

1 **Resolution No. 003-04-UFC**

2 **[Preserve *Tree Planting Sites*]**

3 **URGING THE BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF**
4 **SAN FRANCISCO TO ADOPT AN ORDINANCE TO PRESERVE SAN**
5 **FRANCISCO'S TREE PLANTING SITES IN THE PUBLIC RIGHT-OF-WAY.**

6 WHEREAS, The City and County of San Francisco has legislated through
7 the Board of Supervisors Underground Districts designated for Rule 20A funds to
8 be used by Pacific Gas and Electric (PG&E) to place the public utilities
9 underground in each legislated district; and

10 WHEREAS, In 1997 a settlement was reached that PG&E underground 42
11 miles of wires in San Francisco. Of these 42 miles scheduled for underground
12 placement, 8 miles have been completed and 34 miles are underway or
13 scheduled for completion by 2006; and

14 WHEREAS, The purpose of the Underground Districts is to enhance the
15 character of streets in San Francisco's neighborhoods; and

16 WHEREAS, the Department of Public Works has the legal authority under
17 The Master Agreement to direct PG & E as to where to place its utilities; and

18 WHEREAS, The Urban Forest Council has heard testimony in public
19 hearings that placing the utilities underground in the Bernal Heights

1 neighborhood has permanently eliminated tree planting sites due to the manner
2 in which PG&E placed the utilities underground; and

3 WHEREAS, Street trees enhance the character of streets and eliminating
4 planting sites diminishes the character of San Francisco's neighborhoods into the
5 future; and

6 WHEREAS, other neighborhoods which are scheduled to have utilities
7 placed underground by PG&E may also have their tree planting sites eliminated;
8 and;

9 WHEREAS, It is possible for utilities to be placed underground in a
10 manner that will not result in the loss of tree planting sites through the placement
11 of utility lines and boxes away from potential tree planting sites; and

12 WHEREAS, no environmental assessment has been done to determine
13 the impact of the loss of tree planning sites in the public right-of-way; and

14 WHEREAS, the preservation and protection of the public right-of-way for
15 San Francisco's urban forest is consistent with and will further the objectives and
16 policies of the City's General Plan in that:

17 The Transportation Element of the General Plan states in Policy 24.2 that
18 "street trees are one of the most important elements in creating a livable
19 streetscape. They provide shade, create a human scale on the street, soften the
20 edge between the building and the street, and serve as a buffer between

1 pedestrian space and the street. Moreover, street trees are an important
2 environmental consideration as they contribute to cleaner air.”; and

3 The Urban Design Element of the General Plan states:

4 **POLICY 2.8 Maintain a strong presumption against the giving up of street**
5 **areas for private ownership or use ...**

6 Street areas have a variety of public values in addition to the carrying of traffic.
7 They are important, among other things, in the perception of the city pattern, in
8 regulating the scale and organization of building development, in creating views,
9 in affording neighborhood open space and landscaping, and in providing light
10 and air and access to properties.

11 Like other public resources, streets are irreplaceable, and they should not be
12 easily given up.

13 **POLICY 2.10 Permit release of street areas, where such release is**
14 **warranted, only in the least extensive and least permanent manner**
15 **appropriate to each case; and**

16 WHEREAS, the preservation and protection of the public right-of-way for
17 street tree planting sites is crucial to allow homeowners and developers
18 opportunity to comply with Section 143 of the Planning Code which states:

1 that street trees installed shall be a minimum of one tree of 15-gallon size
2 for each 20 feet of frontage of the property along each street or alley, with any
3 remaining fraction of 10 feet or more of frontage requiring an additional tree; and

4 WHEREAS, Ordinance 171-03 amended the San Francisco Administrative
5 Code Chapter Five by adding Article XXIII to create an Urban Forest Council;
6 and

7 WHEREAS, Ordinance 171-03 charges the Urban Forest Council with
8 duties and responsibilities which include but are not limited to: advising the
9 Mayor, Board of Supervisors, city departments and commissions on urban
10 forestry concerns; reviewing project plans for major publicly sponsored
11 developments and civic improvements and changes to the public right-of-way as
12 they may impact trees; making recommendations regarding these projects to
13 effected agencies; adopting guidelines for protecting trees during project design
14 and construction; assisting with the formulation of legislation and policies that
15 effect trees; and

16 NOW, THEREFORE, BE IT RESOLVED, That the Urban Forest Council
17 urges the Board of Supervisors and the Department of Public Works to draft,
18 adopt and enforce an undergrounding policy that ensures the long-term
19 preservation of planting sites in the public right-of-way; and

20 BE IT FURTHER RESOLVED, That the Urban Forest Council urges the
21 Board of Supervisors and the Department of Public Works to adopt and enforce a

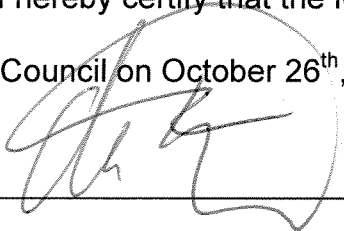
1 policy that will ensure property owners will be able to plant at least one tree of
2 15-gallon size for each 20 feet of frontage of the property along each street to the
3 extent permitted by existing city regulations in order to comply with Planning
4 Code Section 143; and

5 BE IT FURTHER RESOLVED, that the Urban Forest Council urges the
6 Board of Supervisors to amend the Excavation Code, which is part of the Public
7 Works Code, to allocate fees from Rule 20A for the Department of Public Works
8 to do the necessary review and enforcement of the placement of utilities; and

9 BE IT FURTHER RESOLVED, That the Urban Forest Council
10 recommends that the Board of Supervisors adopt the companion Ordinance to
11 preserve San Francisco's tree planting sites in the public right-of-way.

12 I hereby certify that the foregoing Resolution was ADOPTED by the Urban
13 Forest Council on October 26th, 2004.

14


A.H. for Emily Rogers

15 *Emily Rogers, Commission Secretary*

16 Vote: Approved

17 Ayes: C. Blair, L. Costello, K. Cornell, S. Griswold, J. Herman, T. Milne, A.
18 Rodgers, P. Sacamano, M. Sullivan, and F. Vietor

19 Noes: None

1 Absent: J. Carrasco, J. Campos, D. Lakshminarayanan