

TO: JAMES L. APP, CITY MANAGER

FROM: WARREN FRACE, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: OTR 15-001 - REQUEST TO REMOVE ONE OAK TREE AT 1311 OAK RIDGE WAY (LOT 146, TRACT 2281 - HARROD)

DATE: JUNE 2, 2015

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

Facts:

1. The site is located at 1311 Oak Ridge Way, see Vicinity Map (Attachment 1).
2. The subject oak tree is a 24-inch diameter Blue Oak (*Quercus Douglasii*). The tree is 1 of 23 blue oaks on the lot; the remaining 22 trees will remain on the site.
3. An Arborist Report was prepared by Ted Elder, Arborist that indicates that the 24-inch tree is in fair condition (rated a 4 on a 1-10 scale). The report describes that the tree has "the tree in question is of poor quality with cross branching, many dead or dying branches, and has been self-pruning for many years". As a result of the tree condition, the Arborist recommends that the tree be removed.
4. Mr. Harrod has provided a letter indicating that a house designed to fit on the lot without removing the oak tree, would be sub-standard and ill-positioned, and would be out of character with the high-quality homes in the neighborhood. (See Harrod letter, Attachment 4).
5. Planning Staff did inspect 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 condition of the tree is poor and the tree has low aesthetic value, the tree 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 poor condition of 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 24-inch tree would allow the house to be placed further away from the other trees that will remain on the site, which would reduce impacts to the remaining trees.

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. 15-xx approving OTR 15-001, allowing the removal of one 24-inch Blue oak tree based on the tree having structural problems, and, require four (4) 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. Harrod Letter
- 3. Conceptual Site Plan
- 4. Photos of Tree
- 5. Arborist Report
- 6. Resolution to approve the removal of the tree



Attachment 1
Vicinity Map
OTR 15-001
(Harrod)

Mr. Darren Nash, Associate Planner
City of Paso Robles
1000 Spring Street
Paso Robles, CA

05/05/2015

RE: LOT 146 SHADOW CANYON

Dear Darren,

We are requesting the removal of one 24 inch diameter oak tree at 1311 Oak Ridge Way. This property (Lot 146) is one of the last remaining lots that are still undeveloped in the tract. This is most likely due to people coming to the same conclusion that the tree does not allow for a decent home befitting the rest of the neighborhood. This is a high quality neighborhood that contains several aesthetically pleasing homes nestled amongst literally hundreds of majestic oak trees. It is our opinion that it would be a disservice to put a substandard and ill-positioned home on the lot just to save one oak tree deemed low-value per the attached arborist report. Additionally, the tree in question is positioned crowded beneath a much larger and superior oak tree and the removal of this sub-standard tree along with the proper positioning of a nice home on the lot will properly highlight the tree's beauty for the neighborhood. Please note that there are over 20 other trees remaining on the lot to be preserved.

Sincerely,

Michael James Harrod
Chris M. Harrod

Attachments:

- 1) Vicinity map
- 2) Lot tree plot map
- 3) Arborist Report
- 4) Tree Pictures

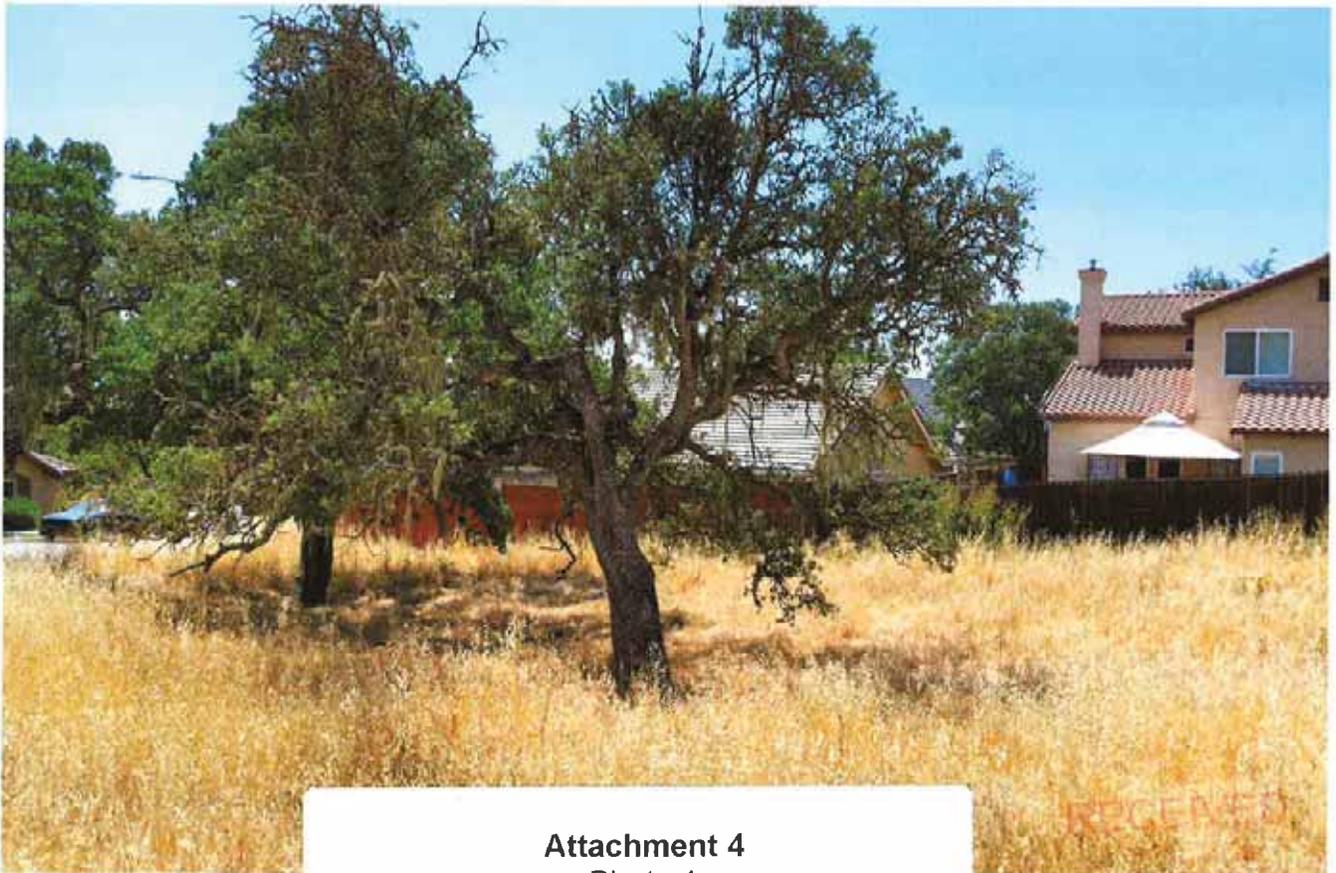
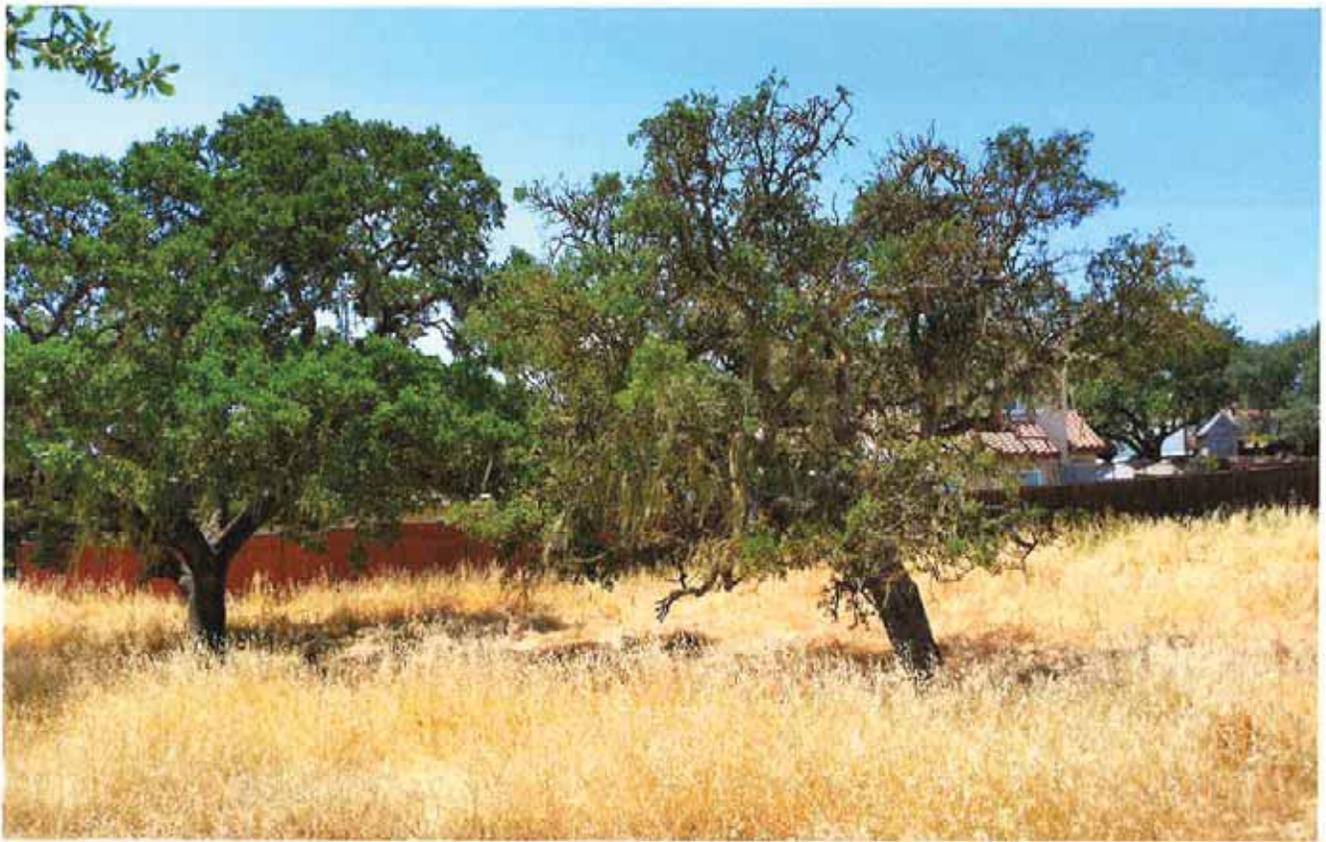
Attachment 2

Letter

OTR 15-001

(Harrod)





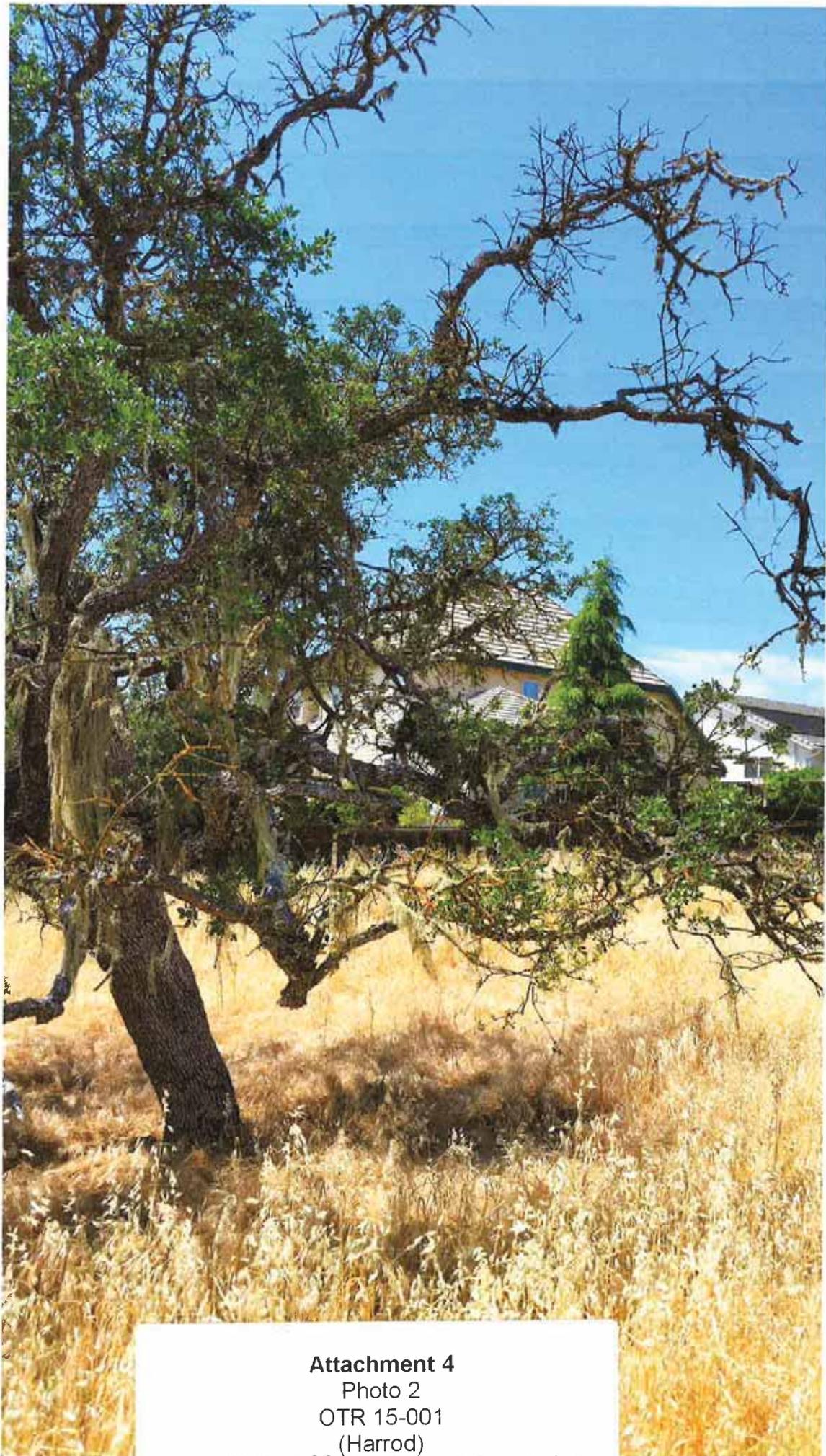
Attachment 4

Photo 1

OTR 15-001

(Harrod)

RECEIVED
MAY 08 2015
CITY OF SAN ANTONIO
COUNCIL ON ECONOMIC DEVELOPMENT



Attachment 4

Photo 2

OTR 15-001

(Harrod)

Ted Elder – Arborist/Landscape Architect

9118 Bridget Leigh Way, Bakersfield, CA 93312

Telephone Number 661-410-8284

Cell Number 805- 7123123

The Property located at 1311 Oak Ridge Way, El Paso de Robles, CA.

Mr. Michael Harrod at your request we visited the above site on Wednesday 4-29-15 to view the condition of the Oak Trees on the total site.

This is to be a preliminary report to see if the lot is useable for the purpose of a large single family residence and to see if the City of Paso Robles will be open to increasing the useable portion of the lot for building the same. No house footprint has been proposed at this time and therefore we can only go on supposition.

We were to determine the viability of the site for the construction of a single family residence. The majority of the trees are located around the edge of the triangular site with few exceptions. One being the one listed as a 24" and is the one in question at this time. If construction is to take place the house, according to City rules, should not intrude into the CRZ or Critical Root Zone area, without permission, and that appears that it will be impossible with the present criteria. A small scale house will not assimilate with the present houses as they are upscale and fairly large.

The number of trees on the lot is approximately 23 and except for street trees are all *Quercus douglasii* or Blue Oaks and vary in diameter from very small to around 30 inches

Tree in Question:

The original Arborists Report, we were not privy to as to whom undertook that report, and the trees were not numbered nor were they identified and only the diameter of most of the trees were indicated on the plan provided.

The tree in question is of poor quality with cross branching, many dead or dying branches and the tree has been self- pruning for many years. Also moss is hanging from many branches which will not do great damage to the tree, at this time, but looks unsightly. The root system is impacted by encircling roots and flaking bark and because of this we find that the tree would be classified as a 'C' quality or a '#4 rating depending upon which scale is being used. But in other words it is not a very good tree and pruning would help but will never make it a high quality tree.

The classification of 'C' and/or #4 is as follows: "*May have had minor past failures, excessive deadwood or minor structural defects that can be mitigated with pruning*". We do not believe that pruning will mitigate the problem but would make the tree look better, however, the main problem would still remain.

Recommendations

Removal of this tree is recommended due to its condition, lot size, and size of construction of the residence to match the houses in the general vicinity. If this tree is allowed to remain the lot will be almost unbuildable.

We hope that this information will be helpful and benefit you, the City and if we can be of further assistance please call or email me.

Thank you

Ted Elder

Certified Arborist CH-01490 – WE-6688A

Landscape Architect -1402