

TO: JAMES L. APP, CITY MANAGER

FROM: ED GALLAGHER, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: Otr 14-002 - Request To Remove One Oak Tree At 1304 Oak Ridge Way (Lot 53, Tract 2281 - Smith)

DATE: MARCH 18, 2014

Needs: For the City Council to consider a request by Greg Smith, to remove one oak tree in conjunction with the development of a vacant lot within Tract 2281.

Facts:

1. The site is located at 1304 Oak Ridge Way, see Vicinity Map (Attachment 1).
2. The subject oak tree is a 15-inch diameter Blue Oak (*Quercus Douglasii*). The tree is 1 of 9 blue oaks on the lot; the remaining 8 trees will remain on the site.
3. An Arborist Report was prepared by A&T Arborists that indicates that the 15-inch tree is in fair condition (rated a 5 on a 1-10 scale). The report describes that the tree has "inherent structural problems that include the two main trunks crossing each other several feet off the ground". As a result of the structural issues the Arborist recommends that the tree be removed.
4. A conceptual site plan has been provided that indicates that a house could be built on the lot without the need to remove the tree, however allowing the removal of the tree would allow the house to be placed further away from the other trees that will remain on the site. (See proposed Site Plan, Attachment 4).
5. Planning Staff did go out to the site to review the trees, since the tree shows signs of growth the 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.

**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;*

Based on the Arborist indicating that the structural condition of the tree will cause structural problems in the future, the trees seems to be a good candidate for removal.

- 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;*

The site can be developed without the removal of the trees, however, based on the structural problems with the tree, and since there are multiple other trees on site, the subject tree seems to be good candidate for removal.

- 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;*

The removal of the tree would not result in negative effects on soil retention, water retention or surface water flows for the neighborhood.

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;*

There are other oak trees on the site consisting of native trees to the site.

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

The removal of the tree will help provide a larger area for a home to be built in a manner that would lessen the impacts to the remaining larger, healthier trees.

It is possible to construct a house on the lot in a manner that would preserve the trees; however removing the 15-inch tree would allow the house to be placed further away from the other trees that will remain on the site.

If the City Council allows for the removal of the tree, the applicant is prepared to plant the necessary replacement oak trees as required by the Oak Tree Ordinance. If Council does not approve the removal request, the applicant will need to redesign the project to preserve the oak trees.

Policy

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

Fiscal

Impact: None.

Options: A. Adopt Resolution No. 14-xx approving OTR 14-002, allowing the removal of one 15-inch Blue oak tree based on the tree having structural problems, and, require three (3) 1.5-inch diameter Blue Oak replacement trees to be planted at the direction of the Arborist, or payments made to the City's oak tree replacement fund.

B. Amend, modify or reject the above options.

Attachments:

1. Vicinity Map
2. Conceptual Site Plan
3. Arborist Report
4. Resolution to approve the removal of the tree.



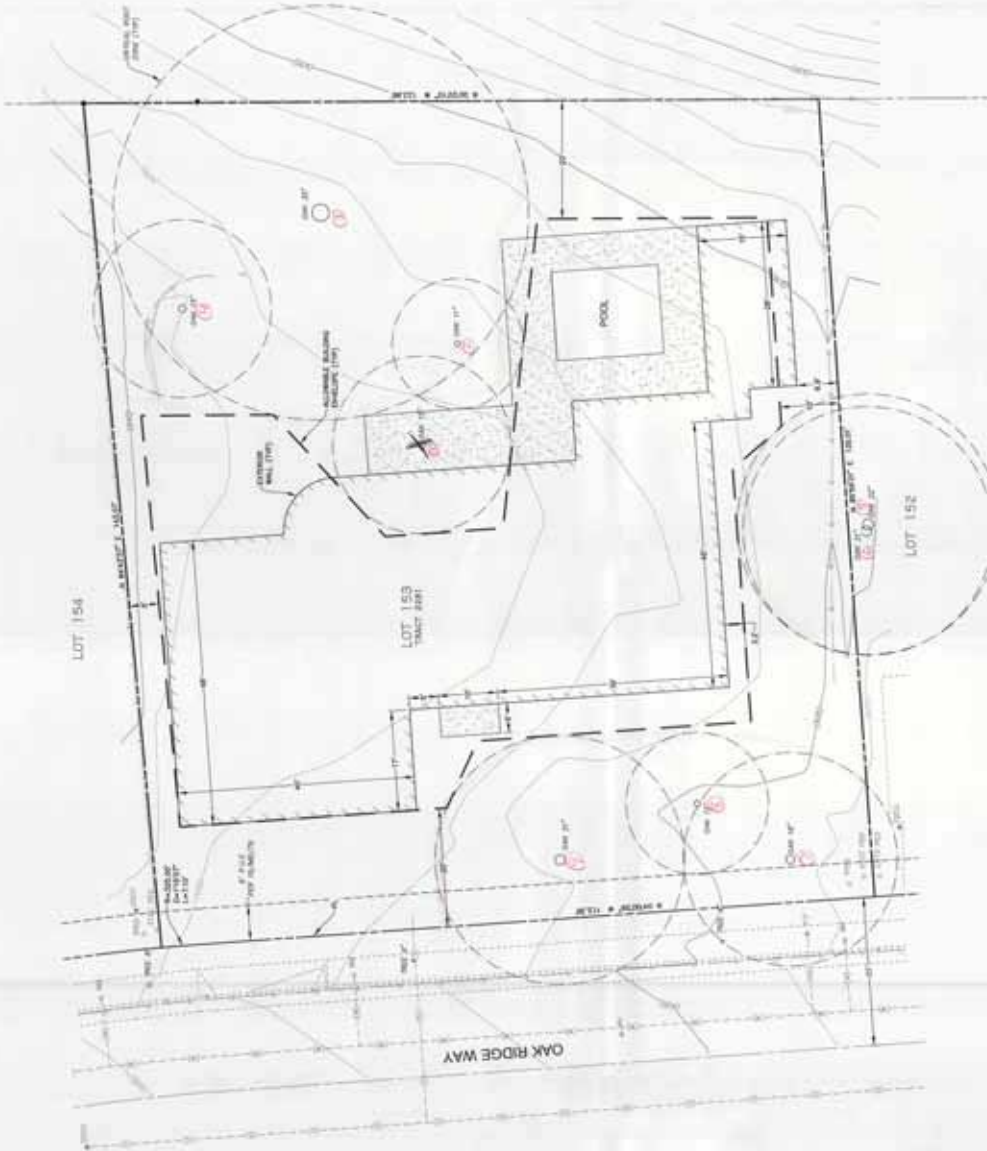
Attachment 1
Vicinity Map
1304 Oakridge Way
(Smith)

Oak Ridge Wy

Canyon Dr

TREE

SITE



- NOTES
1. BUILDING FOOTPRINT DOES NOT ACCORD TO NOTES TO WALK OF CONSTRUCTION, UTILITY
 2. REVISIONS: 10/11/13
 3. EXISTING AND PROPOSED PLANTINGS TO BE MAINTAINED AND REPLACED AS NECESSARY.
 4. ALL DIMENSIONS ARE IN FEET AND INCHES.
 5. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 6. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 7. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 8. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 9. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 10. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.



SCALE: 1"=10'

**LOT 153, TRACT 2281-5
BUILDING EXHIBIT**



Handwritten notes:
 1. Found
 2. Time 4
 3. [Signature]
 4. [Signature]
 5. [Signature]

A & T ARBORISTS

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



Tree Preservation Plan For

**Lot 153, Tract 2281-5
Owner-Greg Smith**

**Prepared by A & T Arborists
and Vegetation Management**

**Chip Tamagni
Certified Arborist #WE 6436-A**

**Steven Alvarez
Certified Arborist #WE 511-A**

Tract # _____

PD # _____

Building Permit # _____

**Attachment 3
Arborist Report
1304 Oakridge Way
(Smith)**

Project Description: This project involves developing one of the last few vacant lots in Tract 2281-5 off of Oakridge Lane in Paso Robles. This lot has been avoided in the past as there is one 15 inch diameter blue oak (*Quercus douglassi*) out of seven on the lot that has prohibited design of a reasonable home to fit the neighborhood. As can be seen on the plans and taking into consideration the critical root zones and over-excavation requirements, the home could only be a little over 20 feet wide at one point. This has proved next to impossible to design a reasonable home on the lot. By allowing the removal of the one 15 inch diameter tree, the width of the home could be increased to 40 feet. The subject tree has inherent structural problems that include the two main trunks crossing each other several feet off of the ground. As their growth expands the diameter of each trunk, the tree will undoubtedly push itself apart at the crotch within about 25 years. We strongly encourage the City Council to allow for this removal based on these facts. The new home has been designed to encroach into the critical root zones of only two other trees by less than 5% which will cause no long term impacts to speak of. The photographs below illustrate the proposed removed tree.



Specific Mitigations Pertaining to the Project: All fencing as shown on the plans shall be installed prior to any grading. Utilities are not shown on the plans, however, they are stubbed out near the driveway approach and they shall be routed outside of all critical root zones whenever possible. Any trenching within the crz shall be hand dug or airspace and monitored. As stated previously, the grading required for the current plan will have extremely minor crz encroachment.

The term “critical root zone” or CRZ is an imaginary circle around each tree. The radius of this circle (in feet) is equal to the diameter (in inches) of the tree. For example, a 10 inch diameter tree has a critical root zone with a ten foot radius from the tree. Working within the CRZ usually requires mitigations and/or monitoring by a certified arborist.

All trees potentially impacted by this project are numbered and identified on both the grading plan and the spreadsheet. Trees are numbered on the grading plans and in the field with an aluminum tag. Tree protection fencing is shown on the grading plan.

Tree Rating System

A rating system of 1-10 was used for visually establishing the general health and condition of each tree on the spreadsheet. The rating system is defined as follows:

<u>Rating</u>	<u>Condition</u>
0	Deceased
1	Evidence of massive past failures, extreme disease and is in severe decline.
2	May be saved with attention to class 4 pruning, insect/pest eradication and future monitoring.
3	Some past failures, some pests or structural defects that may be mitigated by class IV pruning.
4	May have had minor past failures, excessive deadwood or minor structural defects that can be mitigated with pruning.
5	Relatively healthy tree with little visual, structural and/or pest defects and problems.
6	Healthy tree that probably can be left in its natural state.
7-9	Has had proper arboricultural pruning and attention or have no apparent structural defects.
10	Specimen tree with perfect shape, structure and foliage in a protected setting (i.e. park, arboretum).

Aesthetic quality on the spreadsheet is defined as follows:

- **poor** - tree has little visual quality either due to severe suppression from other trees, past pruning practices, location or sparse foliage
- **fair** - visual quality has been jeopardized by utility pruning/obstructions or partial suppression and overall symmetry is average
- **good** - tree has good structure and symmetry either naturally or from prior pruning events and is located in an area that benefits from the trees position
- **excellent** - tree has great structure, symmetry and foliage and is located in a premier location. Tree is not over mature.

The following mitigation measures/methods must be fully understood and followed by anyone working within the critical root zone of any native tree. Any necessary clarification will be provided by us (the arborists) upon request.

It is the responsibility of the **owner or project manager** to provide a copy of this tree protection plan to any and all contractors and subcontractors that work within the critical root zone of any native tree and confirm they are trained in maintaining fencing, protecting root zones and conforming to all tree protection goals. It is highly recommended that each contractor sign and acknowledge this tree protection plan.

Any future changes (within the critical root zone) in the project will need Project Arborist review and implementation of potential mitigation measures before any said changes can proceed.

Fencing: The proposed fencing shall be shown in orange ink on the grading plan. It must be a minimum of 4' high chain link, snow or safety fence staked (with t posts 8 feet on center) at the edge of the critical root zone or line of encroachment for each tree or group of trees. The fence shall be up before any construction or earth

moving begins. The owner shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. If the orange plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. All efforts shall be made to maximize the distance from each saved tree. Weather proof signs shall be permanently posted on the fence, with the following information:

Tree Protection Zone
No personnel, equipment,
materials, and vehicles are
allowed
Do not remove or re-position
this fence without calling:
A & T Arborists
434-0131

Soil Aeration Methods: Soils within the critical root zone that have been compacted by heavy equipment and/or construction activities must be returned to their original state before all work is completed. Methods include water jetting, adding organic matter, and boring small holes with an auger (18" deep, 2-3' apart with a 2-4" auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.

Chip Mulch: All areas within the critical root zone of the trees that can be fenced shall receive a 4-6" layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.

Trenching Within Critical Root Zone: All trenching within the critical root zone of native trees shall be **hand dug**. All major roots shall be avoided whenever possible. All exposed roots larger than 1" in diameter shall be clean cut with sharp pruning tools and not left ragged. A **Mandatory** meeting between the arborists and grading contractor(s) must take place prior to work start.

Exposed Roots: Any exposed roots shall be re-covered the same day they were exposed. If they cannot, they must be covered with burlap or another suitable material and wetted down 2x per day until re-buried.

Equipment Operation: Vehicles and all heavy equipment shall not be driven under the trees, as this will contribute to soil compaction. Also there is to be no parking of equipment or personal vehicles in these areas. All areas behind fencing are off limits unless pre-approved by the arborist.

Existing Surfaces: The existing ground surface within the critical root zone of all oak trees shall not be cut, filled, compacted or pared, unless shown on the grading plans **and** approved by the arborist.

Construction Materials And Waste: No liquid or solid construction waste shall be dumped on the ground within the critical root zone of any native tree. The critical root zone areas are not for storage of materials either.

Arborist Monitoring: An arborist shall be present for selected activities (trees identified on spreadsheet and items bulleted below). The monitoring does not necessarily have to be continuous but observational at times during these activities. It is the responsibility of the **owner(s) or their designee** to inform us prior to these events so we can make arrangements to be present. All monitoring will be documented on the field report form which will be forwarded to the project manager and the City of Paso Robles Planning Department.

- pre-construction fence placement inspection
- trenching identified on the spreadsheet and in the report
- any other encroachment the arborist feels necessary

Pre-Construction Meeting: An on-site pre-construction meeting with the Arborist(s), Owner(s), Planning Staff, and the earth moving team shall be required for this project. Prior to final completion, a letter from the arborist(s) shall be required verifying the health/condition of all impacted trees and providing any recommendations for any additional mitigation. The letter shall verify that the arborist(s) were on site for all trenching activity that encroached into the critical root zone of the selected native trees, and that all work done in these areas was completed to the standards set forth above.

Fertilization and Cultural Practices: As the project moves toward completion, the arborist(s) may suggest either fertilization and/or mycorrhiza applications that will benefit tree health. Mycorrhiza offers several benefits to the host plant, including faster growth, improved nutrition, greater drought resistance, and protection from pathogens.

The included spreadsheet includes trees listed by number, species and multiple stems if applicable, scientific name, diameter and breast height (4.5'), condition (scale from poor to excellent), status (avoided, impacted, removed, exempt), percent of critical root zone impacted, mitigation required (fencing, root pruning, monitoring), construction impact (trenching, grading), recommended pruning, aesthetic value and individual tree notes along with canopy spread.

If all the above mitigation measures are followed, we feel there will be no long-term significant impacts to the native trees.

Please let us know if we can be of any future assistance to you for this project.

Steven G. Alvarez
Certified Arborist #WC 0511



Chip Tamagni
Certified Arborist #WE 6436-A

TREE PROTECTION SPREAD SHEET

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
TREE #	TREE SPECIES	SCIENTIFIC NAME	TRUNK DBH	TREE COND.	CONST. STATUS	CRZ % IMPACT	CONST. IMPACT	MITIGATION PROPOSAL	MON. REQUIRED	PRUNING CLASS	AESTH. VALUE	FIELD NOTES	NS EW	LTSI H-M-L-N	USEFUL LIFE EXP.
1	BO	Q. doug.	15	3	R	0%	GR				fair	poor crotch	20/20		35
2	BO	Q. doug.	11	4	I	5%	GR	F	NO	II	fair		15/15	none	80
3	BO	Q. doug.	35	4	I	2%	GR	F	NO	II	excel.	mistletoe	55/55	none	40
4	BO	Q. doug.	15	5	A	0%	NONE	F	NO	II	good		25/25	none	100
5	BO	Q. doug.	22	3	A	0%	NONE	F	NO	II	fair	mistletoe	18/18	none	60
6	BO	Q. doug.	21	4	A	0%	NONE	F	NO	II	fair		15/15	none	50
7	BO	Q. doug.	18	4	A	0%	NONE	F	NO	II	good		22/22	none	80
8	BO	Q. doug.	12	4	A	0%	NONE	F	NO	II	good		18/18	none	90
9	BO	Q. doug.	21	4	A	0%	NONE	F	NO	II	good		25/25	none	100
10															
11															
12															
13															
14															
15															
16															
17															
18															
19															
20															

1 = TREE # MOSTLY CLOCKWISE FROM DUE NORTH
 2 = TREE TYPE: COMMON NAME IE. W.O.= WHITE OAK
 3 = SCIENTIFIC NAME
 4 = TRUNK DIAMETER @ 46"
 5 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT
 6 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL
 7 = CRZ: PERCENT OF IMPACTED CRITICAL ROOT ZONE
 8 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING, FILL
 9 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,
 10 = ARBORIST MONITORING REQUIRED: YES/NO
 11 = PERSCRIBED PRUNING: CLASS 1-4
 12 = AESTHETIC VALUE
 13 = FIELD NOTES
 14 = CANOPY SPREAD
 15 = LONG TERM SIGNIFICANT IMPACTS: HIGH, MEDIUM, LOW, NONE
 16 = USEFUL LIFE EXPECTANCY

RESOLUTION NO. 14-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
AUTHORIZING THE REMOVAL OF ONE OAK TREE
AT 1304 OAK RIDGE WAY
(GREG SMITH)

WHEREAS, Greg Smith has submitted a request to remove one 15-inch diameter Blue Oak tree, on the vacant lot located at 1304 Oak Ridge Way; and

WEREAS, the request for the tree to be removed in conjunction with the intent of building a new home on the vacant lot; and

WHEREAS, the Arborist Report has been prepared by A&T Arborists, which indicates that the tree is rated a 5 on a scale between 1-10, based on the tree having structural problems; and

WHEREAS, the trees is 1 of 9 trees on the lot; if this tree were to be removed, the remaining 8 oak trees would be preserved on site; 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

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) Blue Oak trees based on the trees having structural problems;
2. Require three (3) 1.5-inch diameter Blue Oak replacement trees to be plated at the direction of the Arborist, or the necessary funds donated to the City's Oak Tree Replacement Fund.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 18th day of March 2014 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Duane Picanco, Mayor

ATTEST:

Caryn Jackson, Deputy City Clerk