

File No. 100880

Committee Item No. 6

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date August 9, 2010

Board of Supervisors Meeting Date _____

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
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| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
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OTHER

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|---------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Urban Forestry Council (UFC) Resolution No. 005-10 |
| * <input checked="" type="checkbox"/> | <input type="checkbox"/> | UFC Landmark Tree Committee Evaluation, dtd May 28, 2010 |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Completed by: Alisa Somera Date August 6, 2010

Completed by: _____ Date _____

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

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City and County of San Francisco
Master Report

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

File Number: 100880	File Type: Ordinance	Status: Pending Committee Action
Enacted:	Effective:	
Version: 1	In Control: Land Use and Economic Development Committee	
File Name: Landmark Tree Designation of Redwood Tree Located at 46 Stillings Avenue		Date Introduced: 06/29/2010
Requester:	Cost:	Final Action:
Comment:	Title: Ordinance designating the redwood tree (sequoia sempervirens) located at 46 Stillings Avenue (Assessor's Block No. 6734, Lot No. 023) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.	
Indexes:	Sponsor: Dufty	

History of Legislative File 100880

Ver	Acting Body	Date	Action	Sent To	Due Date	Result
1	President	06/29/2010	RECEIVED AND ASSIGNED	Land Use and Economic Development Committee		
1	Clerk of the Board	07/21/2010	REFERRED TO DEPARTMENT			
<i>Referred to the Department of Public Works for informational purposes.</i>						

1 [Landmark Tree Designation of Redwood Tree Located at 46 Stillings Avenue]

2 Ordinance designating the redwood tree (*sequoia sempervirens*) located at 46 Stillings
3 Avenue (Assessor's Block No. 6734, Lot No. 023) as a landmark tree pursuant to Public
4 Works Code Section 810, making findings supporting the designation, and requesting
5 official acts in furtherance of the landmark tree designation.
6

7 Note: Additions are single-underline italics Times New Roman;
8 deletions are ~~striketrough italics Times New Roman~~.
9 Board amendment additions are double underlined.
10 Board amendment deletions are ~~striketrough-normal~~.

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

12 Section 1. Findings.

13 (a) Public Works Code Section 810 establishes a procedure for the nomination,
14 designation, and removal of landmark trees.

15 (b) On February 22, 2010, property owner, Marguerite Rubenstein, nominated the
16 Redwood tree located on her property at 46 Stillings Avenue (Assessor's Block 6734, Lot 023)
17 for landmark status.

18 (c) The Board of Supervisors adopted landmark tree designation criteria in Resolution
19 No. 440-06. The Board of Supervisor amended the criteria in Resolution No. 63-09. A copy
20 of these Resolutions are on file with the Clerk of the Board of Supervisors in File No. 100880
21 and is incorporated herein by reference.

22 (d) On May 28, 2010, after a duly noticed public hearing, the Urban Forestry Council
23 adopted Resolution No. 005-10 recommending that the Board of Supervisors designate this
24 tree for landmark status based on the abovementioned landmark tree designation criteria. A
25 copy of said Resolution is on file with the Clerk of the Board of Supervisors in File No. 100880
and is incorporated herein by reference.

1 (e) The Urban Forestry Council determined that this Redwood tree qualifies as a
2 landmark tree based on the criteria set forth below and as further delineated in the City's
3 landmark tree designation criteria:

4 (1) Physical Attributes: The tree has a distinguished form, with two well
5 formed co-dominate trunks, a balanced pyramidal form, and is attractive in the context of the
6 informally forested back yard. The tree is in good condition, stable, with a low center of
7 gravity, and performing with vigor on the site; and

8 (2) Environmental: This tree is centered on the property and located close to
9 the residence and may be helping to prevent soil erosion as well as serving as a wind or
10 sound barrier. The tree is visible from public property as well as by the surrounding neighbors.
11 It is a prominent landscape feature, contributing to the overall effect of a forested back yard
12 area and neighborhood.

13 (f) The Board of Supervisors adopts as its own the findings of the Urban Forestry
14 Council in regard to this tree.

15 Section 2. Landmark Tree Designation.

16 (a) Based on the above mentioned findings, the Board of Supervisors designates the
17 Redwood tree (*Sequoia sempervirens*), located at 46 Stillings Avenue (Assessor's Block
18 6734, Lot 023) as a landmark tree.

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1 (b) The Board of Supervisors directs the Department of Public Works to record the
2 landmark designation of this tree on the property record of) located at 46 Stillings Avenue
3 (Assessor's Block 6734, Lot 023) and list the tree in the Department's Official Book of
4 Landmark Trees.

5
6 APPROVED AS TO FORM:
7 DENNIS J. HERRERA, City Attorney

8 By:

9 
Alicia Cabrera
Deputy City Attorney

LEGISLATIVE DIGEST

[Landmark Tree Designation of Redwood Tree, *Sequoia sempervirens*, located at 46 Stillings Avenue.]

Ordinance designating the Redwood Tree (*Sequoia sempervirens*) located at 46 Stillings Avenue (Assessor's Block 6734, Lot 023) as a landmark tree pursuant to Public Works Code Section 810, making findings supporting the designation, and requesting official acts in furtherance of the landmark tree designation.

Existing Law

Public Works Code Section 810 establishes a procedure for the nomination, designation, and removal of the landmark trees. The Board of Supervisors adopted landmark tree designation criteria in Resolution No. 440-06. The Board of Supervisors amended the landmark tree designation criteria in Resolution No. 63-09.

Amendments to Current Law

This legislation designates the Redwood tree (*Sequoia sempervirens*) located at 46 Stillings Avenue (Assessor's Block 6734, Lot 023) as a landmark tree in accordance with the procedures set forth in Public Works Code Section 810. This ordinance also directs the Department of Public Works to record the landmark designation of this tree on the subject property and list the tree in the Department's Official Book of Landmark Trees.

Background Information

The Urban Forestry Council determined that this tree qualifies for landmark tree status under the City's landmark tree designation criteria. This legislation designates the subject tree as a landmark tree pursuant to Public Works Code Section 810, and thus brings the tree within the regulatory framework of the Public Works Code Urban Forestry Ordinance.

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1 [Resolution endorsing Redwood tree at 46 Stillings Avenue for landmark tree status.]

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3 Resolution endorsing the Redwood tree (*Sequoia sempervirens*) at 46 Stillings Avenue
4 (Assessor's Block 6734, Lot 023) for Landmark Status, pursuant to Public Works Code
5 Section 810(b).

6 WHEREAS, Public Works Code, Article 16, Section 810 charges the Urban
7 Forestry Council to examine nominated landmark trees using criteria approved by the
8 Board of Supervisors; and,

9 WHEREAS, The tree (*Sequoia sempervirens*) at 46 Stillings Avenue fulfills the
10 Landmark Tree criteria developed by the Urban Forestry Council as follows:

11 **Physical Attributes:** The tree has a distinguished form, with two well formed co-
12 dominate trunks, a balanced pyramidal form, and is attractive in the context of the
13 informally forested back yard. The tree is in good condition, stable, with a low center of
14 gravity, and performing with vigor on the site.

15 **Environmental:** This tree is centered on the property and located close to the
16 residence and may be helping to prevent soil erosion as well as serving as a wind or
17 sound barrier. The tree is visible from public property as well as by the surrounding
18 neighbors. It is a prominent landscape feature, contributing to the overall effect of a
19 forested back yard area and neighborhood; and,


20 WHEREAS, This tree provides social, environmental and economic benefits to
21 the property, neighborhood and city; now, therefore be it

22 RESOLVED, That the Urban Forestry Council recommends this tree for landmark
23 status to the Board of Supervisors.

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1 I hereby certify that this resolution was adopted at the Urban Forestry Council's
2 regular meeting on May 28, 2010.

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4 
5 *Mei Ling Hui, Council Coordinator*

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7 Vote: Adopted (6-1) (4 Absent)

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9 AYES: Chair Milne, Vice-Chair D'Agostino, Members Cohen, Hillan, Hillson, Sherk

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11 NOES: Member Buck

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13 ABSENT: Members Costello, LeBeau, Vargas, Rodgers

May 28, 2010

To the Urban Forestry Council:

The Landmark Tree Committee is pleased to submit one tree to the Council for adoption as a Landmark. The tree is a coast redwood (*Sequoia sempervirens*) located in the back yard at 46 Stillings Avenue (cross Congo).

The tree was sponsored for landmarking by the homeowner, Ms. Maggi Rubenstein.

The tree is a good physical specimen. It consists of two well-formed co-dominant trunks, with a balanced pyramidal form, over-all. The tree appears thrifty and well-maintained. Exhibiting some effects of the prevailing wind, the canopy is nonetheless well-formed, and the tree appears to have the vigor to perform well on the site. It appears to be stable, with a low center of gravity, and growing at a slow to moderate pace. It is very attractive in the context of the informally forested back yard.

The tree contributes to the environmental quality of the neighborhood. It is centered on the property, close to the residence. While the top is visible from the street, most of the tree is not visible to the public. Only uphill neighbors would have full view of the tree, but in total it contributes to the overall effect of a forested back-yard area and neighborhood, visible to other neighbors and passers-by.

It should be noted that this nomination is being disputed, with two neighbors objecting to the landmarking. There is a history of contention over tree-related issues between these neighbors, but the committee notes that the nominated tree has never been the object of this contention. Concerns about safety related to the nominated tree were brought up by the neighbors, but no issues relating to litter, shading or view were expressed. The tree does not overhang adjoining properties, and appears to pose minimal hazard potential.

The Committee recommended it unanimously for landmarking.

On behalf of the Committee I submit to the full Council, requesting this tree be forwarded to the Board of Supervisors for landmarking.

Respectfully,

A handwritten signature in black ink, appearing to read 'Malcolm Hillan', with a long horizontal flourish extending to the right.

Malcolm Hillan, Chair
Landmark Tree Committee
Urban Forestry Council