

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

**FROM: RON WHISENAND, COMMUNITY DEVELOPMENT DIRECTOR**

**SUBJECT: OTR 06-003 - REQUEST TO REMOVE AN OAK TREE WITHIN GOLDEN HILL ROAD RIGHT OF WAY (COLIN WEYRICK)**

**DATE: JULY 5, 2006**

**Needs:** For the City Council to consider a proposal by North Coast Engineer on behalf of Colin Weyrick, to remove one oak tree located within the Golden Hill Road right or way. (See attached Vicinity Map, Attachment 1).

- Facts:**
1. The request has been submitted by North Coast Engineering on behalf of Colin Weyrick, to remove an oak tree which is located in the Golden Hill Road right of way. (See attached Vicinity Map).
  2. The request for the tree removal is in relation to the development of Parcel Map PR 04-0310, a 12-lot industrial subdivision adjacent to Golden Hill Road. North Coast Engineering is in the process of developing the improvement plans for Golden Hill Road, where it is evident that either the tree would need to be removed or that the road improvements would need to be designed around the tree.
  3. Section 10.01.050.C of the Municipal Code, allows the director to permit removal of trees that are in the director's judgment, "clearly dead or diseased beyond correction." The extent to which a tree may be diseased shall be subject to evaluation by an arborist. Based on the recommendation of an arborist the director may authorize removal of a tree that is diseased beyond correction.
  4. The Director, after reviewing the Arborist Letter by Chip Tamagni of A and T Arborists, and inspecting the tree in the field, could not make a determination that the tree is clearly dead or diseased beyond correction, and could not approve the removal of the trees under his own authority.
  5. Removal of healthy trees is guided by Section 10.01.050.D of the Oak Tree Ordinance, which requires City Council approval.

## Analysis

### And Conclusion:

Section 10.01.050.D of the City's Oak Tree Ordinance requires the Council to consider the following factors when considering an oak tree removal:

- 1. The condition of the oak tree with respect to its general health, status as a public nuisance, danger of falling, proximity to existing or proposed structures, interference with utility services, and its status as host for a plant, pest or disease endangering other species of trees or plants with infection or infestation;*
- 2. 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. In this context, it shall be the burden of the person seeking the permit to demonstrate to the satisfaction of the director that there are no reasonable alternatives to the proposed design and use of the property. Every reasonable effort shall be made to avoid impacting oak trees, including but not limited to use of custom building design and incurring extraordinary costs to save oak trees;*
- 3. 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 director shall consider how either the preservation or removal of the oak tree(s) would relate to grading and drainage. Except as specifically authorized by the planning commission and city council, ravines, stream beds and other natural water-courses that provide a habitat for oak trees shall not be disturbed;*
- 4. 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;*
- 5. Good forestry practices such as, but not limited to, the number of healthy trees the subject parcel of land will support.*

The 12-inch oak tree is located within the Golden Hill Road right of way. In order to install the improvements that are required in association with Parcel Map PR 04-0310 the tree would either need to be removed or the road would need to be designed around the tree.

The City's Oak Tree Impact Evaluation Report Guidelines would normally have required the preparation of a detailed evaluation report. However, in this case, the matter deals less with development and avoidance of the tree than the manner in which the Council would like to see the existing street right of way improved. A and T Arborists indicated in their letter dated April 5, 2006 (attachment 2) that the tree is rated a 3 on a scale of 1 to 10. The poor health of the tree is a result of past limb failures, pests and structural defects. Additionally, the

Arborist indicates that the “visual quality has been jeopardized by utility pruning and overall symmetry is average”).

As indicated above, the tree is located underneath existing overhead utility lines that run north/south along Golden Hill Road. These utility lines will be required to be placed underground at the time of the road improvements. The Arborist indicates that the trenching to underground the lines will impact 45-percent of the critical root zone of the tree.

Because of the poor health of the tree, the impacts to the tree as a result of the road improvements and utility line undergrounding, and the fact that the trees aesthetic value is not significant, the Arborist is recommending removal of the tree and the planting of replacement oak trees. If the Council concurs, factor 1,2,4 and 5 could be used to support removal.

**Policy**

**Reference:** Paso Robles Municipal Code Section 10.01.010 (Oak Tree Ordinance).

**Fiscal**

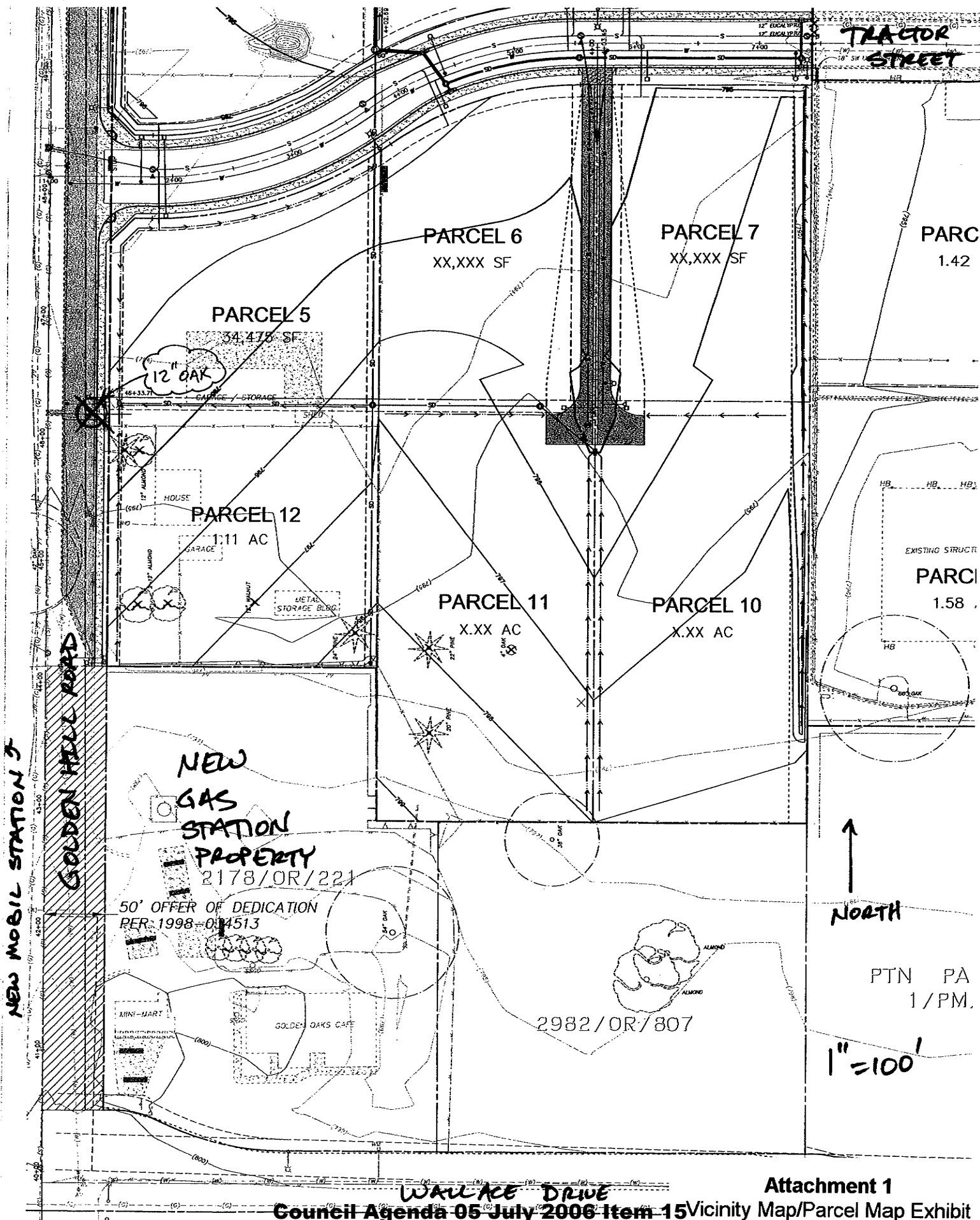
**Impact:** None.

- Options:**
- A. Adopt Resolution No. 06-xx allowing the removal of the 12-inch diameter Valley Oak tree in accordance with Section 10.01.050.D of the City’s Oak Tree Ordinance based on the Arborist concluding that the tree is in poor health and has poor aesthetic value, and furthermore that the removal of the tree is necessary in order to construct the improvements for Golden Hill Road, including undergrounding the existing overhead utility lines, and require the applicant to plant two 1.5-inch diameter Valley Oak Trees as part of the subdivision improvements at the direction of the Arborist.
  
  - B. Amend, modify or reject the above options.

Attachments:

1. Vicinity Map/Tree Location map
2. Photos of Tree
3. Arborist letter dated April 5, 2006
4. Resolution approving the request to remove the tree

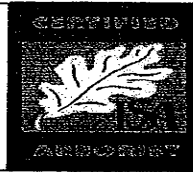
H:\Darren\oaktree\Weyrick\July5thCC Report



NEW MOBIL STATION 3

# A & T ARBORISTS

P.O. BOX 1311 TEMPLETON, CA 93465 (805) 434-0131



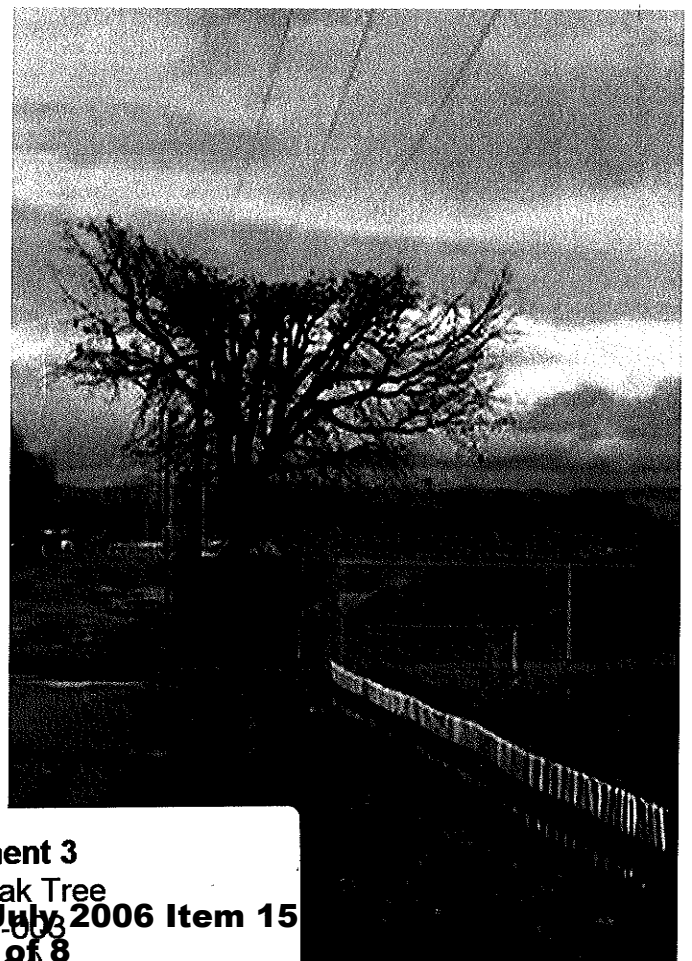
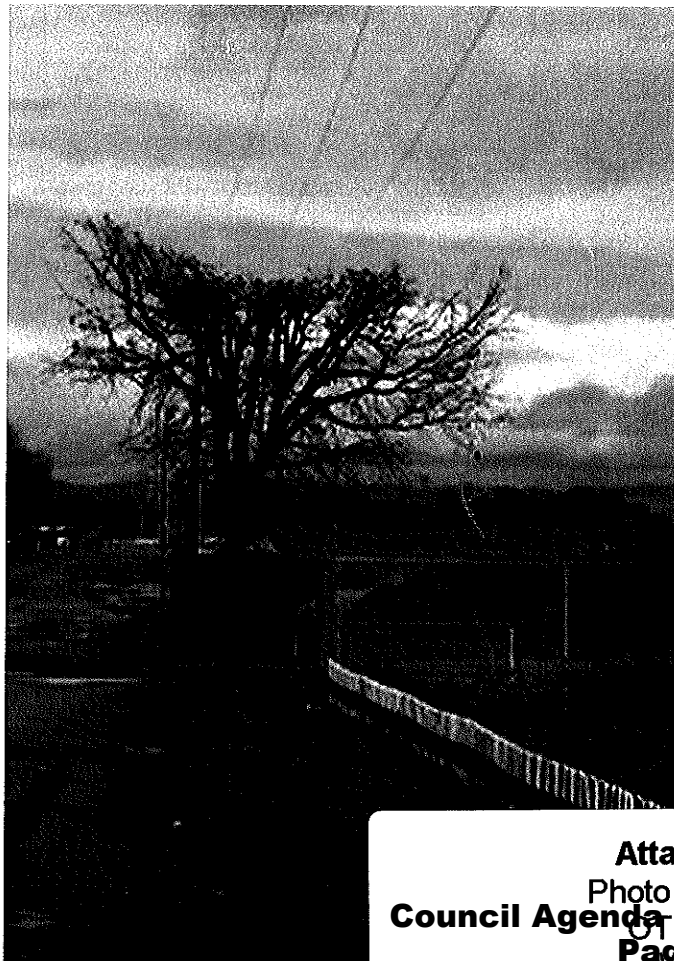
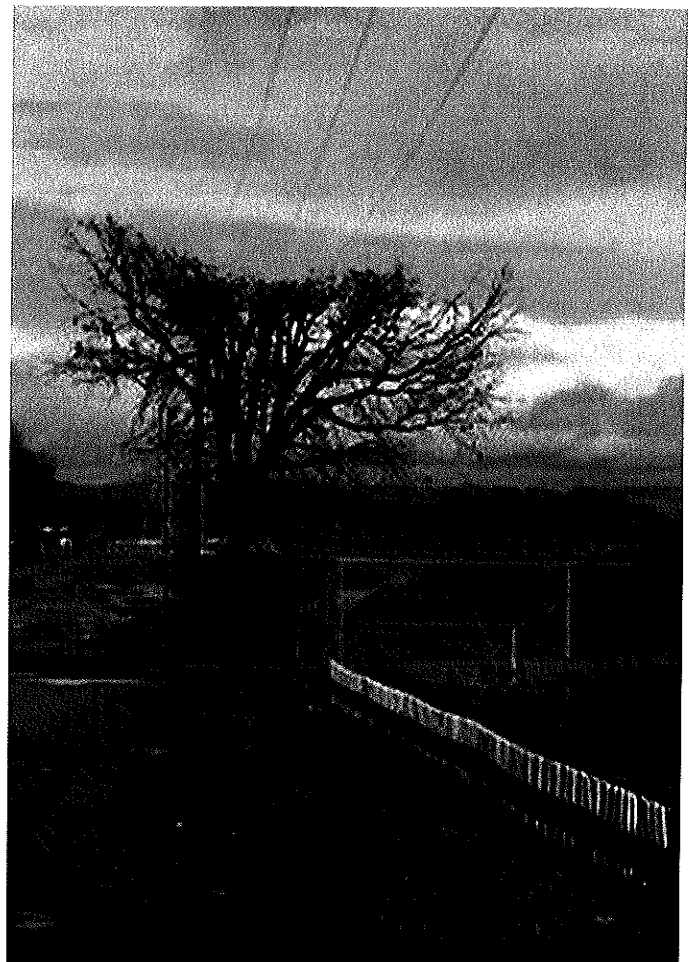
4-05-06  
Colin Weyrick  
PR 04-0310  
Golden Hill Road  
Paso Robles, CA

Paso Robles  
PR 10 200  
Planning Division

This letter is regarding the removal of a 12" diameter valley oak tree (*Quercus lobata*) located along Golden Hill Road, north of Wallace Drive in Paso Robles, California. The tree is located within the right-of-way and will limit street expansion and associated improvements. Red tape is wrapped around the trunk at breast height. Currently, the tree is twenty feet tall with a canopy spread of 16 feet. The tree's condition rates a three out of ten which is described as having some past failures, pests or structural defects (utility pruned). The aesthetic value rates only as fair (visual quality has been jeopardized by utility pruning and overall symmetry is average). As seen in the included photographs, this particular tree is growing directly underneath the 12,000 volt conductors. By removing the conductors and placing the power underground, the tree would require restorative pruning at least once every two years for six years to re-establish proper scaffold branching. In addition, the trenching for the utilities would impact approximately 45% of the critical root zone, therefore the conduit would require boring. This tree is approximately fifteen years old. Replacing it with 1.5 inch caliper trees in associated greenbelt areas according to city replacement guidelines would be more beneficial both economically and aesthetically than shrinking the roadway and removing the overhead lines. As traffic increases along any roadways, the potential for vehicles striking trees increases. Because of the relatively young age of the tree, the arborists recommend removing it.

Chip Tamagni  
Certified Arborist #WE 6436-A

Steven Alvarez  
Certified Arborist #WE 0511-A



**Attachment 3**  
Photo of Oak Tree  
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(Weytick)

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RESOLUTION NO. 06-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
AUTHORIZING THE REMOVAL OF ONE OAK TREE IN RELATION TO THE GOLDEN  
HILL ROAD IMPROVEMENTS  
(COLIN WEYRICK)

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WHEREAS, North Coast Engineering on behalf of Colin Weyrick has submitted a request to remove a 12-inch Valley Oak Tree; and

WHEREAS, the tree is located within the Golden Hill Road right of way and is in the way of the widening and curb gutter and sidewalk improvements that are required to be installed with Parcel Map PR 04-0310; and

WHEREAS, along with the application, North Coast Engineering submitted a letter from Chip Tamagni of A and T Arborists, which analyzed the health of the tree and concluded that the tree is in poor health and has poor aesthetic value and recommends removal; 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) 12-inch Valley Oak tree in relation with the Golden Hill Road improvements, based on the tree being in poor health and poor aesthetic value, and that the tree is in the way of the widening and improvements for Golden Hill Road as shown on Exhibit A to this Resolution;
2. Require the planting of two (2) 1.5-inch diameter replacement valley oak trees, to be placed within the project as directed by the Arborist.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 5<sup>th</sup> day of July 2006 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

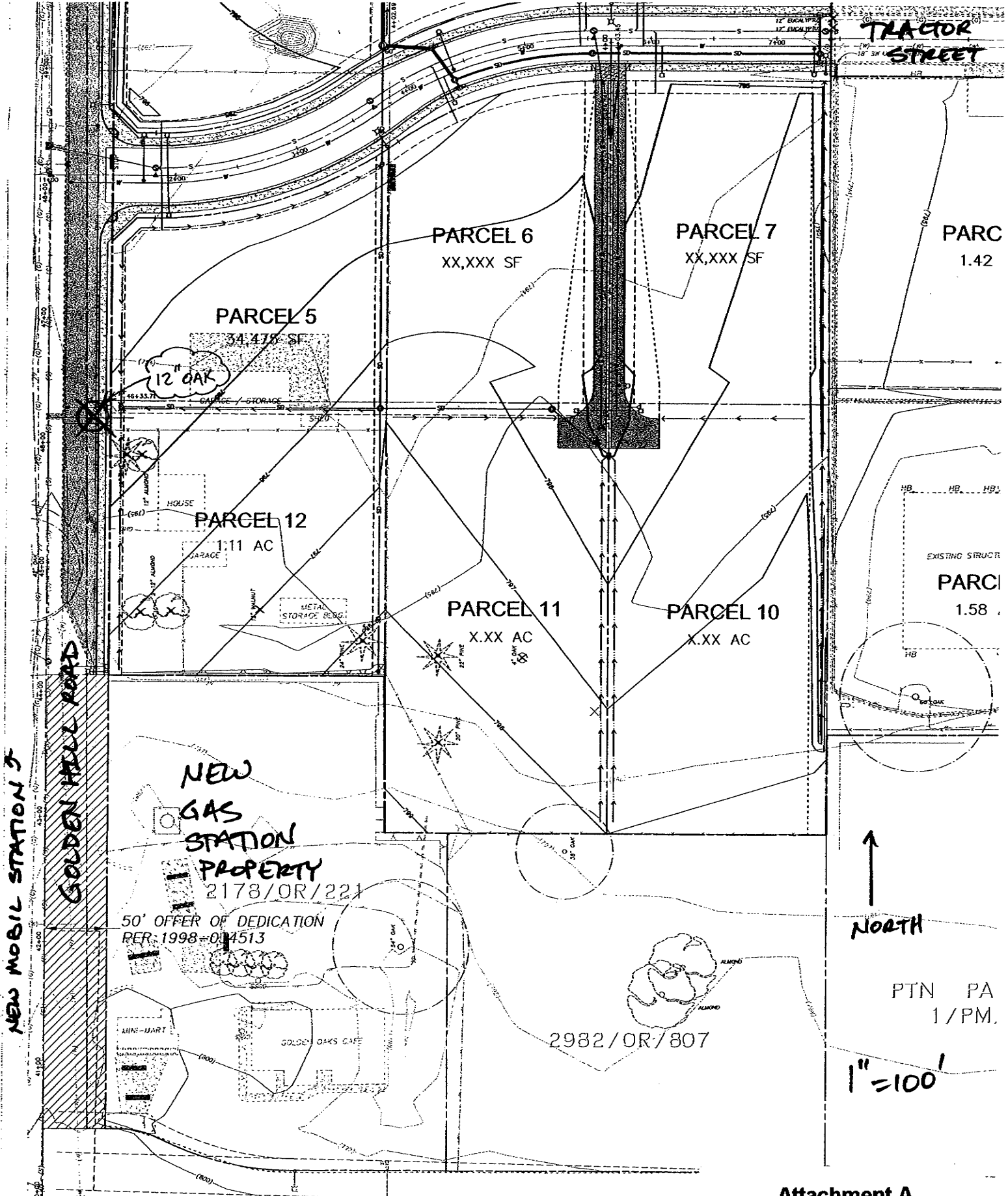
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Frank R. Mecham, Mayor

ATTEST:

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Deborah Robinson, Deputy City Clerk



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HWY 101

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Attachment A  
Vicinity Map/Parcel Map  
OTR 06-003  
(Weyrick)