, provide wildlife habitat, and absorb greenhouse gases.
21 Annually, the benefits provided by trees in San Francisco are estimated at over \$100 million.
22 However, with just over 125,000 trees, San Francisco's tree canopy—measured by the
23 amount of land covered by trees when viewed from above—is just 13.7%, one of the smallest
24 of any major city in the United States.

25 (b) Article 16 of the Public Works Code—the Urban Forestry Ordinance—seeks to “[t]o

1 promote efficient, cost effective management of the City's urban forest by coordinating public
2 and private efforts within a comprehensive and professional management system.” Private
3 parties planting and maintaining new street trees is a key strategy of the 2014 Urban Forestry
4 Plan, on file with the Clerk of the Board of Supervisors in File No. 141264, and the 2010
5 Better Streets Plan, on file with the Clerk of the Board of Supervisors in File No. 101194. To
6 this end, since 2010, the Public Works Code (previously the Planning Code) has required
7 development applicants to plant one street tree for every 20 feet of lot frontage.

8 (c) Alternatives to street tree planting, which include payment of an in lieu fee or
9 provision of alternative sidewalk landscaping, are currently limited to situations where the
10 Director of Public Works determines that planting a street tree in the required fashion is
11 impossible, impractical, and/or unsafe. The Public Works Code sets the in lieu fee in an
12 amount equal to the Department's cost to plant and water a tree for three years—the period
13 necessary to establish a street tree. The current in lieu fee amount is \$2,590, subject to
14 annual inflation adjustments, as detailed further in the Public Works Fee Study and Street
15 Tree In Lieu Fee Calculation matrix, both of which are on file with the Clerk of the Board of
16 Supervisors in File No. 251211 and incorporated herein by reference. In lieu fees are
17 deposited into the Adopt-A-Tree Fund, proceeds of which are used to fund the Department's
18 planting and maintenance of new street trees.

19 (d) Except for large projects that meet the criteria for Better Streets Plan improvements
20 in Planning Code Section 138.1(c)(2)(A), this ordinance enables certain development projects
21 to satisfy the street tree planting requirements through payment of an in lieu fee, without a
22 finding that tree planting is impossible, impractical, and/or unsafe. In situations where planting
23 the street tree would be impossible, impracticable, and/or unsafe, this ordinance would allow a
24 development application to satisfy the street tree planting requirement by planting alternative
25 sidewalk landscaping, as defined in the ordinance. This ordinance also exempts Accessory

1 Dwelling Units and Junior Accessory Dwelling Units (“ADU/JADU”) from the street tree
2 requirements. By expanding the availability of the in lieu fee option, defining appropriate
3 street tree planting requirements, and exempting ADU/JADUs, this ordinance promotes
4 efficiency and certainty in the development process, one of the key goals of the Permit SF
5 initiative.

6 (e) The City’s current position is that the street tree in lieu fee is not subject to the
7 requirements of the Mitigation Fee Act, Government Code Sections 66000 et seq.
8 Nonetheless, this in lieu fee is supported by the 2021 Citywide Infrastructure Nexus Study,
9 adopted in Ordinance No. 193-23 in Board File No. 230764, which analyzed street tree
10 planting as an element of San Francisco’s sustainable streets infrastructure. The findings of
11 the 2021 Citywide Infrastructure Nexus Study and the accompanying Level of Service
12 Analysis are hereby incorporated by reference. This ordinance does not establish, increase,
13 or impose a fee within the meaning of Government Code Section 66001(a). The in lieu fee in
14 this ordinance remains equal to the Department’s cost of planting and watering a street tree
15 for three years, which bears a reasonable relationship to the impact of the foregone street
16 tree, as detailed further in the Street Tree In Lieu Fee Calculation matrix.

17 (f) This ordinance prescribes timeframes for the hearing and decision by the Board of
18 Appeals on street tree removals undertaken by a City agency, commission, or department.
19 However, in situations where a street tree poses a safety hazard, prompt decisionmaking is
20 necessary to ensure public safety. To that end, this ordinance eliminates the ability for a
21 member of the public to appeal such a hazardous tree removal and thereby delay the removal
22 of the hazard.

23
24 Section 3. Article 16 of the Public Works Code is hereby amended by revising
25 Sections 802, 806, and 807, to read as follows:

1
2 **SEC. 802. DEFINITIONS.**

3 * * * *

4 "In-lieu fee" shall mean a fee imposed and deposited into the Adopt-A-Tree Fund ~~and~~
5 ~~imposed by the Director pursuant to Section 806. The in-lieu fee shall be equal to the replacement~~
6 ~~value of a tree(s) to be removed or trees that have been destroyed or as otherwise specified in Section~~
7 ~~811. In the case of trees required to be planted by Section 805 or 806, yet excused by the Director~~
8 ~~through a waiver or modification, the In-lieu fee shall be equal to the City's cost to plant and water a~~
9 ~~tree for three years. The minimum In-lieu fee shall be \$1,489.00. Beginning with fiscal year 2007-2008,~~
10 ~~this fee shall be reviewed and adjusted each year in accordance with the procedures set forth in Public~~
11 ~~Works Code Section 2.1.2.~~

12 * * * *

13
14 **SEC. 806. PLANTING AND REMOVAL OF STREET TREES.**

15 **(a) Planting and Removal by the Department.**

16 (1) **Planting.** The Department may determine to plant a new climate
17 appropriate Tree(s) in a Sidewalk or public right-of-way. When the Department determines to
18 plant a new Street Tree(s), the Department will undertake Maintenance responsibility for such
19 new Street Tree and shall send a courtesy Notice to the abutting property owner prior to
20 Planting such new Tree. Any objections to the proposed work must be submitted to the
21 Director in writing and postmarked within 30 days after Notice by the Director. The Director
22 shall consider such objections and may hold a hearing, in the Director's discretion. The
23 Director's decision on the matter shall be final and nonappealable.

24 (2) **Removal of Street Trees.** The Department may not cut down or remove a
25 Street Tree, unless 30 days prior to the Removal date, the Department notifies all Interested

1 San Francisco organizations and, to the extent practical, all owners and occupants of
2 properties that are on or across from the block face where the affected Tree is located. In
3 addition, 30 days prior to the Removal date, the Department shall post a notice on the
4 affected Tree. *This subsection (a)(2) shall not apply to Removal of Hazard Trees.*

5 **(3) Appeal of Tree Removal.**

6 (A) If within 30 days after the giving of Notice for Street Tree Removal,
7 as specified in subsection (a)(2), ~~or if within 15 days after the giving of notice for Removal of a~~
8 ~~hazard Street Tree, as specified in Subsection (a)(4),~~ any Person files with the Department written
9 objections to the Removal, the Director shall hold a hearing to consider public testimony
10 concerning the proposed Tree Removal. Written Notice of the date, time, and place of the
11 hearing shall be posted on the affected Tree and the Department's website, provided in a
12 newspaper of general circulation, and sent to the objecting party, the owner of the property
13 abutting the affected Tree, and all Interested San Francisco organizations, not less than
14 seven days prior thereto.

15 (B) The Director shall issue a written decision and order on the
16 objections after the public hearing specified above.

17 (C) The Director's decision shall be final and appealable to the Board of
18 Appeals.

19 **(4) Removal of Hazard Street Trees.**

20 (A) No Hazard Street Tree shall be cut down or removed by the
21 Department unless:

22 (i) The Department gives 15 days' prior written Notice to the
23 owner of the property abutting the affected Tree; and

24 (ii) Fifteen days prior to the Removal date, the Department
25 notifies all Interested San Francisco organizations and, to the extent practical, owners and

1 occupants of properties that are on or across the block face where the affected Tree is
2 located. In addition, 15 days prior to the Removal date, the Department shall post a notice on
3 the affected Tree.

4 (B) The Department's decision on Removal of a Hazard Street Tree shall be
5 final and nonappealable.

6 (C) Hazard Street Tree shall have the same meaning as Hazard Tree in
7 Section 802 except that a Hazard Street Tree is located within the public right-of-way.

8 (5) **Emergency Removal.** In the case of manifest danger and immediate
9 necessity, as determined by the Director, the Department may remove any Street Tree
10 immediately. After such emergency Removal, the Department shall provide Notice of the
11 necessity for such action to the owner of the property abutting the affected Tree, all Interested
12 San Francisco organizations and, to the extent practical, all owners and occupants of
13 properties that are on or across from the block face where the affected Tree was removed.

14 * * * *

15 (c) **Planting and Removal by City Agencies, Commissions, or Other**
16 **Departments.** If a City agency, commission, or department other than the Department of
17 Public Works desires to plant or remove a Street Tree, such agency, commission, or
18 department shall be subject to the provisions of § subsection (b) of this Section 806; provided,
19 however, that for purposes of Street Tree Removal, the notice and procedures for Director's
20 hearings set forth in § subsections (a)(2) and (a)(3) shall apply.

21 (d) **Required Street Trees for Development Projects.** The Director shall require
22 Street Trees for the development projects as set forth in this § subsection (d).

23 (1) **Applicability.** This § subsection (d) shall apply to development projects that
24 involve any of the following except the construction of an Accessory Dwelling Unit and/or Junior
25 Accessory Dwelling Unit, as those terms are defined in Planning Code Section 102:

- 1 (A) the construction of a new building;
- 2 (B) the addition of a dwelling unit;
- 3 (C) the addition of a new curb-cut;
- 4 (D) the addition of a garage; and/or
- 5 (E) a net addition to an existing building of 500 gross square feet or
- 6 more.

7 (2) **Number of Trees Required.** The Director shall require one Street Tree for
8 each 20 feet of Street frontage of the property containing the development project, with any
9 remaining fraction of 10 feet or more of frontage requiring an additional Tree. Any existing
10 Street Trees located within the public right-of-way along such property that have been
11 protected during construction and that the Director does not recommend~~ed~~ for Removal, shall
12 count toward meeting the requirement.

13 (3) **Standards for Required Trees.** New Street Trees that the Director
14 requires to be planted under this Subsection shall:

- 15 (A) be planted within the public right-of-way adjacent to the property
- 16 containing the development project;
- 17 (B) be of a species suitable for the site conditions;
- 18 (C) be a minimum of 24-inch box size;
- 19 (D) have a minimum 1 1/4-inch caliper, measured at 6-inches above
- 20 ground;
- 21 (E) be planted no higher than the adjacent Sidewalk and provide a
- 22 below-grade environment with nutrient-rich soils, free from overly-compacted soils, and
- 23 generally conducive to Tree root development; and
- 24 (F) be watered, maintained, and replaced if necessary by the property
- 25 owner, in accordance with this Article 16, and be in compliance with applicable water use

1 requirements of Administrative Code Chapter 63.

2 (4) Alternatives to New Street Trees ~~Waivers and Modifications. An applicant may~~
3 ~~satisfy some or all of the requirements of subsection (d)(2) The Director may waive or modify the~~
4 ~~number of and/or standards for Street Trees required pursuant to this Ssubsection only~~ as described
5 below:

6 (A) In-Lieu Fee. ~~The Director, in his or her sole discretion, may waive or~~
7 ~~modify the requirements of this subsection when inadequate Sidewalk width or interference with~~
8 ~~driveways, sub-sidewalk basements, or other pre-existing surface, sub-surface, or above-grade features~~
9 ~~render installation of the required Street Tree(s) in the required fashion impossible, impractical, and/or~~
10 ~~unsafe. Except as provided in subsection (d)(4)(A)(i), fFor each required Street Tree that the~~
11 ~~Director waives, the applicant, at his or her choosing, shall either (i) may elect to pay an In-lieu fee.~~
12 ~~The In-lieu fee shall be equal to the City's cost to plant and water a tree for three years. The In-lieu fee~~
13 ~~shall be \$2,590 for Fiscal Year 2025-2026. This fee shall be reviewed and adjusted each year as~~
14 ~~provided in Public Works Code Section 2.1.2. pursuant to Section 802 or (ii) to fulfill all or a portion of~~
15 ~~the requirement, provide alternative landscaping, including but not limited to Sidewalk landscaping, in~~
16 ~~amount comparable to or greater than the number of Street Trees waived; or~~

17 (i) Large Projects. ~~Projects meeting the criteria in Planning Code~~
18 ~~Section 138.1(c)(2)(A)(i) shall be ineligible for the In-lieu fee in subsection (d)(4)(A) unless the~~
19 ~~Director determines that inadequate Sidewalk width or interference with driveways, sub-sidewalk~~
20 ~~basements, or other pre-existing surface, sub-surface, or above-grade features render installation of~~
21 ~~the required Street Tree(s) in the required fashion impossible, impractical, and/or unsafe.~~

22 (B) Alternative Landscaping. ~~Only in those extraordinary and unusual~~
23 ~~circumstances where an applicant successfully demonstrates that an overriding City policy renders the~~
24 ~~Planting of the required Street Tree(s) inappropriate and both the Director and the Director of~~
25 ~~Planning concur, the Director may waive one or more required Street Trees. If the Director determines~~

1 that inadequate Sidewalk width or interference with driveways, sub-sidewalk basements, or other pre-
2 existing surface, sub-surface, or above-grade features render installation of the required Street Tree(s)
3 impossible, impractical, and/or unsafe, ~~F~~for each required Street Tree that the Director waives, the
4 Director, in his or her sole discretion, shall require that the applicant either may elect to (i) pay an In-
5 lieu fee pursuant to Section 802 or (ii) fulfill all or a portion of the requirement by providing
6 alternative landscaping that complies with all of the following: including but not limited to Sidewalk
7 landscaping, in amount comparable to or greater than the number of Street Trees waived.

8 (i) the water use requirements of Chapter 63 of the Administrative Code;

9 (ii) applicable provisions of Public Works Code Section 810B;

10 (iii) a minimum area of 75 square feet of sidewalk landscaping for each
11 required Street Tree that cannot be planted; and

12 (iv) applicable requirements in the Director's Order on Tree Planting
13 (Director's Order No. 187,246) and any successor order.

14 **(5) Administration of the In Lieu Fee.**

15 (A) Deposit. The In-lieu fees collected pursuant to subsection (d)(4) shall be
16 deposited into a separate account within the Adopt-A-Tree fund under Section 10.100-227 of the
17 Administrative Code. All funds therein shall be appropriated to fund the planting and watering of
18 Street Trees in accordance with the law.

19 (B) Collection. If a project applicant elects to pay the In lieu fee in subsection
20 (d)(4) at the time of Development Application, as that term is defined in Planning Code Section 102, the
21 Planning Department shall provide notice to the Department of Building Inspection's Development Fee
22 Collection Unit in accordance with the procedures set forth in Section 402 of the Planning Code. If a
23 project applicant elects to pay the In-lieu fee in subsection (d)(4) after approval of a Development
24 Application, the Department shall provide notice to the Development Fee Collection Unit. The
25 Development Fee Collection Unit shall collect the In-lieu fee in accordance with Section 107A.13 of the

1 San Francisco Building Code.

2
3 **SEC. 807. DEPARTMENT OF PUBLIC WORKS URBAN FORESTRY PROGRAM;**
4 **POWERS AND DUTIES.**

5 * * * *

6 (d) **Authority over Site Development Plans.**

7 (1) The Department shall have the authority to review and comment on site
8 development plan applications received by the City’s Central Permit Bureau that pertain to the
9 planting, alteration, or removal of street trees. The Department shall also have the authority to
10 review and comment on site development plan applications that pertain to the alteration or
11 removal of landmark trees designated pursuant to Section 810(a) of this Article 16 and
12 significant trees pursuant to Section 810A of this Article. Protection of such trees during
13 construction shall be required in accordance with Section 808(c) of this Article. Removal of
14 such trees shall be subject to the applicable rules and procedures for removal set forth in
15 Sections 806, 810, or 810A of this Article.

16 (2) The Department shall transmit annually the amount of the In-lieu fee in Section
17 806(d)(4) to the Planning Department for inclusion on the Development Impact Fee Register. If the
18 Director modifies or waives the requirements of Section 806(d) in accordance with subsection
19 806(d)(4), the Department shall impose an in-lieu fee on the property owner so excused.

20 (3) If an applicant elects to provide alternative landscaping pursuant to Section
21 806(d)(4)(B), the Department shall determine whether the proposed alternative landscaping complies
22 with the required standards.

23 (e) **Public Works Adopt-A-Tree Fund.** Pursuant to Section 10.100-227 of the
24 Administrative Code, the Department shall maintain the Public Works Adopt-A-Tree Fund to
25 enhance the urban forestry program.

1 (f) **In-Lieu Tree Planting Program.** The Department shall develop and implement an
2 ~~*In-Lieu Tree*~~ Planting Program to offset the loss of street trees, significant trees, and landmark
3 trees due to removal, destruction, or death. *The Tree Planting Program shall be funded through:*
4 *(1) fees or penalties assessed pursuant to Section 811 as mitigation for violation of the requirements in*
5 *this Article 16; (2) In-lieu fees paid pursuant to Section 806; and (3) funds from the Tree Adoption*
6 *Program described in subsection (g).* The ~~*In-Lieu Tree*~~ Planting Program also shall compensate for
7 ~~*the loss of Street Trees*~~ required to be planted by Section 806(d) *for which the applicant has*
8 *elected to pay an In-lieu fee. The Department shall use funds from In-lieu fees to plant and water trees*
9 *for three years.* ~~*unless the Director has modified or waived such requirements under subsection*~~
10 ~~*806(d)(4). The Department shall impose an in-lieu fee in accordance with a fee schedule adopted by the*~~
11 ~~*Director where a street tree is destroyed, removed, or is excused from planting where otherwise*~~
12 ~~*required by Section 806(d). The Department also shall assess an in-lieu fee or such other penalty as set*~~
13 ~~*forth in Section 811 as mitigation for violation of the requirements of this Article 16. The Department*~~
14 ~~*shall follow the requirements set forth herein for payment of an in-lieu fee unless it makes written*~~
15 ~~*findings detailing the basis for waiving said requirements. As set forth in Section 811, in lieu fees shall*~~
16 ~~*be deposited in the Public Works Adopt-A-Tree Fund.*~~

17 (g) **Tree Adoption Program.** The Department shall develop and implement a tree
18 adoption program to allow persons to donate money for the purpose of tree planting and
19 maintenance. Money donated to the City and County for the purpose of tree planting and
20 maintenance shall be deposited into the Public Works Adopt-A-Tree Fund.

21
22 Section 4. Chapter 10, Article XIII of the Administrative Code is amended by revising
23 Section 10.100-227, to read as follows:

24
25 **SEC. 10.100-227. PUBLIC WORKS ADOPT-A-TREE FUND.**

1 (a) **Establishment and Use of Fund.** The Public Works Adopt-A-Tree Fund is
2 established as a category eight fund to receive all monetary donations, administrative fees,
3 permit fees, fines, liens, and in-lieu fees pursuant to Article 16 of the Public Works Code
4 which may be offered to or collected by the City and County for the planting and maintenance
5 of trees by the Department of Public Works. Within the Adopt-A-Tree Fund, there shall be a
6 separate account to receive all in lieu fees paid pursuant to Section 806(d)(4)(A) of the Public Works
7 Code and all interest received thereon.

8 (b) **Use of Fund.** The fund shall be expended solely for the purposes of planting and
9 maintaining trees under the jurisdiction of the Department of Public Works. For in lieu fees paid
10 pursuant to Section 806(d)(4)(A) of the Public Works Code, the funds shall be used solely to plant and
11 water trees for three years.

12 (c) **Administration of Fund.** The Department of Public Works shall submit to the
13 Board of Supervisors on a quarterly basis a written report of revenues to and expenditures
14 from the fund.

15
16 Section 5. Article 1.2 of the Planning Code is amended by revising Section 138.1, to
17 read as follows:

18 **SEC. 138.1. STREETScape AND PEDESTRIAN IMPROVEMENTS.**

19 * * * *

20 (c) **Required streetscape and pedestrian improvements.** Development projects
21 shall include streetscape and pedestrian improvements on all publicly accessible right-of-ways
22 directly fronting the property as follows:

23 (1) **Street trees.** Project Sponsors shall plant and establish street trees as set
24 forth in Article 16, Sections 805(a) and 806(d) of the Public Works Code; provided, however,
25 that ~~where~~ a property owner ~~is either (A) adding an Accessory Dwelling Unit pursuant to Section~~

1 ~~207.1 or 207.2 of this Code or (B) legalizing a Dwelling Unit pursuant to Section 207.3 of this Code,~~
2 ~~the owner~~ may elect to:

3 _____ (A) pay the in-lieu fee, as authorized by Section 806(d)(4)(A) 807(f) of the
4 Public Works Code; or,

5 _____ (B) in circumstances where tree planting is impossible, impractical, and/or
6 unsafe, provide alternative sidewalk landscaping, as authorized in Section 806(d)(4)(B) of the Public
7 Works Code.

8 (2) **Other streetscape and pedestrian elements for large projects.**

9 (A) **Application.**

10 (i) In any district, streetscape and pedestrian elements in
11 conformance with the Better Streets Plan shall be required, if the following conditions are
12 present:

13 a. The project is on a lot that is greater than one-half acre
14 in total area; or includes more than 50,000 gross square feet of new construction; or contains
15 150 feet of total lot frontage on one or more publicly-accessible right-of-ways; or its frontage
16 encompasses the entire block face between the nearest two intersections with any other
17 publicly-accessible right-of-way; and

18 b. The project includes new construction of 10 or more Dwelling
19 Units; or new construction of 10,000 gross square feet or greater of non-residential space; or
20 an addition of 20% or more of Gross Floor Area to an existing building; or a Change of Use of
21 10,000 gross square feet or greater of a PDR use to a non-PDR use.

22 * * * *

23
24 Section 6. Article 1 of the Business and Tax Regulations Code is hereby amended by
25 revising Section 8, to read as follows:

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SEC. 8. METHOD OF APPEAL TO THE BOARD OF APPEALS.

* * * *

(e) Appeals shall be taken by filing a notice of appeal with the Board of Appeals and paying to said Board at such time a filing fee as follows:

* * * *

(9) Additional Requirements.

* * * *

(C) Except as otherwise specified in this subsection (e)(9)(C), the Board of Appeals shall fix the time and place of hearing, which shall be not less than 10 nor more than 45 days after the filing of said appeal, and shall act thereon not later than 60 days after such filing or a reasonable time thereafter.

* * * *

(v) In the case of a decision of the Director of the Department of Public Works concerning street tree removal by a City agency, commission, or department pursuant to subsections (a) and/or (c) of Public Works Code Section 806, the Board of Appeals shall set the hearing not less than 15 days after the filing of said appeal, shall act thereon not more than 30 days after such filing, and shall not entertain a motion for rehearing.

* * * *

Section 7. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the "Note" that appears under

1 the official title of the ordinance.

2

3 Section 8. Effective Date. This ordinance shall become effective on the 31st day after
4 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
5 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
6 of Supervisors overrides the Mayor's veto of the ordinance.

7

8

9 APPROVED AS TO FORM:
10 DAVID CHIU, City Attorney

11 By: /s/ Giulia Gualco-Nelson
12 GIULIA GUALCO-NELSON
Deputy City Attorney

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4912-6302-0985, v. 1

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