

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

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

**SUBJECT: REQUEST TO REMOVE ONE OAK TREE – GATEWAY CENTER (RITE III, INC.)**

**DATE: DECEMBER 2, 2003**

**Needs:** For the City Council to consider a request to remove one 26-inch Live Oak Tree located within the 1<sup>st</sup> Street right of way, at the intersection of Oak Street.

- Facts:**
1. The City has received a written request from Keith Belmont of Rite III, Inc. for the removal of the subject tree.
  2. The removal request is in conjunction with the off-site improvements required with the construction of the Gateway Center.
  3. An Arborist Report was performed by Carolyn Leach Consulting L.L.C. for the Gateway project on March 18, 2003. The report anticipated that the tree would be removed since it would be located within the street right of way. In addition to the tree being located in 1<sup>st</sup> Street, the tree also conflicts with the entry drive for the project. (See attached Arborist Report – Tree No. 2)
  4. The subject Live Oak tree is located underneath the existing overhead power lines and the canopy has been severely cut to keep the lines clear.
  5. Mr. Belmont has agreed to the replacement ratio of 25 percent of the 26-inches of removal.

**Analysis**

**And Conclusion:** Given the location of the tree within the street right of way and the fact that the tree has been severe altered because of the overhead power lines and is not a specimen tree, it would seem that removing the tree to allow for the widening of 1<sup>st</sup> Street would reasonable. The condition of the tree not seem to warrant designing the road improvements around the tree.

The replacement trees would be required to be planted on site prior to the occupancy of the Gateway Center buildings.

**Policy**

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

**Fiscal Impact:** None.

- Options:**
- A. Adopt Resolution No. 03-xx approving the removal of one 26-inch Live Oak tree located within the 1st Street right-of-way, at the intersection of Oak Street, based on the need for the widening of 1st Street, and require a replacement ratio of 6.5 inches of Valley Oaks, which shall be planted on site, in proper locations and proper techniques per the arborist prior to the occupancy of any building 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, Letter of request dated August 26, 2003
2. Attachment B, Photo of Tree
3. Resolution to Approve
4. Arborist Report

RESOLUTION NO. 03-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
AUTHORIZING THE REMOVAL OF ONE OAK TREE WITHIN THE 1<sup>ST</sup> STREET RIGHT  
OF WAY AT OAK STREET (RITE III, INC.)

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WHEREAS, the City has received an application submitted by Keith Belmont on behalf of Rite III, Inc., to remove one (1) Valley Oak tree (the tree has a diameter of 26 inches) located on within the 1<sup>st</sup> Street right of way at the intersection of Oak Street; and

WHEREAS, Carolyn Leach Consulting, L.L.C. has prepared an Arborist Report dated march 18, 2003, which anticipated the need to remove the tree based on it being located with in the street right of way; and

WHEREAS, the tree has been significantly trimmed to allow for the existing above ground utility lines; and

WHEREAS, it is necessary to remove the tree in order to install the street improvements for 1<sup>st</sup> Street; 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) 26-inch Valley Oak tree within the 1<sup>st</sup> Street right of way in conjunction with the development of the Gateway project.
2. The applicant is required to install "like species" at a replacement requirement of 6.5-inches (26" removed x 0.25 replacement factor). This requirement could be satisfied by planting four (4) 1.5-inch trees, or other combinations that add up to the 6.5-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 install 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 2<sup>nd</sup> day of December 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