

TO: JAMES L. APP, CITY MANAGER

FROM: ROBERT A. LATA, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: REQUEST TO REMOVE AN OAK TREE – 1792 BELLA VISTA COURT
(BELLA VISTA ESTATES, LLC)

DATE: NOVEMBER 19, 2002

Needs: For the City Council to consider a request to remove a Blue Oak tree.

- Facts:
1. The City has received a written request from Ray Peloso on behalf of Bella Vista Estates, LLC to remove a Blue Oak tree at 1792 Bella Vista Court that has a total diameter of 24-inches.
 2. Jack Brazeal's Tree Consulting prepared an Arborist Report (see attached) stating that:
 - ✓ The tree has declined to a point that restoration is not an alternative;
 - ✓ The tree has declined as a result of natural causes; and,
 - ✓ The tree is almost dead.
 3. The arborist recommends removal of the oak tree as soon as possible.
 4. Per the City's Oak Tree Preservation Ordinance No. 835 N.S., the City Council may attach reasonable conditions to the request for removal, including requiring the planting of replacement oak trees being equivalent to 25% of the diameter of the tree to be removed.
 5. The proposal is to remove a Blue Oak tree; the tree has a diameter of 24-inches. Applying the 25% replacement requirement, the property-owner would have to plant four (4) 1 ½ inch caliper trees or any other combination totaling 6 inches.

Analysis

And Conclusion: City policies strongly encourage oak tree preservation. Section 10.01.050 (E) of the Paso Robles Municipal Code states that five (5) factors should be considered when oak trees are proposed for removal. These factors are:

- The condition of the oak tree with respect to its general health. *Per the Arborist Report, the tree has declined to a point that restoration is not an alternative. In fact, the tree is almost dead.*
- The necessity of the removal in order to allow construction of improvements or otherwise allow reasonable use of the property for the purpose for which it has been zoned. *The oak tree is located at the boundary between a single-family residential lot (Lot 64 of Tract 2223-2) and an open space lot (Lot 105 of Tract 2223-2).*

Removal of the oak tree is not required in order to allow for reasonable use of the residential property in that the toe of the slope for the graded pad is located approximately 5 to 8 feet away from the tree.

- The topography of land and the potential effects of the tree removal on soil retention, water retention, diversion and/or increased flow of surface waters. *Removal of the tree, if authorized, is not expected to impact any of the above-listed factors since the tree is located on a natural slope and no grading or appreciable site disturbance is involved.*
- The number, species, size and location of existing trees in the area and the effect of the requested tree removal on shade areas, air pollution, historic values, scenic beauty and the general welfare of the city as a whole. *Removal of the tree, if authorized, would not have a deleterious effect on the above-listed factors. No grading or appreciable site disturbance is involved.*

In fact, removal of the tree at the boundary between urban development and the naturalized area seems to be reasonable. Removal of the tree from this location and planting the replacement trees entirely within the natural open space area will serve to enhance the area's overall viability by providing greater diversity in the age of the trees.

- Good forestry practices.

Removal of the tree from the boundary between an urbanized and a naturalized area seems to be reasonable since the replacement trees will be planted entirely within the open space lot. By planting the trees in a natural setting, they will contribute to the overall health and viability of the oak woodlands.

Policy

Reference: Section 10.01 (Oak Tree Preservation) of Title 10 of the Paso Robles Municipal Code

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Impact: None.

Options:

- A. Adopt Resolution No. 02-xx approving the oak tree removal request, based on the facts, findings, and conclusions of the Arborist Report and subject to the 25% replacement requirement wherein four (4) 1½ inch caliper trees or any other combination totaling 6 inches would have to be planted within Open Space Lot 105 of Tract 2223-2.
- B. Amend, modify or reject the above option.

Attachments:

1. Arborist Report
2. Resolution to Authorize Removal

RESOLUTION NO. 02-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
AUTHORIZING THE REMOVAL OF AN OAK TREE AT 1792 BELLA VISTA COURT
(BELLA VISTA ESTATES, LLC)

WHEREAS, the City has received an application submitted by Ray Peloso on behalf of Bella Vista Estates, LLC to remove a double 12-inch diameter Blue Oak tree at 1792 Bella Vista Court; and

WHEREAS, Jack Brazeal's Tree Consulting prepared an Arborist Report dated August 19, 2002, stating that: 1) the tree has declined to a point where restoration is not an alternative, 2) the tree has declined as a result of natural causes, and 3) the tree is almost dead; and

WHEREAS, the Arborist Report includes the arborist's recommendation that the oak tree should be removed as soon as possible due to the above-listed facts and findings.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby:

1. Authorize the removal of the Blue Oak tree at 1792 Bella Vista Court; and
2. Require the applicant to plant four (4) 1½ inch caliper Blue Oak trees or any other combination totaling six (6) inches within Open Space Lot 105 of Tract 2223-2.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 19th day of November 2002 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk