



Vice Mayor
Councilmember Cheryl Davila
District 2

ACTION CALENDAR
September 13, 2018

To: Honorable Mayor and Members of the City Council

From: Vice Mayor Cheryl Davila and Councilmember Kate Harrison

Subject: Urban Forest and Wildlife Habitat Preservation

RECOMMENDATION

Refer to the Transportation Commission to research a modification of Chapter 19.37, the Berkeley Green Code. Code 19.37.040 Chapter 3 Green Building code shall have a new subsection that shall require that:

- Additions or alterations to single-family residences must have at least one tree on the parcel per each 2,500 square feet of lot size upon project completion.
- Additions or alterations to a multi-family dwelling with two to four units must have two trees on the parcel per 4,500 square feet of lot size upon project completion.
- Additions or alterations to a multi-family dwelling with five plus units must have four trees per each 5,000 square feet of lot size upon project completion.
- Projects with thirteen or more units that fails to incorporate all of the trees required into the build, must plant the remainder of the required trees at a location within the City of Berkeley. An ideal location to be considered is the eastern side of the I-580 freeway along the Frontage Road. The developer will incur the cost of maintenance of the trees for a period of five years after planting.
- Parking structures shall be required to have one tree per fifty parking spaces. The trees can be either on the footprint or the rooftop of the structure. Additionally, a requirement to incorporate a greywater system should be implemented to water the trees.
- Trees planted must be California Natives species. Refer to the California Native Plant Society for a list of eligible trees. <https://www.cnps.org/>

BACKGROUND

Berkeley must take actions to mitigate habitat loss of wildlife and the loss of oxygen production and carbon sequestration when trees in our urban forest are lost. The goal of this

ordinance is to plant more trees than currently exist in our urban forest. Current building and zoning codes in our City require parking spaces in certain circumstances, yet no trees are required.

The City of Berkeley incorporated the 2016 California Green Building Standards Code (CALGreen) into local Building Codes. Those standards are reserved only for residential projects which increase “the building’s conditioned area or volume”. CAL Green applies to non-residential projects with either a \$200,000 or higher valuation or 1,000 square feet of area or more.

CALGreen requires that: Trees excavated must be “reused” or “recycled”.

Trees are also an option to address the “cutoff luminaries per Section 132 (b) of the California Energy Code”; a builder can either “Provide trees or man-made screens around perimeter of site.”

Even with CALGreen, trees are only an option for builders. Parcels that have trees before a building permit are not being required to have trees upon the completion of a building project. In essence, existing trees on a parcel not under a protected status that are cut down during a build become woodchips and compost. As the tree decomposes, the greenhouse gases stored in the tree are released back into the atmosphere.

CALGreen states that local jurisdictions reserve the right to go above and beyond the requirements of CALGreen. The first “Compliance Method” states: “Determine if a local construction ordinance is in place in your jurisdiction and comply with the more stringent requirement or as accepted by the local enforcing agency.” The City of Berkeley supports the Paris Agreement.

FISCAL IMPACTS OF RECOMMENDATION

Unknown.

ENVIRONMENTAL SUSTAINABILITY

Cleaner air as the trees grow and mature. Trees potentially can absorb almost fifty pounds of carbon dioxide per year and can sequester close to a ton of carbon dioxide (CO₂) by the time it reaches 40 years maturity. Trees directly clean the air, absorbing CO₂ into itself, while releasing oxygen. Trees are natural carbon eaters.

Planting trees reduces our carbon footprint while beautifying our community. Mature trees help reduce runoff, absorb ozone and provide windbreaks which potentially could lower utility bills. Tree planting will assist in achieving our goals for the Climate Emergency Declaration and the Climate Action Plan.

CONTACT PERSON

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