

TO: JAMES L. APP, CITY MANAGER

FROM: ROBERT A. LATA, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: REQUEST TO REMOVE ONE OAK TREE - 130 17th STREET (CARDELLI)

DATE: JUNE 3, 2003

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

- Facts:**
1. The City has received a written request from Warren Cardelli for the removal of one 30-inch Blue Oak tree.
 2. An Arborist Report was performed by Arbor Tree Surgery on June 9, 2003, where it was determined that tree is diseased beyond correction and because the tree trunk is divided into two scaffolds, the tree is structurally weak and dangerous. (See attached report)
 3. The arborist indicated that the tree's bark is rotting off, it appears to have fungus and it is infested with wood destroying pests.
 4. According to Section 10.01.050.E.1, Exceptions to replacement requirement: a property owner may request authorization to remove a dead or diseased oak tree without the need to provide the required replacement trees if he or she can provide documentation of his arborist that the tree's disease is not their fault.
 5. Mr Cardelli is requesting exception to the replacement requirement based on his Arborist's determination that the disease of the tree is not his fault. (See attached letter from Arborist)

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 Arbor Tree Surgery dated June 9, 2003, concludes that the tree is diseased beyond correction and because the tree trunk is divided into two scaffolds, the tree is structurally weak and dangerous.

- 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 entirely to protect the existing property from 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 many other existing trees which would provide shade and other amenities.
- Good forestry practices, such as, but not limited to, the number of healthy trees the subject parcel of land will support: The applicant has requested the ability to not have to provide replacement trees based on the decline of the tree being from natural causes. There are other small oak trees on this site.

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 is diseased beyond correction and because the tree trunk is divided into two scaffolds, the tree is structurally weak and dangerous and that replacement trees are not required in this situation based on the decline of the tree not being the property owners fault.
- B. Amend, modify or reject the above options.

Attachments:

1. Attachment A, Arborist Report
2. Attachment B, Letter from Arborist dated July 24, 2003
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 130 17th STREET
(CARDELLI)

WHEREAS, the City has received an application submitted by Warren Cardelli, to remove one (1) Blue Oak tree (the trees has a diameter of 30- inches) located at 130 17th Street; and

WHEREAS, Arbor Tree Surgery prepared an Arborist Report dated June 9, 2003, stating that the tree is diseased beyond correction and because the tree trunk is divided into two scaffolds, the tree is structurally weak and is dangerous, and

WHEREAS, the Arborist Report includes the arborist's recommendation that the 30-inch Blue Oak is a hazard and needs to be removed based on 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 one (1) 30-inch Blue Oak trees at 130 17th Street.
2. Consistent with Section 10.01.050.E.1. of the Oak Tree Ordinance, that the City Council allow an exception for the requirement for replacement trees based on the Arborist indication that the trees have declined due to disease and that the decline is not the property owners fault.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 5th day of August 2003 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk