

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

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

**SUBJECT: REQUEST TO REMOVE ONE OAK TREE – 1683 BELLA VISTA COURT (WISE)**

**DATE: AUGUST 5, 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 Cindy and Larry Wise for the removal of one 31-inch Blue Oak tree.
2. An Arborist Report was performed by Arbor Tree Surgery on June 29, 2003, where it was determined that the tree is diseased beyond correction and should be removed immediately. (See attached report)
3. 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.
4. Mrs. Wise is requesting exception to the replacement requirement based on his Arborist's determination that the disease of the tree is not the property owners fault. There is another 26-inch Blue Oak Tree on site that will be preserved.

**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 29, 2003, concludes that the tree is in severe decline and shows no signs of recovery.
- 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: An existing 26-inch Blue Oak Tree will be preserved on the site.
- Good forestry practices, such as, but not limited to, the number of healthy trees the subject parcel of land will support: The applicant is requesting the requirement for replacement trees to be waived based on the Arborist making the finding that the decline of the tree was not the property owners fault.

**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 in severe decline due to several factors and that there are no signs of recovery and waive the requirement for replacement trees based on the Arborist's finding that the decline of the tree is not the property owners fault.
- B. Amend, modify or reject the above options.

**Attachments:**

1. Attachment A, Letter of request dated July 2, 2003
2. Attachment B, Arborist Report
3. Attachment C, Letter from Arborist explaining cause of decline
4. 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 1683 BELLA VISTA CT.  
(WISE)

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WHEREAS, the City has received an application submitted by Cindy and Larry Wise, to remove one (1) Blue Oak tree (the trees has a diameter of 31- inches) located at 1683 Bella Vista Ct.; and

WHEREAS, Arbor Tree Surgery prepared an Arborist Report dated June 29, 2003, stating that the tree is diseased beyond correction and should be removed immediately, 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) 31-inch Blue Oak trees at 130 17<sup>th</sup> 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 5<sup>th</sup> day of August 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.**