

MOTION

I MOVE that the matter of Planning and Land Use Management Committee report relative to ongoing tree and biodiversity planning, strategies and/or efforts to protect and grow the City's urban canopy; requiring the placement of trees, and timing of any tree removals, at an earlier phase in the land use/environmental review, and permitting review process, and thereby maximize City efforts to grow tree canopy coverage; and related matters, **Item 11** on today's Council Agenda (Council File No. 15-0499-S2), **BE AMENDED** to **ADOPT** the following **Additional Recommendations**:

5. REQUEST the City Attorney, with the assistance of the Bureau of Street Services, and the Board of Public Works, and any other relevant department, to report and provide recommendations on the following proposed amendments to the City's Protected Tree Ordinance, as denoted in sections 46.00 to 46.06 of the Municipal Code:

- a. Under Municipal Code Section 46.00, expand the definitions of "removed" and "removal" to include any act that will cause substantial damage or harm to the central leader(s) of the tree, including, but not limited to, removing more than 25 percent of live canopy material, acts that inflict damage upon the root system or other part of the tree or shrub by fire, application of toxic substances, piling up of materials on top of the critical root zone, operation of equipment or machinery, or by changing the natural grade of land by excavation or filling the drip line area around the trunk.
- b. Under Municipal Code Section 46.02, clarify the intent such that the permits granted from the Board of Public Works to comply with this section, and must specifically be for the purpose of protected tree relocation or removal.
- c. Under Municipal Code Section 46.06, clarify the process for the Bureau of Street Services to revoke or withhold building permits in response to violations of the Protected Tree Ordinance, including creating a standardized policy by which the Bureau of Street Services has the authority to suspend building permits. The Ordinance should be updated to specify the number of trees subject to removal beyond which the Bureau of Street Services shall be compelled to withhold or revoke such permits.

6. INSTRUCT the Planning Department, Department of Building and Safety, the Bureau of Street Services, and the Board of Public Works, with the assistance of the Department of Public Works, to prepare a report with recommendations on the current process for permitting protected tree removal, and how to improve that process so that the Department of Building and Safety provides the Department of Public Works with sufficient opportunity to address potential impacts on protected trees in advance of final project approval and prior to the issuance of permits to construct.

PRESENTED BY: Nithya Raman
NITHYA RAMAN
Councilmember, 4th District

SECONDED BY: Marqueece Harris-Dawson
MARQUEECE HARRIS-DAWSON
Councilmember, 8th District

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