

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

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

**SUBJECT:** OTR 07-009 - REQUEST TO REMOVE ONE OAK TREE WITHIN THE UNION RD. RIGHT OF WAY, JUST EAST OF GOLDEN HILL ROAD (CITY INITIATED)

**DATE:** OCTOBER 2, 2007

**Needs:** For the City Council to consider a City-initiated request to remove one oak tree located within the Union Road right of way.

**Facts:**

1. The subject oak tree is a 42-inch Valley Oak (*Quercus Lobata*) and is located on the south side of Union Road, approximately an 1/8 mile east of Golden Hill Road. (See Vicinity Map, Attachment 1)
2. As described in the letter from A&T Arborists (Attachment 2), the tree is severely declining. The report indicates that the tree's decline is a result of the approximately 45-percent of the critical root zone being impacted by Union Road.
3. In addition to the CRZ impacts, the report indicates that the tree is infested with aphids, has internal decay, has stunned and sparse new growth, and the tree has had numerous limb failures.
4. Planning Staff went out to the site to review the tree. Since the tree shows signs of growth the Director could not make the determination that the tree is "clearly dead or diseased beyond correction." Therefore, Section 10.01.050.C of the Oak Tree Ordinance would consider the tree "healthy" and require that the City Council make the determination of whether the tree should be removed or not, after consideration of the factors listed in Section 10.01.050.D.

**Analysis  
And**

**Conclusion:** According to Section 10.01.050.D, there are several factors that the City Council needs to review when considering the removal of a "healthy" oak tree. These factors along with Staff's analysis of each factor are listed below:

*D. If a request is being made to remove one or more healthy oak trees for which a permit to remove is required, the director shall prepare a report to the City Council, outlining the proposal and his recommendation, considering the following factors in preparation of his recommendation.*

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;*

Chip Tamagni from A&T Arborists submitted a report dated September 7, 2007. The report (Attachment 2) describes the health of the subject tree as being in severe decline and recommends that the tree be removed. He indicates in his report that the trees decline is a result of CRZ impacts, insect infestation and internal decay. The tree has had numerous limb failures.

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;*

There is no development associated with the tree removal. The application has been filed by the Public Works Department in an effort to reduce the possibility of additional limb/tree failures that could impact private/public property. Removal of the tree would allow for full-width improvements to Union Road in the future.

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;*

There would not be any negative effects on soil retention, water retention or surface water flows for the neighborhood, if this tree were to be removed.

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;*

The subject tree is located within the Union Road right of way. There are no other oak trees in the vicinity of this tree. The intent of removing the tree is to prevent possible future hazards as a result of the tree being in poor condition.

5. *Good forestry practices such as, but not limited to, the number of healthy trees the subject parcel of land will support.*

See comments above.

As required by the Oak Tree Ordinance, four (4) 1.5-inch replacement Valley Oak Trees will be planted as a result of the removal of the 42-inch oak tree. The trees will be planted in a public area at a time and place to be determined by the Street Superintendent.

**Policy**

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

**Fiscal**

**Impact:** None.

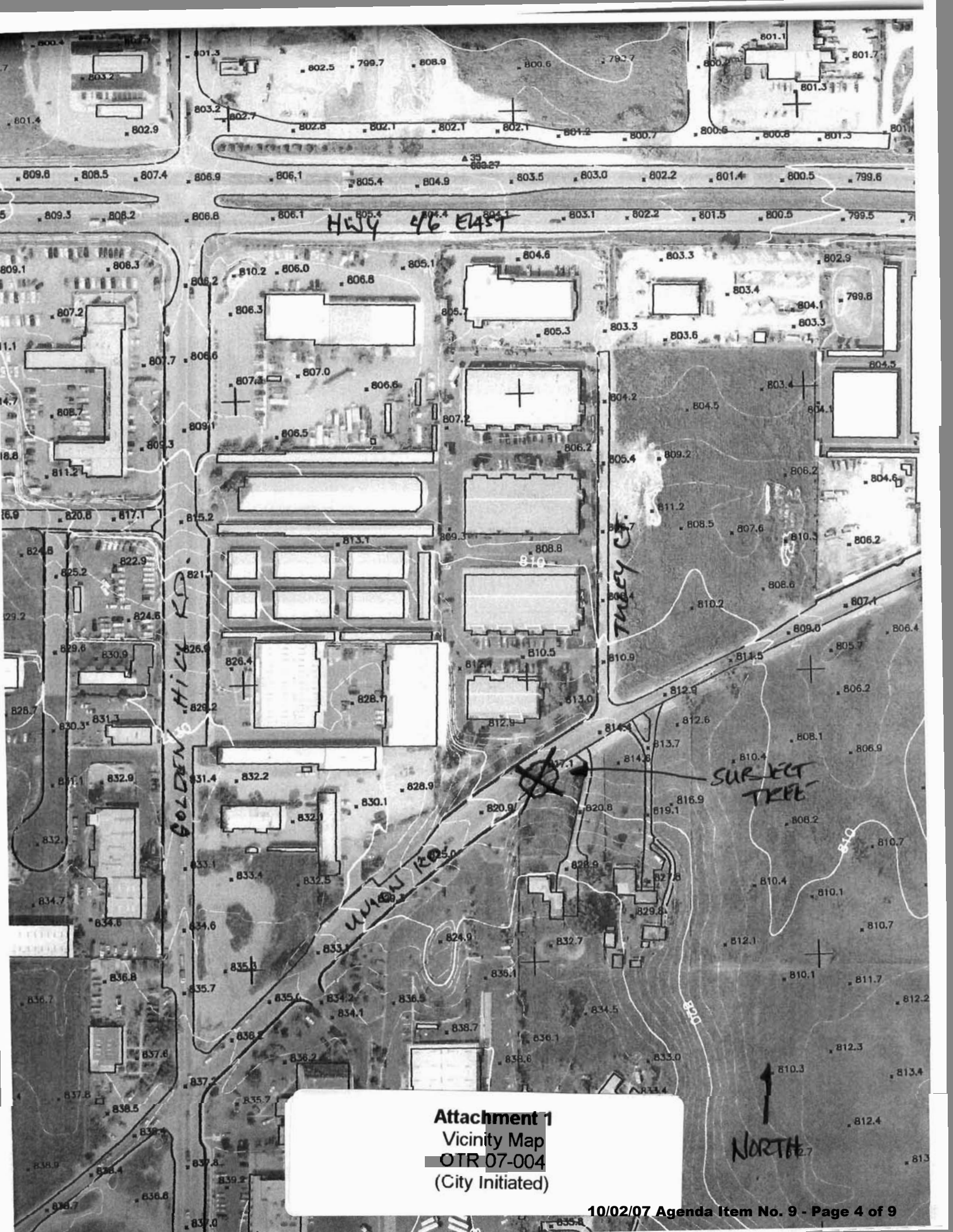
- Options:**
- A. Adopt Resolution No. 07-xx approving OTR 07-004, allowing the removal of the 42-inch Valley oak tree, based on the tree being in poor health, and having a hazard of falling, and require four (4) 1.5-inch diameter replacement trees to be planted in a public area at a time and place to be determined by the Street Superintendent;
  - B. Amend, modify or reject the above options.

**Report prepared by: Darren Nash, Associate Planner**

Attachments:

1. Vicinity Map
2. Arborist Report, with photos, received September 7, 2007
3. Resolution to approve the removal of the tree.

H:\Darren\oaktreeremoval\Union Road



HWY 46 EAST

GOLDEN HILLS RD

TRACY C.

MUNICIPAL RD

SURJECT TREE

NORTH

**Attachment 1**  
Vicinity Map  
OTR 07-004  
(City Initiated)

# A & T ARBORISTS

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



9-7-07

Charles Lorenzen, Streets Division Manager  
City of Paso Robles, California  
Re: Severely Declining Valley Oak Tree (*Quercus lobata*)

**Background Information:** The subject tree is located along Union Road approximately 1/8<sup>th</sup> mile east of Golden Hill Road in Paso Robles, California.

**Assignment:** Determine possible cause(s) of decline.

**Observations:** The critical root zone is impacted approximately 45% from the construction of Union Road. New growth is severely stunted and sparse. Aphids and scale are infesting the tree and are usually a result of stress. The tree has internal decay evident by examining the numerous limb failures.

**Testing and Analysis:** None performed.

**Conclusions:** Some trees can sustain certain construction impacts with no signs of decline in the short term. Other trees show signs of decline almost immediately. This particular tree has tried to survive for many years and general decline has been slow. The tree may only live a few more years at best.

**Recommendations:** Remove the tree before a large limb failure damages a vehicle or injures a pedestrian.

Chip Tamagni  
Certified Arborist #WE 6436-A

A handwritten signature in black ink, appearing to read 'S. Alvarez', is written over the printed name and certification number of Steven G. Alvarez.

Steven G. Alvarez  
Certified Arborist #WE 0511-A

**Attachment 2**  
Arborist Report  
OTR 07-004  
(City Initiated)









RESOLUTION NO. 07-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
AUTHORIZING THE REMOVAL OF ONE OAK TREE  
WITHIN THE UNION ROAD RIGHT OF WAY  
(CITY INITIATED)

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WHEREAS, the Public Works Department is requesting to remove a 42-inch Valley oak tree that is located adjacent to Union Road, approximately an 1/8 mile east of Golden Hill Road; and

WHEREAS, the Community Development Director could not make the determination that the tree is “clearly dead or diseased beyond correction,” and therefore, Section 10.01.050.C of the Oak Tree Ordinance would consider the tree “healthy” and require that the City Council make the determination of whether the tree should be removed or not, after consideration of the factors listed in Section 10.01.050.D; and

WHEREAS, Chip Tamagni of A & T Arborists submitted an Arborist Report indicating that the health of the tree is in severe decline as a result of impacts to the Critical Root Zone from Union Road; and

WHEREAS, the Arborist also indicated that the tree is infested with aphids, has internal decay and has stunned and sparse new growth as well as having past limb failures; 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) 42-inch Valley Oak tree based on the tree being in poor condition and the removal is necessary to prevent damage to private and/or public property as well as allow for full-width improvements to Union Road in the future;
2. Require the planting of four 1.5-inch diameter replacement Valley Oaks to be planted at a time and location to be determined by the City Streets Superintendent.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 2<sup>nd</sup> day of October 2007 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