

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

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

**SUBJECT: REQUEST TO REMOVE ONE OAK TREE - 1612 OAK STREET (STEVENS)**

**DATE: FEBRUARY 15, 2005**

**Needs:** For the City Council to consider a request to remove one 33-inch Coast Live Oak Tree.

**Facts:**

1. On January 1, 2005, the City received an application from Chip Tamagni of A&T Arborist, on behalf of Calvin Stevens, requesting an Emergency Removal of the 33-inch Live Oak tree at 1612 Oak Street. The request was to allow the tree to be removed immediately without taking the issue to the City Council through the typical removal process. See the attached Arborist Report.
2. The tree is located at the rear of the property, adjacent to the alley. Mr. Tamagni's report indicates that there is evidence of recent movement of the tree, causing the tree to further lean against the existing carport.
3. Section 10.01.065 of the Oak Tree Ordinance addresses emergency Oak Tree Removal and gives the Public Works Director the authority to determine if a tree needs to be removed as a result of an emergency situation.
4. Charles Lorenzen, City Street Superintendent was asked by Planning Staff to review the situation and determine if it was necessary to remove the tree based on it being an emergency situation.
5. Charles reported back to Planning Staff, indicating that it did not appear to be an emergency situation. Charles indicated that although the tree is leaning, that pruning of the tree should help the situation. The tree has historically been trimmed along the east side of the canopy in order to stay clear of the overhead utility line in the alley.
6. Mr. Stevens had A&T Arborists proceed with having the tree trimmed, but after the trimming the Arborist still requested that the tree be removed.

7. As provided for in the Oak Tree Ordinance, the City requested that a second Arborist review the situation. Ted Elder of Elder & Elder Ltd. submitted a report addressing the subject tree and whether or not it needs to be removed. Mr. Elder concluded after physically inspecting the tree that the tree is “less than sound we recommend, unfortunately, that the tree be removed”. See attached Arborist Report.

### **Analysis**

**And Conclusion:** Both A&T Arborist, along with Elder & Elder Ltd, have reviewed the existing condition of the tree and have determined that the tree needs to be removed.

Also determined was that the tree’s decline was most likely a result of having a natural lean, trimming over the years to the east side of the tree canopy by utility companies, as well as grading which has taken place for the construction of the alley.

The applicant is requesting that oak tree replacement not be required. The Oak Tree Ordinance does allow exception to oak tree replacement if it can be determined by an approved arborist that the property owner was not a fault. The attached arborist reports would seem to support the property owners’ request.

### **Policy**

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

### **Fiscal**

**Impact:** None.

- Options:**
- a.. Adopt Resolution No. 05-xx approving the oak tree removal request based on the findings, conclusions and recommendations of the Arborist Reports identifying that the tree is structurally weak and the removal is necessary to prevent further damage to the existing structures, and that replacement trees are not required, based on the tree’s decline not being the fault of the property owners;
  - b. Amend, modify, or reject the above options.

### **Attachments:**

1. A&T Arborist Report
2. Elder & Elder Arborist Report
3. Resolution to Approve



P.O. Box 1311, Templeton, California 93465

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1-04-05

To: City of Paso Robles  
From: Chip Tamagni, A & T Arborists  
Re: Hazard Oak at 1612 Oak Street  
CC: Calvin and Sara Stevens, Owners

I was called out to inspect a potentially hazardous coast live oak tree (*Quercus agrifolia*) with a diameter of 33 inches located in the alley east of 1612 Oak Street in Paso Robles, CA. The tree is currently leaning at approximately 20% from vertical towards a carport and home. Three years ago, a portion of the carport was cut out to accommodate the lean of the tree. Within the last week, the degree of lean has increased by a few percent and the tree is now leaning on the carport again. The other evidence observed is as follows:

- 1) Nails in the fence being displaced by the tree show recent (shining steel) signs of being pulled from the boards. In other words, the tree is pushing the fence apart right now.
- 2) There are changes to rubbing spots on limbs from utility lines that correspond to the recent increase in lean.
- 3) There are changes to rubbing spots on limbs from the eaves of the home that correspond to the recent increase in lean.
- 4) The soil on the opposite side of the lean sounds somewhat hollow that corresponds to soil heaving.

The lean is natural and there have been no recent improvements within the drip line.

Included is a hazard evaluation form approved by the International Society of Arboriculture illustrating the present hazard. The hazard rating ranges from one to twelve with the higher the number, the greater the hazard.

In my professional opinion, the tree's degree of lean is getting greater each day. I would welcome the opportunity to meet with city personnel to discuss the mitigating factors described above. This tree is a hazard and it may fail at any time. Immediate removal is highly recommended.

Sincerely,

Chip Tamagni Certified Arborist #WE 6436-A



A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas

**TREE HAZARD EVALUATION FORM** 2nd Edition

Site/Address: 1612 Oak Street (in alley)  
 Map/Location: Paseo Robles  
 Owner: public ☐ private ☒ unknown ☐ other ☐  
 Date: 1-4-05 Inspector: T. Magari  
 Date of last inspection: Unknown

## HAZARD RATING:

4	4	4	=	12
Failure Potential	Size of Part	Target Rating		Hazard Rating
<input checked="" type="checkbox"/> Immediate action needed <input type="checkbox"/> Needs further inspection <input type="checkbox"/> Dead tree				

## TREE CHARACTERISTICS

Tree ID: 1 Species: Coast live oak  
 DBH: 33 # of trunks: 1 Height: 38' Spread: 55'  
 Form: ☐ generally symmetric ☒ minor asymmetry ☐ major asymmetry ☐ stump sprout ☐ stag-headed  
 Crown class: ☐ dominant ☒ co-dominant ☐ intermediate ☐ suppressed  
 Live crown ratio: 60 % Age class: ☐ young ☐ semi-mature ☒ mature ☐ over-mature/senescent  
 Pruning history: ☐ crown cleaned ☐ excessively thinned ☐ topped ☐ crown raised ☐ pollarded ☐ crown reduced ☐ flush cuts ☐ cabled/braced  
☐ none ☒ multiple pruning events Approx. dates: Road/Driveway Clearance  
 Special Value: ☐ specimen ☐ heritage/historic ☐ wildlife ☐ unusual ☒ street tree ☐ screen ☐ shade ☐ indigenous ☐ protected by gov. agency

## TREE HEALTH

Foliage color: ☒ normal ☐ chlorotic ☐ necrotic Epiphyllous? ☒ Y ☐ N  
 Foliage density: ☒ normal ☐ sparse Leaf size: ☒ normal ☐ small  
 Annual shoot growth: ☐ excellent ☐ average ☐ poor Twig Dieback? ☐ Y ☒ N  
 Woodward development: ☐ excellent ☒ average ☐ poor ☐ none  
 Vigor class: ☐ excellent ☒ average ☐ fair ☐ poor  
 Major pests/diseases: Muthean's near base of trunk, pass. oak root fungus

## SITE CONDITIONS

Site Character: ☒ residence ☐ commercial ☐ industrial ☐ park ☐ open space ☐ natural ☐ woodland/forest  
 Landscape type: ☒ driveway ☐ raised bed ☐ container ☐ mound ☐ lawn ☐ shrub border ☐ wind break  
 Irrigation: ☐ none ☒ adequate ☐ inadequate ☐ excessive ☐ trunk wetted  
 Recent site disturbance? ☒ Y ☐ N ☐ construction ☐ soil disturbance ☐ grade change ☐ line clearing ☐ site clearing  
 % drip line paved: 0% 10-25% 25-50% 50-75% 75-100% Pavement lifted? ☐ Y ☒ N  
 % drip line w/ fill soil: 0% 10-25% 25-50% 50-75% 75-100%  
 % drip line grade lowered: 0% 10-25% 25-50% 50-75% 75-100%  
 Soil problems: ☐ drainage ☒ shallow ☒ compacted ☐ droughty ☐ saline ☐ alkaline ☐ acidic ☐ small volume ☐ disease center ☐ history of fail  
☐ clay ☐ expansive ☐ slope \_\_\_\_\_ aspect \_\_\_\_\_  
 Obstructions: ☐ lights ☐ signage ☐ line-of-sight ☐ view ☒ overhead lines ☐ underground utilities ☐ traffic ☐ adjacent veg. ☐ \_\_\_\_\_  
 Exposure to wind: ☒ single tree ☐ below canopy ☐ above canopy ☐ recently exposed ☐ windward canopy edge ☐ area prone to windthrow  
 Prevailing wind direction: NW Occurrence of snow/ice storms: ☒ never ☐ seldom ☐ regularly

## TARGET

Use Under Tree: ☒ building ☐ parking ☒ traffic ☒ pedestrian ☐ recreation ☐ landscape ☒ hardscape ☐ small features ☒ utility lines  
 Can target be moved? ☒ Y ☐ N Can use be restricted? ☒ Y ☐ N  
 Occupancy: ☐ occasional use ☐ intermittent use ☐ frequent use ☒ constant use

The International Society of Arboriculture assumes no responsibility for conclusions or recommendations derived from use of this form.

## TREE DEFECTS

## ROOT DEFECTS:

Suspect root rot: ☒ N Mushroom/bracket present: ☒ N ID: \_\_\_\_\_  
 Exposed roots: ☐ severe ☒ moderate ☐ low Undetermined: ☐ severe ☐ moderate ☒ low  
 Root pruned: \_\_\_\_\_ distance from trunk Root area affected: \_\_\_\_\_ Buttress wounded: ☐ Y ☒ N When: \_\_\_\_\_  
 Restricted root area: ☐ severe ☒ moderate ☐ low Potential for root failure: ☒ severe ☐ moderate ☐ low  
 LEAN: 20° deg. from vertical ☒ natural ☐ unnatural ☐ self-corrected Soil heaving: ☒ Y ☐ N  
 Decay in plane of lean: ☐ Y ☒ N Roots broken: ☐ Y ☒ N Soil cracking: ☐ Y ☒ N  
 Compounding factors: Recent movement, increased lean Lean severity: ☒ severe ☐ moderate ☐ low

CROWN DEFECTS: Indicate presence of individual defects and rate their severity (s = severe, m = moderate, l = low)

DEFECT	ROOT CROWN	TRUNK	SCAFFOLDS	BRANCHES
Poor taper				
Bow, sweep				
Codominants/forks				
Multiple attachments				
Included bark				
Excessive end weight				
Cracks/splinters		S	S	
Hangers				
Girdling	L			
Wounds/scar				
Decay				
Cavity				
Conks/mushrooms/bracket	M			
Bleeding/sap flow				
Loose/cracked bark				
Nesting hole/bee hive				
Deadwood/stubs				
Borers/termites/ants				
Cankers/cankers/burns				
Previous failure				

## HAZARD RATING

Tree part most likely to fail: Root crown

Inspection period: ☐ annual ☐ biannual ☐ other \_\_\_\_\_

Failure Potential + Size of Part + Target Rating = Hazard Rating

4 + 4 + 4 = 12

Failure potential: 1 - low; 2 - medium; 3 - high; 4 - severe

Size of part: 1 - <6" (15 cm); 2 - 6-18" (15-45 cm);

3 - 18-30" (45-75 cm); 4 - >30" (75 cm)

Target rating: 1 - occasional use; 2 - intermittent use;

3 - frequent use; 4 - constant use

## HAZARD ABATEMENT

Prune: ☐ remove defective part ☐ reduce end weight ☐ crown clean ☐ thin ☐ raise canopy ☐ crown reduce ☐ restructure ☐ shape

Cable/Brace: \_\_\_\_\_

Inspect further: ☐ root crown ☐ decay ☐ aerial ☐ monitor

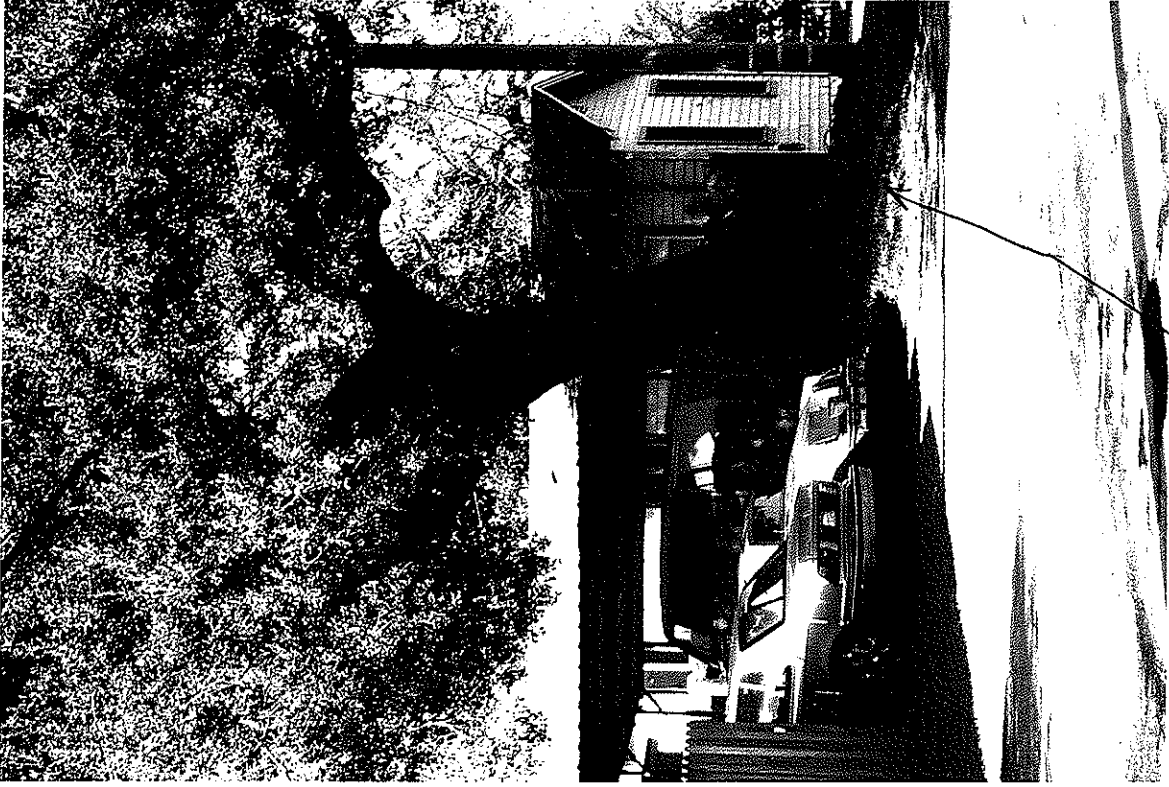
Remove tree: ☒ N Replace? ☐ Y ☒ N Move target: ☒ Y ☐ N Other: \_\_\_\_\_

Effect on adjacent trees: ☒ none ☐ evaluate

Notification: ☒ owner ☐ manager ☐ governing agency Date: 1-4-05

## COMMENTS

The lean is currently so excessive, pruning will not abate the hazard.

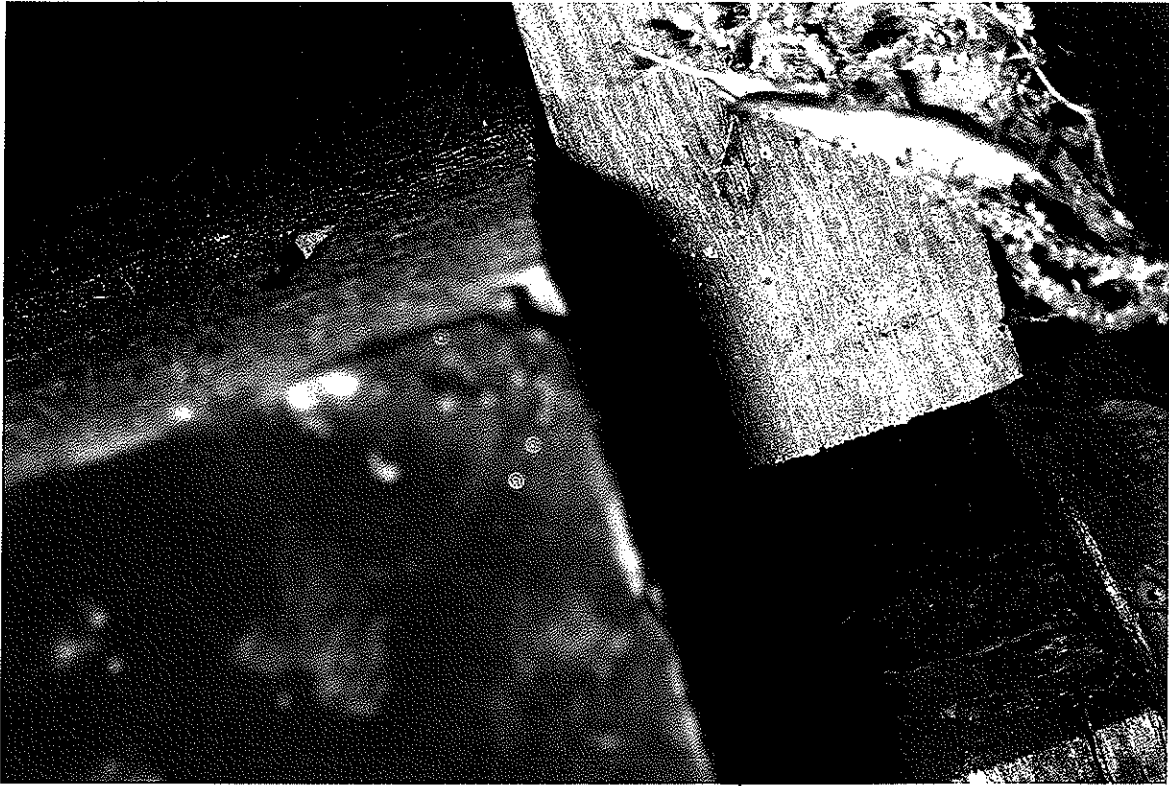


Exposed  
Roots





*Illustrating Movement into context*



Nails  
(need to see in person)



↑  
Markings  
show where  
it used to  
contact vines

Tree Moving  
←





# **Elder & Elder Ltd**

*Landscape Architecture • Recreation & Site Planning • Arboriculture*

**01-28-2005  
Job # 200508**

**1612 Oak street**

**Review of Quercus agrifolia**

**Second Opinion**

**Prepared for:**

**Darren Nash – City Planner  
The City of El Paso de Robles  
1000 Spring Street,  
El Paso de Robles, CA 93446**

**Prepared By:**

**Elder & Elder Ltd.  
1207 Grassy Hollow Way,  
El Paso de Robles, CA 93446**



# Elder & Elder Ltd

*Landscape Architecture • Recreation & Site Planning • Arboriculture*

City of El Paso de Robles,  
1000 Spring Street,  
El Paso Robles, CA 93446

1-28-2005  
(805) 237-3970

Attn: Mr. Darren Nash.

Re: Oak Tree at 1612 Oak Street, El Paso de Robles.

Dear Mr. Nash.

We were asked, by the City of El Paso de Robles, to review the findings of a previous Arboriculture Report on the tree located in the Alley behind 1612 Oak Street. We were not asked to review size of the canopy or Critical Root Zone (CRZ) and therefore viewed the tree only on its safety condition and if we felt that the tree should be removed or protected.

## **Existing Conditions:**

We visited the site and photographed the tree in question. It is a Coast Live Oak, *Quercus agrifolia*, that is leaning towards the existing house. The Alley is mostly unpaved and grading, at some point in time, has taken place very close to the tree possibly to construct the Alley. Because of this the tree is located on a long mound and the Alley side has undermined some of the root system.

Fairly recently the tree has been pruned to, it looks like, take some of the weight off the side that is closest to the existing buildings.

It appears that the tree might be leaning more towards the West, however, this could not be determined in the field as we were not privy to the before and after situation. We heard from the owners who said it is leaning more now than it was before and this might be due to the weight of the tree and the excessive winter rains.

## **Enclosed Photographs:**

**Photo #1** - Visible is the pruning job conducted by the Power, Telephone, Cable Companies etc., or their representative, deforming the tree considerably. Also the recent pruning, to decrease the weight on the West side is clearly visible. If only the main limb on the West side were to be removed the tree would still lean towards the house and the tree would look even worse than it does right now.

**Photo #2** - Rot has progressed inside the tree from the main branch that has been removed.

**Photo #3** - At some time the patio cover has been cut back away from the tree and this appears to be after the construction. One can see that the texture of the bark is not normal for a *Quercus argifolia* and therefore the tree has some internal problems.

**Photo #4** - The root system appears to be growing in only two visible directions. Nothing appears to be growing into the direction of the Alley. Only an airspade would be able to actually determine this for sure, however, visual inspection does not reveal a support system in this Easterly direction.

**Photo #5** - A view of the root/collar attachment area from the opposite direction indicating the same as had been stated in Photo #4.

**Photo #6** - Bores were noted up and down the trunk indicating a tree under stress.

**Photo #7** - A close up of the trunk/ground attachment area and the visibility of the trunk leaning in a Westerly direction and once again no visible roots were seen in the Easterly direction.

**Photo #8** - Soil buildup on the Westerly direction causing damage to the trunk/ground connection point. Note the bark deterioration on this side.

**The property Owners Request for Removal:**

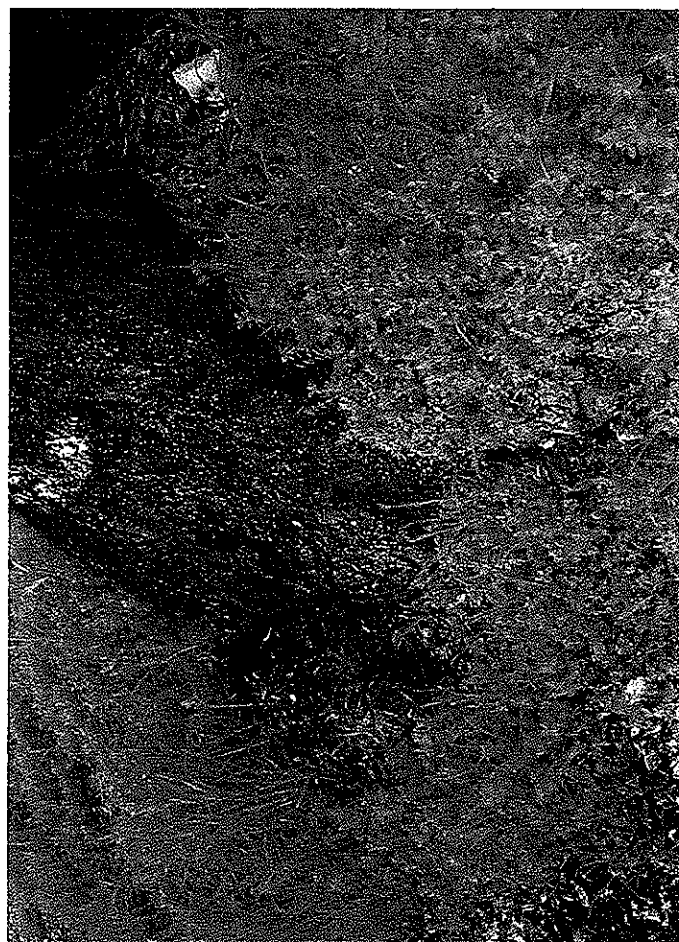
If this tree fails it will damage the house and possibly the people living inside.

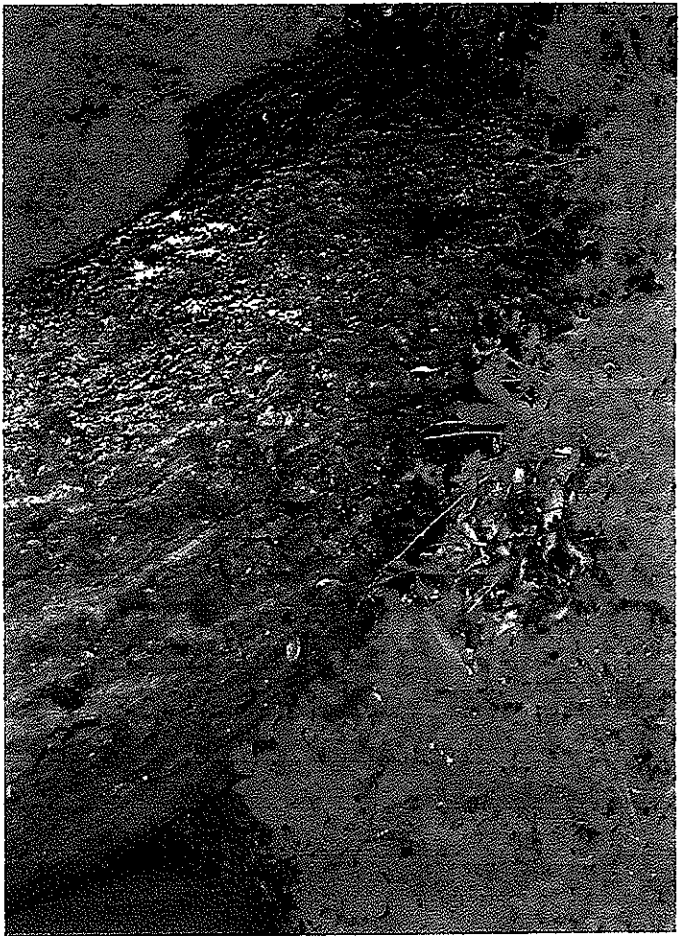
Due to our inspection and finding that this tree is less than sound we recommend, unfortunately, that the tree be removed. If new trees are required to be planted, by the City, in its place they should be maintained from the date of planting so that this kind of poor maintenance shall not happen again.

Yours sincerely  
Elder & Elder Ltd.

Ted Elder  
Principal

Certified Arborist ISA Lic. #2301  
WCIAS Certified Arborist Lic. #1490  
State of California Licensed Landscape Architect #1402  
State of California Master Water Auditor





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6

1. **Introduction**  
The purpose of this study is to investigate the effects of various factors on the growth of a certain plant species. The study is divided into several sections, each focusing on a different aspect of the plant's growth.

2. **Materials and Methods**  
The materials used in this study include various types of soil, water, and light sources. The methods used include controlled experiments and data analysis.

3. **Results**  
The results of the study show that the growth of the plant is significantly affected by the amount of light and water it receives. The data indicates that the plant grows best in a well-lit, moist environment.

4. **Discussion**  
The findings of this study are consistent with previous research on plant growth. The results suggest that the plant's growth is primarily determined by the availability of light and water.

5. **Conclusion**  
In conclusion, the study has shown that the growth of the plant is highly dependent on the amount of light and water it receives. The results provide valuable information for future research on plant growth.

6. **References**  
The following references were used in this study:  
- Smith, J. (2010). The effects of light on plant growth. *Journal of Botany*, 100(1), 1-10.  
- Jones, M. (2012). The effects of water on plant growth. *Journal of Botany*, 102(2), 1-10.

7. **Appendix**  
The following table shows the data collected during the study:

8. **Figure 1**  
The following figure shows the growth of the plant over time:

9. **Figure 2**  
The following figure shows the growth of the plant over time:

10. **Figure 3**  
The following figure shows the growth of the plant over time:

11. **Figure 4**  
The following figure shows the growth of the plant over time:

12. **Figure 5**  
The following figure shows the growth of the plant over time:

13. **Figure 6**  
The following figure shows the growth of the plant over time:

14. **Figure 7**  
The following figure shows the growth of the plant over time:

15. **Figure 8**  
The following figure shows the growth of the plant over time:

16. **Figure 9**  
The following figure shows the growth of the plant over time:

17. **Figure 10**  
The following figure shows the growth of the plant over time:

18. **Figure 11**  
The following figure shows the growth of the plant over time:

19. **Figure 12**  
The following figure shows the growth of the plant over time:

RESOLUTION NO. 05-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
AUTHORIZING THE REMOVAL OF ONE OAK TREE AT 1612 OAK STREET  
(CALVIN H. STEVENS)

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WHEREAS, the City has received an application submitted by Chip Tamagni of A&T Arborists, on behalf of Calvin Stevens, to remove one (1) Coast Live Oak tree (the tree has a diameter of 33-inches) located at 1612 Oak Street; and

WHEREAS, the tree is located adjacent to the alley at the back of the property; and

WHEREAS, Chip Tamagni of A&T Consulting Arborists has prepared an Arborist Report, dated January 4, 2005, which recommends removal of the tree based on the tree leaning, and being in poor condition as a result of past trimming by utility companies as well as past construction for the alley; and

WHEREAS, Ted Elder of Elder & Elder LTD, as requested by the City reviewed the condition of the tree and he also recommended that the tree be removed; 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) 33-inch Coast Live Oak tree located along the alley at 1612 Oak Street;
2. Not require the property owner to plant replacement trees, based on the arborist reports indicating that the trees decline was not at the fault of the owner, that the decline is a result of past trimming from utility companies and impacts related to the construction of the alley.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 15<sup>th</sup> day of February 2005 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