

**TO: JAMES L. APP, CITY MANAGER**

**FROM: ROBERT A. LATA, COMMUNITY DEVELOPMENT DIRECTOR**

**SUBJECT: REQUEST TO REMOVE ONE OAK TREE - 229 15<sup>th</sup> STREET (ROSE)**

**DATE: JUNE 17, 2003**

**Needs:** For the City Council to consider a request to remove one Live Oak Tree.

**Facts:**

1. The City has received a written request from Juliana Rose for the removal of one 16-inch Live Oak tree.
2. The applicant's reason for removing the tree is to prevent future damage to the neighboring house and to prevent possible liability issues between her and her neighbor, since the foundation of the house is located within 16 inches from the trunk of the subject oak tree.
3. Arborist Chuck Scovell, has reviewed the situation and has acknowledged that the tree will cause foundation problems to the adjacent house if not removed.

**Analysis**

**And Conclusion:** City policies strongly encourage oak tree preservation. Section 10.01.150 (D) of the Paso Robles Municipal Code states that five 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: According to the Arborist Report by Scovell Tree Surgery dated April 16, 2003, concludes that the tree is in good condition, but under normal growth, the tree will cause damage to the adjacent house foundation and recommends that the tree be removed.
- The necessity of the requested action to allow construction of improvements or otherwise allow reasonable use of the property for the purpose for which it has been zoned: No new development is requested for the site, the request is in order to protect the neighboring house from future damage.

- The topography of land, and the potential effect of the requested tree removal on soil retention, water retention, and diversion or increased flow of surface waters: the removal of the tree, if authorized, is not expected to impact drainage runoff.
- The number, species, size and location of existing trees in the area and the effect of the requested action on shade areas, air pollution, historic values, scenic beauty and the general welfare of the city as a whole: This neighborhood is been long established where there would be other existing trees which would provide shade and other amenities. Replacement trees will also be required with the removal.
- Good forestry practices, such as, but not limited to, the number of healthy trees the subject parcel of land will support: the replacement ratio for removal of the 16-inch tree is 4-inches (16 total diameter inches x 0.25 replacement factor). The replacement could be satisfied by planting three (3) 1.5-inch minimum trunk caliper Live Oak trees or a combination of larger diameter trees adding up to 4-inches. The replacement trees could be donated to the City for placement within a park area if there is not room on site for planting.

**Policy**

**Reference:** Paso Robles Municipal Code Section 10.01

**Fiscal**

**Impact:** None.

**Options:**

- A. Adopt Resolution No. 03-xx approving the oak tree removal request based on the arborist report identifying that the tree will cause future damage to the adjacent house foundation, and require replacement ratio of 4-inches of Live Oaks which shall be planted on site, in proper locations and proper techniques per the Arborist or other horticulture professional and/or the trees can be donated to the City for future planting in a public area.
- B. Amend, modify or reject the above options.

**Attachments:**

1. Attachment A, Arborist Report
2. Photographs
3. Resolution to Approve

RESOLUTION NO. 03-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
AUTHORIZING THE REMOVAL OF ONE OAK TREE AT 229 15<sup>th</sup> STREET  
(ROSE)

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WHEREAS, the City has received an application submitted by Juliana Rose, to remove one (1) Live Oak tree (the trees has a diameter of 16-inches) located at 229 15<sup>th</sup> Street; and

WHEREAS, Scovell Tree Surgery prepared an Arborist Report dated April 16, 2003, confirming that the tree will cause future damage to the adjacent house foundation located 16-inches away from the trunk of the tree; and

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

1. Authorize the removal of one (1) Live Oak tree at 229 15<sup>th</sup> Street.
2. The applicant is required to install "like species" at a replacement requirement of 4-inches (16" removed x 0.25 replacement factor). This requirement could be satisfied by planting three (3) 1.5-inch trees, or other combinations that add up to the 4-inch requirement based on 1.5 -inch being the minimum tree size. The Arborist shall be involved with the planting of the trees on site to insure proper installation and location of replacement trees. The trees may also be donated to the City for future planting in public area.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 17<sup>rd</sup> day of June 2003 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Frank R. Mecham, Mayor

ATTEST:

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Sharilyn M. Ryan, Deputy City Clerk

**ALL ATTACHMENTS TO THIS STAFF REPORT MAY NOT BE AVAILABLE  
IN DIGITAL FORMAT FOR VIEWING ON-LINE.**

A hard-copy of the complete agenda packet, along with all staff reports, exhibits and attachments, is available for review in the City Clerk's Office.

**Packets are also available for loan from the City Library,  
beginning on the Friday before each Council meeting.**