

1 [Urban Forestry Council]

2 **Ordinance amending the San Francisco Administrative Code Chapter 5 by adding**
3 **Article XXIII to create an Urban Forestry Council and to delineate powers and duties for**
4 **such Council.**

5 Note: This entire section is new.
6 Board amendment additions are double underlined.
7 Board amendment deletions are ~~strikethrough normal~~.

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

9 Section 1. **FINDINGS.** The Board of Supervisors hereby finds as follows:

10 (a) Trees are a vital resource of San Francisco's urban ecosystem. As such, they
11 provide to city residents and visitors alike a range of environmental and socioeconomic
12 benefits. These benefits include:

- 13 (1) Reduction in storm water runoff and the need to expand storm drainage
- 14 systems;
- 15 (2) Beautification;
- 16 (3) Removal of airborne pollutants;
- 17 (4) Noise reduction and visual enhancement uses;
- 18 (5) Reduction in building energy consumption for heating through trees' ability
- 19 to block winds and for cooling through shade and lowering of air temperature;
- 20 (6) Creation of wildlife habitat;
- 21 (7) Enhancement of San Francisco's unique environment and landscape; and
- 22 (8) Increased property values.

23 (b) As described in Friends of the Urban Forest's State of the Urban Forest – Draft
24 Report (HortScience), tree management in San Francisco faces particular challenges. In
25 particular, the report notes the fragmented nature of the management of San Francisco's

1 urban forest. This finding also is echoed in the Legislative Analyst's *Tree Program Report*.
2 Without a unified and effective response to such challenges, important tree benefits will be
3 forfeited and public health and safety will be compromised. Some of these challenges
4 include:

- 5 (1) Lack of adequate, uniform care of trees;
- 6 (2) Limited public input into decisions on the care of trees;
- 7 (3) Lack of enforcement of existing laws and policies related to trees;
- 8 (4) Inconsistencies between and among public agencies over tree
9 management;
- 10 (5) Perception that tree management is a low priority among city agencies and
11 elected leaders;
- 12 (6) Funding shortfalls for urban forestry programs, particularly for street tree
13 planting and maintenance;
- 14 (7) Fragmented tree management with responsibility among approximately 16
15 public agencies, including local, State, and federal jurisdictions;
- 16 (8) Lack of centralized planning and coordination for tree care and
17 maintenance;
- 18 (9) Inefficiency in operations, reduced cost effectiveness, and an inadequate
19 response to problems such as pests and diseases that cross jurisdictional boundaries;
20 and
- 21 (10) Inadequate protection of mature trees.

22 Section 2. Chapter 5 of the San Francisco Administrative Code is hereby amended by
23 adding Article XXIII to read as follows:

24 **ARTICLE XXIII: URBAN FORESTRY COUNCIL**

25 **Section 5.230. PURPOSE – URBAN FORESTRY COUNCIL.**

1 (a) It is the intent of the Board of Supervisors to form an Urban Forestry Council that
2 will protect the community interest and ensure that San Francisco realizes the full range of
3 tree benefits into the future. The Board also intends to replace any existing tree advisory
4 bodies that the Board of Supervisors has created through legislation.

5 (b) The purpose of the Council is to guide the stewardship of San Francisco's trees by
6 promoting a healthy and sustainable urban forest that benefits all San Franciscans while
7 ensuring public health and safety.

8 (c) To meet this purpose, the Council shall work with all the affected stakeholders to:

9 (1) Develop and adopt a comprehensive urban forest plan;

10 (2) Educate the public on urban forestry issues;

11 (3) Develop and adopt tree care standards;

12 (4) Identify funding and staffing needs and opportunities for urban forestry
13 programs;

14 (5) Report on the state of the urban forest;

15 (6) Help secure and encourage commitment of adequate resources for tree
16 programs; and

17 (7) Facilitate coordination among agencies with tree management
18 responsibilities.

19 Section 5.231. **SCOPE OF AUTHORITY.**

20 (a) The Council's scope of authority is limited to the territorial boundaries of the City
21 and County of San Francisco.

22 (b) The Council shall consider ~~and determine~~ issues as they relate to trees on property
23 managed by government agencies, non-profit organizations, and private property owners.
24
25

1 (c) In order to effectively address the whole of the urban forest, the Council also shall
2 consider issues as they relate to trees on private property shall be considered and determined
3 under the authority of the Council as well.

4 (d) The Council's scope of authority is completely advisory and educational in nature
5 and. The Council will have no authority to legislate.

6 ~~(e) Neither the Natural Areas Program of the San Francisco Recreation and Park~~
7 ~~Department nor the Golden Gate Park Reforestation Program shall be affected by this~~
8 ~~ordinance.~~

9 Section 5.232. **COUNCIL COMPOSITION AND ADMINISTRATION.**

10 (a) Council members will represent the full range of urban forest stakeholders
11 including city agencies, non-profit organizations, and the business community. The Council
12 shall be composed of fifteen (15) voting members as follows:

13 (1) Five (5) municipal agencies with representatives from:

- 14 (a) Director of the Department of Public Works;
- 15 (b) General Manager of the Recreation and Park Department;
- 16 (c) Director of the Planning Department;
- 17 (d) Director of the San Francisco Redevelopment Agency; and
- 18 (e) General Manager of the Public Utilities Commission.

19 (2) the Board of Supervisors shall appoint:

20 (a) One (1) representative of the University of California Cooperative
21 Extension or a representative of another educational organization involved with tree
22 management;

23 (b) One (1) representative of the tree management profession
24 (International Society of Arboriculture, American Society of Landscape Architects, etc.);

25 (c) One (1) representative of the Golden Gate National Recreation Area;

1 (d) Two (2) representatives of non-profit organizations involved in urban
2 forestry or other environmentally-related issues; and

3 (e) Three (3) representatives of the community.

4 (3) The Mayor shall appoint:

5 (a) One (1) representative of the tree care industry and

6 (b) One (1) at large representative.

7 (b) Council members shall serve for two years. Members can serve successive terms
8 if re-appointed by the body originally appointing the Council member. Council members serve
9 at the will of the body that appoints each Council member as specified above. The body that
10 appoints Council members also may appoint at-large members to serve any unfilled Council
11 positions.

12 (c) The Council shall meet at least once each month.

13 (d) The Council shall establish its own operating procedures, which, at a minimum,
14 shall meet the public notice, meeting, voting, agenda and other procedural requirements set
15 forth in local law.

16 (e) Subcommittees shall be created to adequately address other special areas of
17 concern on an as needed basis.

18 (f) The Department of the Environment, with adequate funding to assist the Council in
19 carrying out its mission, shall provide professional and administrative staff to the Council.

20 (g) All members of the Council shall serve without compensation.

21 Section 5.233. **RESPONSIBILITIES.**

22 (a) The Council's responsibilities shall include, but not be limited to, the following:

23 (1) Advise the Mayor, Board of Supervisors, city departments and commissions
24 on urban forestry concerns;

1 (2) Review project plans for major publicly-sponsored developments and civic
2 improvements and changes to the public right-of-way as they may impact trees. Based on its
3 review, the Council shall make recommendations regarding these projects to the Planning
4 Department and other affected agencies;

5 (3) Establish criteria for a landmark/heritage tree program to provide for the
6 protection of valuable trees on public and private property. The program shall propose
7 administrative procedures and a tree removal appeal process for landmark/heritage trees;

8 (4) Adopt guidelines for protecting trees during project design and construction;

9 (5) Encourage early and continuous public participation in urban forestry
10 projects and programs that includes consideration of neighborhood interests;

11 (6) Facilitate the cooperative interaction of tree-related activities among various
12 city, State, and federal agencies, as well as among businesses, public utilities, non-profit
13 organizations, and the public;

14 (7) Notify and involve public agencies when issues relate to trees on lands
15 under their jurisdiction;

16 (8) Provide at designated Council meetings for a regular forum that follows an
17 agenda of scheduled topics for public discussion of urban forestry issues;

18 (9) Assist with the formulation of legislation and policies that affect trees;

19 (10) Serve as a clearinghouse for information related to the urban forest through
20 the Department of the Environment;

21 (11) Prepare the plans and reports as set forth in this legislation; and

22 (12) Assist agencies with tree management responsibilities in their efforts to
23 incorporate and follow the urban forest plan guidelines, best management practices, and other
24 Council recommendations and policies.

25 Section 5.234. **URBAN FOREST PLAN.**

1 (a) To assure well-guided stewardship of San Francisco's trees, the Council shall
2 develop and adopt a long-term comprehensive plan that sets policy for the management of
3 the City's public and private trees. This Urban Forest Plan shall be developed in consultation
4 with affected City agencies and with input from interested members of the public.

5 (1) The planning process for such Plan shall include an assessment of the
6 current condition of the urban forest and create a vision and goals that incorporate community
7 values on urban forestry stewardship.

8 (2) the Planning process also shall include consideration of and referral to
9 existing plans that relate to trees, including, but not limited to, plans for reforestation of parks
10 and plans for street trees.

11 (3) The Plan shall include strategies and activities for achieving the envisioned
12 urban forest. It shall include specific guidance to agencies and the public in developing
13 education programs, establishing continuous and consistent tree care practices, identifying
14 funding priorities and opportunities, and assuring that all needs of the urban forest are
15 recognized and addressed.

16 (b) The Council shall oversee periodic updates to the Plan and evaluate the
17 effectiveness of agencies in reaching the Plan's goals.

18 (c) Prior to adoption of the Plan or amendment thereto, the Council shall forward the
19 plan and amendments to affected city agencies for review.

20 (d) The Council shall work with the Planning Department and the Department of the
21 Environment to incorporate elements of the Urban Forestry Plan into the City's General Plan.

22 (e) The Council shall work with the Recreation and Park Department and the
23 Department of the Environment to incorporate elements of the Urban Forestry Plan into the
24 Recreation and Park Department's forestation plans.

25 Section 5.235. **PUBLIC EDUCATION AND OUTREACH.**

1 (a) To improve management by individual property owners and those who provide tree
2 services to property owners, the Council shall assist with education programs. The Council
3 shall design education programs for the public and tree care professionals to inform and gain
4 public support for urban forestry programs.

5 (b) The Council shall promote trees as essential infrastructure with inherent value to
6 the City of San Francisco. As infrastructure, trees will require consideration when designing
7 and engineering public and private development projects.

8 (c) The Council shall promote an understanding of San Francisco's urban forest as
9 habitat for the wild animals that make up a significant part of San Francisco's natural heritage.

10 (d) The Council's outreach shall include, but not be limited to, the following:

11 (1) Fostering an understanding of the value of trees;

12 (2) Promoting public understanding of City tree programs and laws;

13 (3) Working with the media to bring urban forestry concerns and information to
14 the public;

15 (4) Facilitating presentations, programs, and other outreach to property owners
16 and the business and corporate community; and

17 (5) Promoting special events such as a citywide Arbor Day.

18 Section 5.236. **BEST MANAGEMENT PRACTICES.**

19 (a) In an effort to establish and maintain a healthy and sustainable urban forest and
20 ensure public health and safety, the Council shall develop and adopt tree care best
21 management practices for public and private trees. The practices for tree maintenance shall
22 focus on the protection of trees from premature death and irreversible damage caused by
23 improper or inadequate tree maintenance.

24 (b) The Council shall develop the best management practices in consultation with
25 affected City agencies and with input from interested members of the public. The Council's

1 evaluation of such practices shall incorporate an analysis of the projected costs for
2 implementation of the practices. The best management practices shall include, but not be
3 limited to, the following:

- 4 (1) Species selection;
- 5 (2) Planting practices;
- 6 (3) Young tree care;
- 7 (4) Tree pruning and maintenance; and
- 8 (5) Tree removal.

9 (c) The Council, with the assistance of the Board of Supervisors, shall urge and
10 encourage City, State, and federal agencies, as well as private property owners and tree care
11 companies working in San Francisco, to adhere to the Council's management practices and
12 tree care standards.

13 Section 5.237. **FUNDING ASSESSMENT.**

14 (a) The Board of Supervisors shall make efforts to provide adequate funding for the
15 Department of the Environment's support of the Council.

16 (b) In the event funding is not allocated by the City and County of San Francisco for
17 staffing the Council, the Council shall pursue funds for any shortfall in the necessary staffing
18 and support activities and additional funds for any other project it deems necessary to
19 implement this legislation.

20 (c) To ensure that adequate resources are available for tree management and that
21 public funding is used wisely, the Council shall:

- 22 (1) Review urban forestry program budget priorities and make
23 recommendations about urban forestry funding requirements to the Mayor, Board of
24 Supervisors, and affected city departments and commissions;
- 25 (2) Investigate and pursue funding options for various urban forestry activities;

1 (3) Assist agencies and organizations in securing funding for urban forestry
2 programs;

3 (4) Apply for and accept grants for public agency or privately sponsored urban
4 forestry programs pursuant to the procedures in the Administrative Code; and

5 (5) Determine whether there are opportunities to improve efficiency and
6 eliminate possible redundancies among managing agencies through city-wide coordination of
7 tree operations.

8 Section 5.238. **STAFFING SUPPORT AND RESONSIBILITIES.**

9 (a) A coordinator from the Department of the Environment shall staff the Council. The
10 coordinator's responsibilities shall include, but not be limited to, the following:

11 (1) Fundraising;

12 (2) Developing and drafting guidelines for adoption;

13 (3) Preparing staff and annual reports;

14 (4) Coordinating with other agencies; and

15 (5) Develop an annual city-wide tree management budget for local
16 governmental agencies.

17 (b) The coordinator is essential in order to implement the intent of this legislation.

18 Section 5.239. **REPORTING RESPONSIBILITY.**

19 (a) The Council shall report to the Board of Supervisors and Mayor by September 1st
20 of each year regarding the state of the urban forest. The report shall contain a review the
21 quality of urban forest stewardship and an assessment of how well public agencies and other
22 urban forest managers are implementing the Urban Forest Plan. The report shall include, but
23 not be limited to, the following:

24 (1) Condition of the urban forest, species composition, and other tree stand
25 characteristics;

1 (2) Summary of urban forestry activities, such as total number of trees, number
2 of trees removed, and number of trees planted on private lands and under the jurisdictions of
3 public agencies and non-profit organizations.

4 (3) Analysis of the adherence to the Urban Forest Plan;

5 (4) Analysis of the adherence to the best management practices;

6 (5) The Council's public education and outreach projects;

7 (6) Notable achievements in urban forestry;

8 (7) The status of funding for urban forestry programs; and

9 (8) Proposals for tree care guidelines or changes to adopted tree care programs
10 or plans.

11 (b) City agencies and any non-profit organizations that accept city funding shall report
12 to the Council regarding the trees they manage, the extent to which their management plans
13 correspond to the Urban Forest Plan, and implementation of the best management practices.
14 The Council shall receive the report no later than June 30 of each year. Other public entities
15 also are urged to submit reports to the Council regarding the trees they manage.

16 (c) City agencies that do not adhere to the policies, guidelines, or standards outlined in
17 the Urban Forest Plan or best management practices shall explain their reasoning at a public
18 hearing before the Council.

19 (d) Within ninety (90) days of the Council's establishment, the Council shall adopt
20 procedures to address the public hearing process specified in Subsection (c) above.

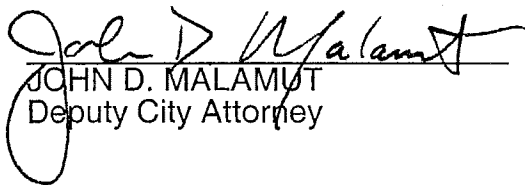
21 Section 3. After six (6) years from the effective date of this legislation, the Board shall
22 review the status of the Urban Forest Council. The Council shall continue to operate unless
23 the Board, by ordinance, terminates this Article or creates a successor to the Urban Forestry
24 Council.

1 Section 4. This legislation shall not be operative unless and until funding becomes
2 available for the Department of the Environment to fund the Urban Forestry Council
3 coordinator position specified in San Francisco Administrative Code Article XXIII, Section
4 5.238 and associated staff support. Within six (6) months after funding becomes available,
5 the Urban Forestry Council shall be appointed and established.

6 Section 5. This legislation and its implementing actions shall not supersede provisions
7 of the City's General Plan, Recreation and Open Space Element, Citywide System, Objective
8 2, Policy 13 concerning the preservation and protection of significant natural resource areas.
9 In addition, this legislation and its implementing actions shall not supersede the reforestation
10 program for Golden Gate Park as set forth in the Golden Gate Park Master Plan.

11
12 APPROVED AS TO FORM:

13 LOUISE H. RENNE, City Attorney

14
15 By: 
16 JOHN D. MALAMUT
17 Deputy City Attorney



City and County of San Francisco

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

Tails Ordinance

File Number: 002106

Date Passed:

Ordinance amending San Francisco Administrative Code Chapter 5 by adding Article XX111 to create an Urban Forestry Council and to delineate powers and duties for such Council.

January 2, 2001 Board of Supervisors — PASSED ON FIRST READING

Ayes: 10 - Ammiano, Becerril, Bierman, Brown, Katz, Kaufman, Leno, Newsom, Teng, Yaki
Noes: 1 - Yee

January 16, 2001 Board of Supervisors — AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

January 16, 2001 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

January 22, 2001 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 9 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee
Noes: 1 - Hall
Absent: 1 - Sandoval

January 22, 2001 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

Ayes: 9 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Leno, Newsom, Peskin, Yee
Noes: 1 - Hall
Absent: 1 - Sandoval

January 29, 2001 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

January 29, 2001 Board of Supervisors — PASSED ON FIRST READING AS AMENDED

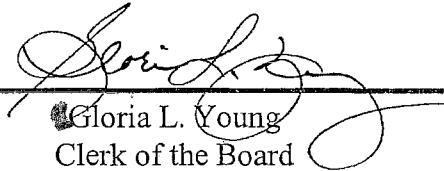
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

February 5, 2001 Board of Supervisors — FINALLY PASSED

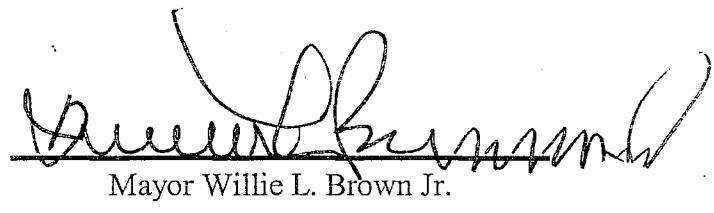
Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Leno, Newsom, Peskin, Sandoval, Yee

File No. 002106

I hereby certify that the foregoing Ordinance was **FINALLY PASSED** on February 5, 2001 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

FEB 16 2001
Date Approved


Mayor Willie L. Brown Jr.