

TO: JAMES L. APP, CITY MANAGER

FROM: ROBERT A. LATA, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: REQUEST TO REMOVE ONE OAK TREE - 758 BRAHMA STREET (LISCERELLI)

DATE: NOVEMBER 1, 2005

Needs: For the City Council to consider a request to remove one healthy 36-inch Valley Oak Tree.

- Facts:**
1. On September 13, 2005, the City received an application from Chuck Scovell Arborist, on behalf of Cathy and Peter Lischerelli, requesting the removal of the 36-inch Valley Oak tree located in the rear yard of the Lischerelli's property at 758 Brahma Street.
 2. The Lischerelli's are requesting the removal of the tree based on what they characterize as the high costs and health related reasons associated with spraying, raking and vacuuming the debris, leaves, blossoms, which fall on their patio/back yard. (See the attached letter from the Lischerelli's)
 3. The arborist in his Report (attached) indicates that the tree is in good condition. The arborist claims that because of excessive growth, the tree is producing large amounts of debris.
 4. When reviewing the Quercus Lobata (Valley Oak) species in the Sunset Western Garden Book, it identifies the species as being deciduous and claims that debris from the tree is characteristic of Valley Oaks. (See the attached excerpt from the Sunset Western Garden Book)

Analysis

And Conclusion: Based on the fact that the Arborist has indicated the tree is good condition, that debris is characteristic of Valley Oak Trees, and the fact that the Oak Tree Preservation Ordinance was established to preserve oak trees in order to maintain the heritage and character of the City of El Paso de Robles ("The Pass of the Oaks") as well preserve the beauty and identity of the community, it would seem that removing this tree would be in conflict with the Oak Tree Ordinance.

Policy

Reference: Paso Robles Municipal Code Section 10.01

Fiscal

Impact: None

- Options:**
- a.** Adopt Resolution No. 05-xx denying the oak tree removal request based on the conclusion of the Arborist Report identifying that the tree is in good condition, and that removing an oak tree that is in good condition does not meet the purpose and intent of the Oak Tree Preservation Ordinance;
 - b.** Amend, modify, or reject the above options.

Attachments:

1. Letter from Peter and Cathy Lischerelli
2. Arborist Report from Chuck Scovell
3. Excerpt from Sunset Western Garden Book
4. Photos of the Oak Tree
5. Resolution to Deny Oak Tree Removal

We would like your approval to remove the oak tree from our backyard patio area. The large size of the tree, which is very close to our home and the high expense and difficulty of maintaining it are too much for us.

Because of my husband's health (a six-way bypass 11 months ago) and our age, we cannot continue to spray, rake and/or vacuum the debris, leaves, blossoms, and acorns, which fall into our landscape. Actually, health and age aside, we do not think anyone would be able to maintain ~~what~~ this tree requires. The constant clean-up and the millions of germinating acorns which are mulched by the leaves have forced us to spray and thus "kill" much of our existing plantings just to get rid of the small oak trees which continue to spring up throughout the year. In addition, we have removed much of our ground cover, which became infested with oak trees. One cannot simply pull up a 2-3" shoot; they must be dug up or killed.

The high cost of trimming, the limited access to our yard, and the removal of cut branches through our side yards and front yard landscaping are of concern, especially as the plants mature. Initially, there were no neighborhood fences or plantings, but now the cuttings are pulled through our front and side yard bushes. As a result, small oak trees have germinated in those areas as well.

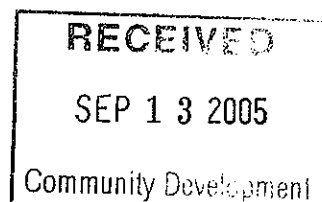
In addition, in our original house plans, the tree was drawn in a position away from our home, not where it actually is in its present location, which is 18 feet from the house/roof edge. A tree of this size is dangerously and inappropriately placed too close to a residence. Other than its innate beauty, one cannot enjoy its shade for the insects that "inhabit" it or the debris which it drops throughout the year.

We ask your kind consideration, as we are happy to comply with the restrictions which accompany the removal of a protected species.

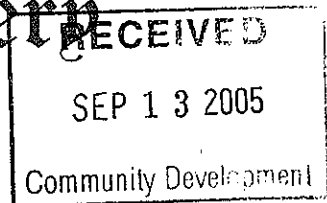
Sincerely,



Peter & Cathy Lischerelli



Scovell Tree Surgery

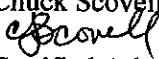


Arborist Report

Re; Mr. Peter Lischerelli
758 Brahma St.
Paso Robles, CA

September 13, 2005

One 36" Valley Oak, *Quercus Lobata*, is in good condition. The house is located 15' north of the main stem. Excessive growth has caused substantial amounts of litter I.E. acorns, leaves to continually fall from the tree making landscape a constant chore to keep clean. The Lischerelli's have had me out twice to prune the tree but still the clean- up is never ending. Due to health and financial concerns my clients request removal of this tree and agree to offer replacements of like species as per city requirements.

Respectively,
Chuck Scovell

Certified Arborist #346

Q

Oregon. Handsome round-headed or somewhat spreading tree to 20-60 ft., with smooth, whitish bark. Oval, 1-2-in.-long leaves are shiny medium green above, grayish or whitish beneath. Leaf edges are smooth or toothed. Acorn cups, covered with golden fuzz, look like turbans.

Q. coccinea. SCARLET OAK. Deciduous. All Zones. Native to eastern U.S. Moderate to rapid growth in deep, rich soil. Can reach 60-80 ft. High, light, open-branching habit. Leaves bright green, to 6 in. long, with deeply cut, pointed lobes. Leaves turn bright scarlet in sharp autumn nights (Zones 1-11, 14, 15, 18-20), but color less well where autumn is warm. Roots grow deep. Good street or lawn tree. Fine to garden under.

Q. douglasii. BLUE OAK. Deciduous. All Zones. Native to foothills around California's Central Valley. Low-branching, wide-spreading tree to 50 ft. high. Fine-textured light gray bark and decidedly bluish green leaves, shallowly lobed, oval, almost squarish. Good in dry, hot situations. Fall colors attractive—pastel pink, orange, yellow.

Q. dumosa. CALIFORNIA SCRUB OAK. Evergreen shrub 3-10 ft. tall; rarely small tree. Zones 4-9, 14-24. Evergreen leaves 1/2-1 in. long, shiny green, smooth edged or lightly spined. Sometimes grown for landscaping wild gardens or for erosion control. Very drought tolerant; thrives in poor, rocky soil. *Q. durata* is similar, but with dull green leaves covered with fine hair.

Q. emoryi. EMORY OAK. Evergreen. Zones 10-13. Handsome tree to 60 ft. (usually smaller in gardens), native to lower mountain slopes in Arizona, New Mexico, Texas, and northern Mexico. Leathery, oval leaves, 2-3 in. long, sometimes turn golden just before new growth starts in late spring. Grows well in low desert, tolerates variety of soils. Needs periodic deep watering during summer.

Q. engelmannii. MESA OAK. Evergreen. Zones 18-24. Native to southern California. Wide-spreading tree of character, to 60 ft. high. Leaves oval or oblong, 2 in. long, usually smooth edged. In its area, it has the same cherished native status as the coast live oak.

Q. frainetto. HUNGARIAN or ITALIAN OAK. Zones 2-12, 14-21. Tall deciduous tree with large (to 8 in. long, 4 in. wide), glossy deep green leaves with deeply cut lobes. Erect, shapely; drought tolerant once established. Attractive but little known.

Q. gambelii (Q. utahensis). ROCKY MOUNTAIN WHITE OAK. Deciduous. Zones 1-3, 10. Grows slowly to 20-30 (rarely 50) ft., often in colonies from underground creeping root system. Leaves 3-7 in. long, half as wide, dark green turning to yellow, orange, or red in fall. Characteristic oak of Arizona's Oak Creek Canyon and Colorado foothills south of Denver.

Q. garryana. OREGON WHITE OAK, GARRY OAK. Deciduous. Zones 4-6, 15-17. Native from British Columbia south to Santa Cruz Mountains of California. Slow to moderate growth to 40-90 ft., with wide, rounded crown, branches often twisted. Bark grayish, scaly, checked. Leathery leaves 3-6 in. long, with rounded lobes; dark glossy green above, rusty or downy on lower surface. Casts moderate shade and has deep, nonaggressive root system—good shelter for rhododendrons (but don't plant them within 4 ft. of tree's trunk).

Q. ilex. HOLLY OAK, HOLM OAK. Evergreen. Zones 4-24. Native to Mediterranean region. Grows at a moderate rate to 40-70 ft. high, with equal spread. Leaves vary in shape and size, but are usually 1 1/2-3 in. long, 1/2-1 in. wide, either toothed or smooth edged, dark, rich green on upper surface, yellowish or silvery below. Tolerates wind and salt air; will grow in constant sea wind, but tends to be shrubby there. Inland, growth rate can be moderately fast but varies with soil and water conditions. Good evergreen street or lawn tree where coast live oak is difficult to maintain, but lacks open grace of coast live oak. Can take hard clipping into formal shapes or hedges.

Q. kelloggii. CALIFORNIA BLACK OAK. Deciduous. Zones 5 (inland portions), 6, 7, 15, 16, 18-21. Native to mountains from southern Oregon to south-



Quercus kelloggii

ern California. Moderate growth rate to 30-80 ft. Dark, furrowed and checked bark. Handsome foliage; unfolding leaves are soft pink or dusty rose, becoming bright glossy green and turning yellow or yellow orange in fall. Leaves 4-10 in. long and 2 1/2-6 in. wide, deeply lobed, with lobes ending in bristly points. Good moderate-sized tree for spring and fall color, winter trunk and branch pattern.

Q. lobata. VALLEY OAK, CALIFORNIA WHITE OAK. Deciduous. Zones 1-3, 6-16, 18-21. Native to interior valleys, Sierra foothills, and Coast Ranges away from direct coastal influence. California's mightiest oak, often reaching 70 ft. or more, with equal or greater spread. Trunk and limbs massive, with thick, ashy gray, distinctly checked bark. Limbs often picturesquely twisted; long, drooping outer branches sometimes sweep ground. Deeply lobed leaves, lobes rounded; 3-4 in. long, deep green above, paler beneath.

Tolerates high heat and moderate alkalinity in its native range. Best in deep soils where it can tap ground water; in such situations, it can grow fast (2 1/2-3 ft. a year). Magnificent tree for shading really big outdoor living area (debris makes it difficult for beds of small plants or heavily used paved areas). This is the tree that gives much of California's Central Valley its parklike look.

"Oak balls" are lightweight, corky spheres about the size of tennis balls, black and tan when they fall. They result from insect activity but do not harm tree.

Q. macrocarpa. BUR OAK, MOSSY CUP OAK. Deciduous. Zones 1-11, 14-24. Native to eastern U.S. Rugged looking, to 60-75 ft. high, 30 ft. wide. Leaves are glossy green above and whitish beneath, 8-10 in. long, broad at tip, tapered at base, deeply lobed. Large acorns form in mossy cups. Similar to *Q. bicolor* but faster growing, more tolerant of adverse conditions.

Q. myrsinifolia. JAPANESE LIVE OAK. Evergreen. Zones 4-7, 14-24. A 30-50-ft.-tree in its native China and Japan. Leaves 2 1/2-4 in. long, narrow, toothed toward tips, glossy dark green. New foliage purplish. Unlike most oaks, it is graceful rather than sturdy, and is not easily recognized as an oak unless seen with its acorns.

Q. palustris. PIN OAK. Deciduous. All Zones. Native to eastern U.S. Moderate to fairly rapid growth to 50-80 ft. Slender and pyramidal when young, open and round headed at maturity. Brownish gray bark. Lower branches tend to droop almost to ground; if lowest whorl is cut away, branches above will adopt same habit. Only when fairly tall will it have good clearance beneath lowest branches. Glossy dark green leaves are deeply cut into bristle-pointed lobes; in brisk fall weather, leaves turn yellow, red, and finally russet brown. Many hang on in winter.

Less drought tolerant than most other oaks. Develops chlorosis in alkaline soils; treat with iron chelate. Needs ample water and good drainage. Stake young trees and give only corrective pruning. Plant where its spread will not interfere with walks, drives, or street traffic, or trim it often. Unlike western oaks, it is a fine tree for lawns.

Q. phellos. WILLOW OAK. Deciduous. Zones 1-4, 6-16, 18-21. Native to eastern U.S. To 50-90 ft. Somewhat like pin oak in growth habit and spreading nature, this tree is grown and used the same way as pin oak. Smooth, gray bark. Leaves are unlike those of other common oaks; they somewhat resemble willow leaves—2 1/2-5 in. long, 1/2-1 in. wide, smooth edged. Foliage turns yellowish before falling; in warmer Zones, dead leaves may hang on through winter. Of all oaks, willow oak has most delicate foliage pattern.



Quercus lobata



Quercus macrocarpa



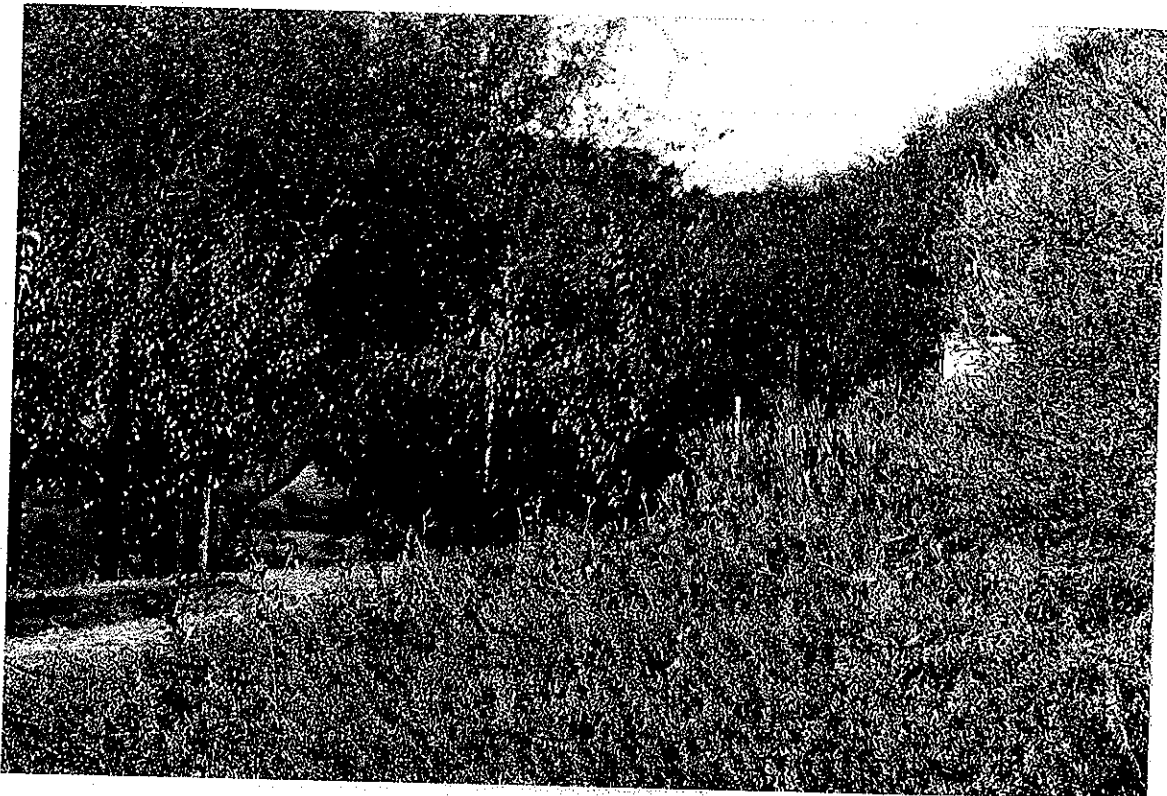
Quercus palustris



Quercus phellos

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RESOLUTION NO. 05-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
DENYING THE REQUEST TO REMOVE ONE OAK TREE AT 758 BRAHMA STREET
(LISCHERELLI)

WHEREAS, the City has received an application submitted by Chuck Scovel, on behalf of Cathy and Peter Lischerelli, to remove one (1) Valley Oak tree (the tree has a diameter of 36-inches) located at 758 Brahma Street; and

WHEREAS, the tree is located in the rear yard and is being requested to be removed based on reasons of hardship to the Lischerelli's which include high costs and health impacts associated with maintaining the oak tree; and

WHEREAS, Chuck Scovel, Arborist has submitted a letter that identifies the tree as being in "Good Condition"; and

WHEREAS, Sunset Western Garden Book identifies Valley Oak Trees as being deciduous and indicates that debris from the tree is characteristic; and

WHEREAS, the City's Oak Tree Preservation Ordinance was established to preserve oak trees in order to maintain the heritage and character of the City of El Paso de Robles ("The Pass of the Oaks") as well preserve the beauty and identity of the community; and

WHEREAS, it would seem that removing this tree would be in conflict with the Oak Tree Ordinance; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby deny the request to remove the 36-inch Valley Oak Tree located at 758 Brahma Street.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 1st day of November 2005 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk