

TO: James L. App, City Manager
FROM: Robert A. Lata, Community Development Director
Joseph M. Deakin, Public Works Director
SUBJECT: Accounting of Oak Tree Removal Permit and Replacement Process
DATE: October 21, 2003

NEEDS: For the City Council to receive and file a report on the City's oak tree removal permit and replacement process.

- FACTS:**
1. The City Council has requested a summary overview of the City's oak tree removal permit and replacement process.
 2. The Council adopted Oak Tree Preservation (Chapter 10.01 of Title 10 of the Municipal Code) contains policies, regulations, and specifications governing oak tree preservation, pruning, and removal.
 3. Except in the case of emergencies caused by a dangerous condition, the removal of an existing oak tree that is six (6) inches or greater diameter at breast height is subject to City Council review/approval.
 4. The Council's consideration of the request for removal includes reviewing the findings of the certified Arborist of Record, applying a condition requiring replacement oaks being equal to 25% of the diameter of the tree to be removed.
 5. The Council reviews oak tree removal requests involving:
 - ◆ A Building Permit to accommodate new construction;
 - ◆ A development plan/subdivision;
 - ◆ Requests that do not relate to either a Building Permit or a Subdivision; and
 - ◆ Public Works Projects.
 6. In those instances where removal is approved and tree replacement is required, an applicant can select one of the following options:
 - ◆ Plant on the site where the oak tree(s) were removed; or
 - ◆ Plant in public areas of the subdivision (landscape and lighting maintained areas, street and entry medians); or
 - ◆ Donate the replacement trees to the City for planting in a public area.

**ANALYSIS
AND**

CONCLUSION: As part of its request for a summary overview of the oak tree permit removal and replacement process, the Council has sought a report identifying how the planting of the replacement oak trees is tracked.

Oak Tree Removal Involving a Building Permit or Subdivision

At the time of receiving a Building Permit, the applicant is notified that the Permit cannot be finalized until the Planning Division has verified that the required replacement oak trees have been replaced. City staff uses this notification for individual single-lot construction projects on sites that are not located within an approved development plan/subdivision with specific Conditions of Approval addressing oak tree removal.

For removals within an approved development plan/subdivision, City staff reviews the project Conditions of Approval and implements the requirements regarding oak tree removal and replacement. Typically, the Conditions specify that the replacement trees are to be planted within the public areas (such as park ways, street islands, entry ways, landscape slope areas, etc...) of the approved development plan/subdivision. These replacement trees are to be planted prior to City acceptance of the subdivision/public improvements. An applicant may, however, choose to donate replacement trees to the City.

Oak Tree Removal Not Involving a Building Permit or Subdivision

At the time of initial filing, the applicant identifies his/her preference regarding replacement for City Council review/approval. Selection of an option for oak tree replacement is made by the applicant at the time the removal permit is finalized.

Oak Tree Removal Involving Publicly Owned Properties (Public Works Tree removals)

The Public Works Department may not remove an oak tree without City Council review/approval, except in those circumstances where there is an emergency caused by a dangerous condition. The actual location for the replacement tree is selected by the Council based on input from the Arborist of Record identifying the publicly owned areas that are best suited to long-term oak tree survival. A list of recent oak tree removals and replacement trees to be planted within public parks is attached to this Staff Report.

Donations of Replacement Oak Trees to the City

When an applicants chooses to donate the required oak tree replacement trees to the City:

1. Once a tree removal has been approved by the City Council, the applicant submits funds to the City paying for purchase and installation of the replacement oak tree(s); the costs of a replacement tree varies as to species; for a Coast Live Oak, the cost of a replacement tree is currently \$250 per 1½ inch tree.
2. The replacement oak tree funds received by the City are then deposited in a City account. Information about the funds received (number, species, proposed planting location etc.) is entered into a database, as is information about the planting of the replacement oak trees. Public Works staff incorporates this information into its scheduling of annual tree planting during fall/winter. Currently, the replacement tree inventory includes 12 Blue Oak trees, 10 Coastal Live Oak trees, and 8 Valley/White Oak trees. Public Works will be planting these trees this fall/winter.
3. When the replacement tree is planted, Public Works staff notifies the applicant in writing as to the date of planting, the tree location, the number planted, and the type of tree planted.

When reviewing the oak tree replacement process, City staff made several changes in order to ensure that it is more easily tracked. The first change has been to consolidate the tracking into one database. The second change has been to require an applicant to submit a bond at the time of permit issuance. The bond is for each oak tree to be replaced (the bond process is the same one used for front yard landscaping). The bond is released after City staff verifies that the replacement tree has been planted and after City staff has received a letter from the Arborist of Record verifying that replacement trees have been planted correctly depending on the tree species.

**POLICY
REFERENCE:**

Oak Tree Preservation Ordinance

**FISCAL
IMPACT:**

None

OPTIONS:

- a. Receive and file information on the City's oak tree removal permit and replacement process.
- b. Amend, modify or reject the above option.

Attachment:

List of Public Works Oak Tree Removals/Replacement Trees

PUBLIC WORKS OAK TREE REMOVALS/REPLACEMENT TREES

Oak Tree Removals

City initiated removals are done in cases where the tree is completely dead (and a permit issued) or in emergency situations where a tree has fallen.

Recent Oak Tree removals include:

1. 36-inch Live Oak in City Park. The tree died despite rehabilitation efforts and was replaced with 4 Valley/White oaks (*Quercus lobata*) planted in City Park and 2 Valley/White oaks planted in Barney Schwartz Park.
2. 24-inch Blue Oak removed Union Road. The tree died by indeterminate means. Replacements pending with 4 trees on order.
3. 24-inch Blue Oak removed from Oak Creek Park after the tree fell over. Replacements pending with 4 trees on order.
4. 48-inch White/Valley Oak removed from Paso Robles Youth Arts Center due to the tree being dead. Replacements pending with 8 trees on order.
5. 34-inch White/Valley Oak approved for removal from the west side of South River Road between Creston and Niblick Roads because it was dead. Replacements pending with 6 trees on order.

Oak Tree Replacements

Currently, Public Works staff has ordered 30 trees (12 Blue Oak, 10 Coastal Live Oak, and 8 Valley/White Oak) for planting this fall/winter. These trees will be planted in locations suitable to their long-term survival. The locations for the planting are listed below in order of priority:

1. ***Oak Creek Park*** - Home to the largest stand of Blue oaks in the developed parks system.
2. ***Centennial Park*** - Plantings will be sited on natural, un-irrigated south side of the park, currently home to a grove of Blue Oaks.
3. ***Royal Oak Meadows Park*** - This park has large, natural, undeveloped areas conducive to oak plantings.
4. ***Stoney Creek Corridor*** - undeveloped city property.
5. ***Serenade*** - unimproved city property with many indigenous oak trees.

These five sites represent prime areas for native oak plantings. There are other sites that will be considered once the priority areas are reforested.

Inventory of Oak Trees Located in Public Parks

The existing inventory of oak trees located in City-owned public parks is as follows:

- ◆ 134 Coast Live Oak trees,
- ◆ 149 Blue Oak trees, and
- ◆ 44 Valley/White Oak trees.