

**TO:** THOMAS FRUTCHEY, CITY MANAGER

**FROM:** WARREN FRACE, COMMUNITY DEVELOPMENT DIRECTOR

**SUBJECT:** OTR 16-006 - REQUEST TO REMOVE ONE OAK TREE AT 1710 VIA LANTANA (VANDERLIP)

**DATE:** JUNE 7, 2016

**Needs:** For the City Council to consider a request by Vince Vanderlip, to remove one oak tree in conjunction with a house currently under construction.

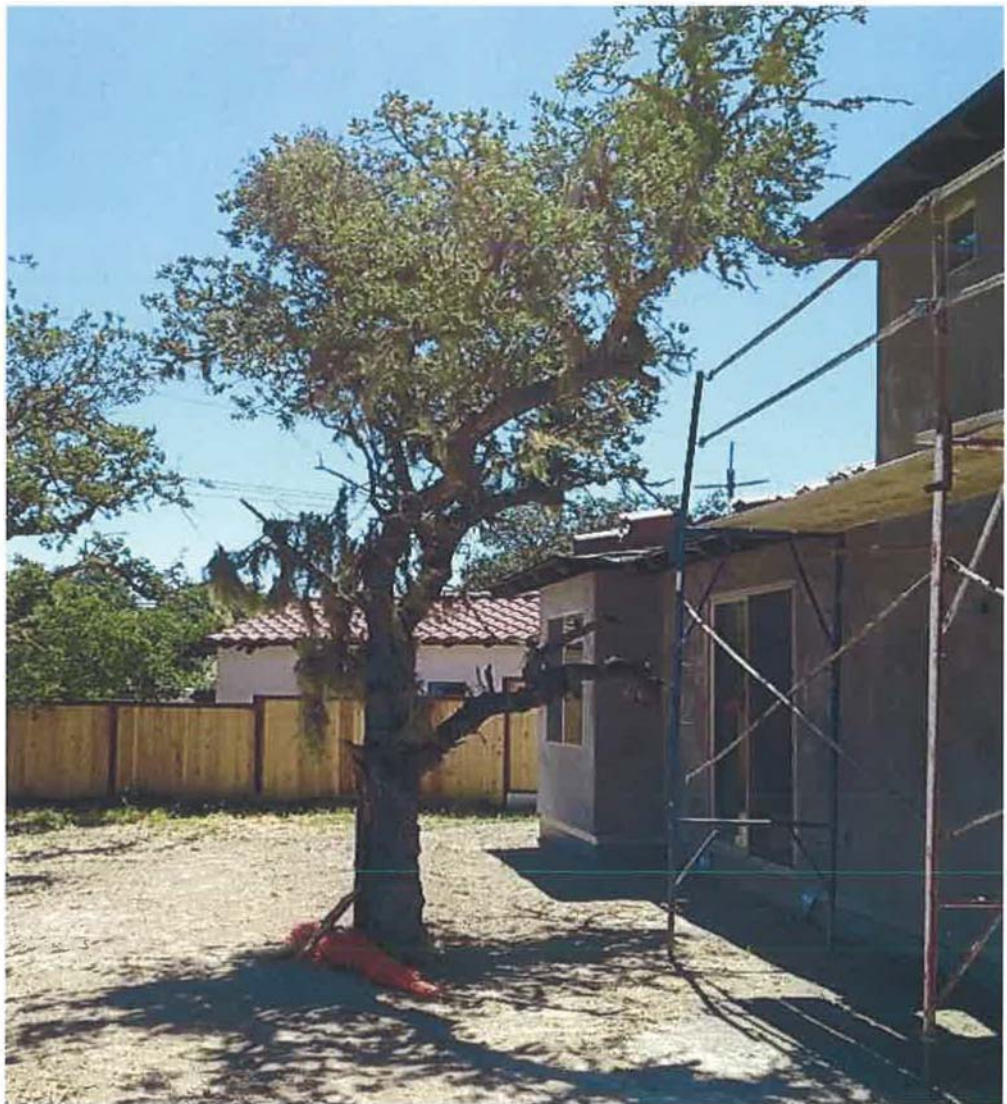
**Facts:**

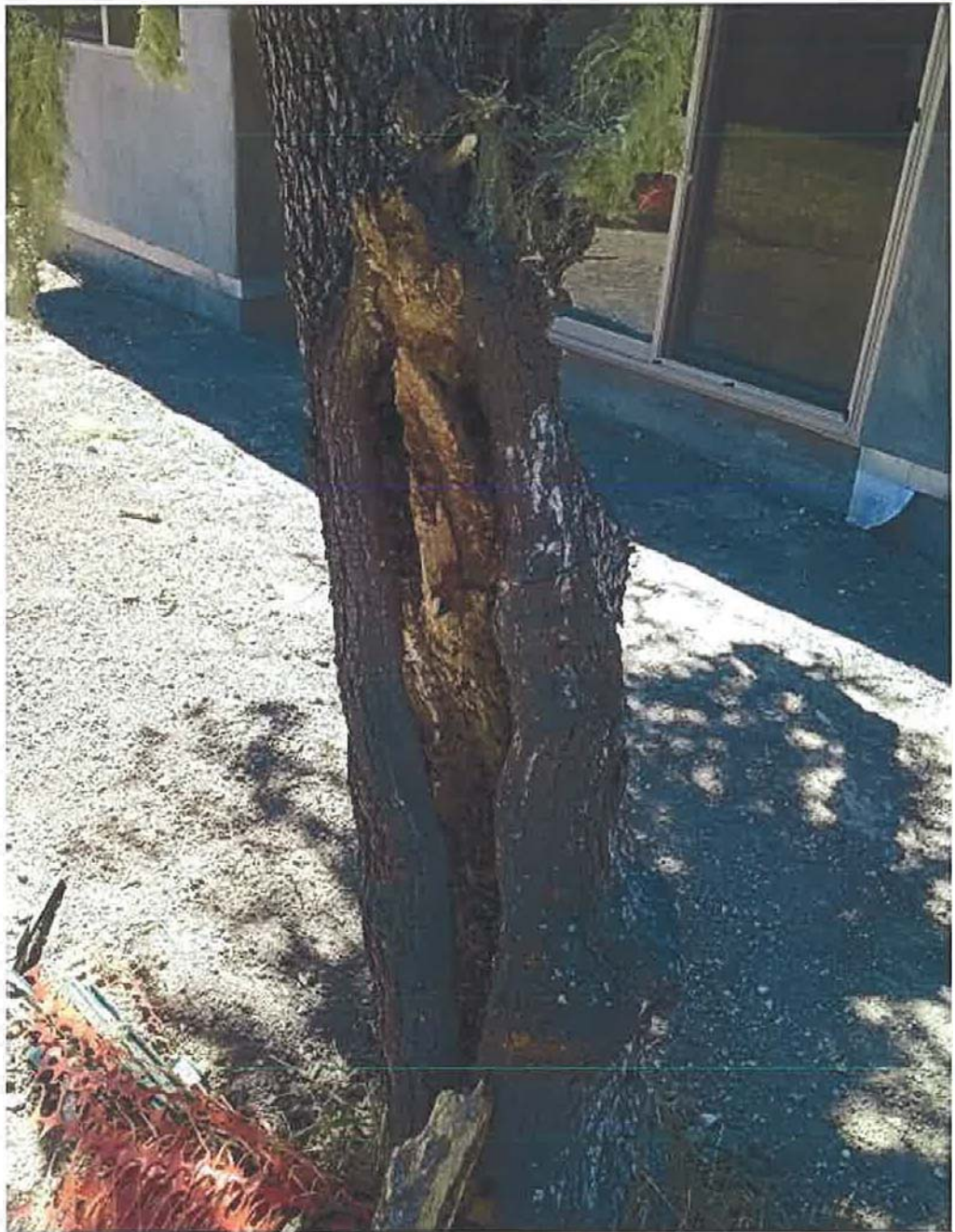
1. The site is located at 1710 Via Lantana, see Vicinity Map (Attachment 1).
2. The subject oak tree is a 10-inch diameter Blue Oak (*Quercus Douglasii*). The tree is one of multiple blue oaks on the lot; the remaining trees will remain on the site. See Site Plan, Attachment 2.
3. An Arborist provided a letter, dated May 4, 2016, indicates that the 10-inch tree is in significant decline as indicated by the presence of decay in 30% of the trunk area, evidence of previous limb failure, and overall is in decline as result of the multiple years of drought conditions. Based on the tree condition, the Arborist recommends that the tree be removed. See Arborist letter, Attachment 3.
4. Planning Staff inspected 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," 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:





**Significant decay in the trunk**



*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. Therefore, 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 has been developed without the removal of the tree, 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 a number of blue oak trees on the site that have been preserved.

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 require replacement trees to be planted on site additionally; the remaining oaks on site will be protected.

The house on the lot is currently under construction and was designed in a manner to protect the subject tree. It is possible that the tree could remain, however, as a result of the poor health of the tree and low aesthetic value, the applicant, Mr. Vanderlip is requesting that the tree be removed and replacement trees be planted on 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.

**Policy**

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

**Fiscal**

**Impact:** None.

- Options:**
- A. Approve Draft Resolution A approving OTR 16-006, allowing the removal of one 10-inch Blue oak tree based on the Arborist concluding that the tree is in decline as indicated by the presence of decay in 30% of the trunk area, evidence of previous limb failure, and overall is in decline as result of the multiple years of drought conditions, and, require two (2) 1.25-inch diameter Blue Oak replacement trees to be planted on-site at the direction of the Arborist, or payments made to the City's oak tree replacement fund.

C. Refer back to staff for additional analysis.

D. Deny the request to remove the native oak tree based on findings.

Attachments:

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



# SITE

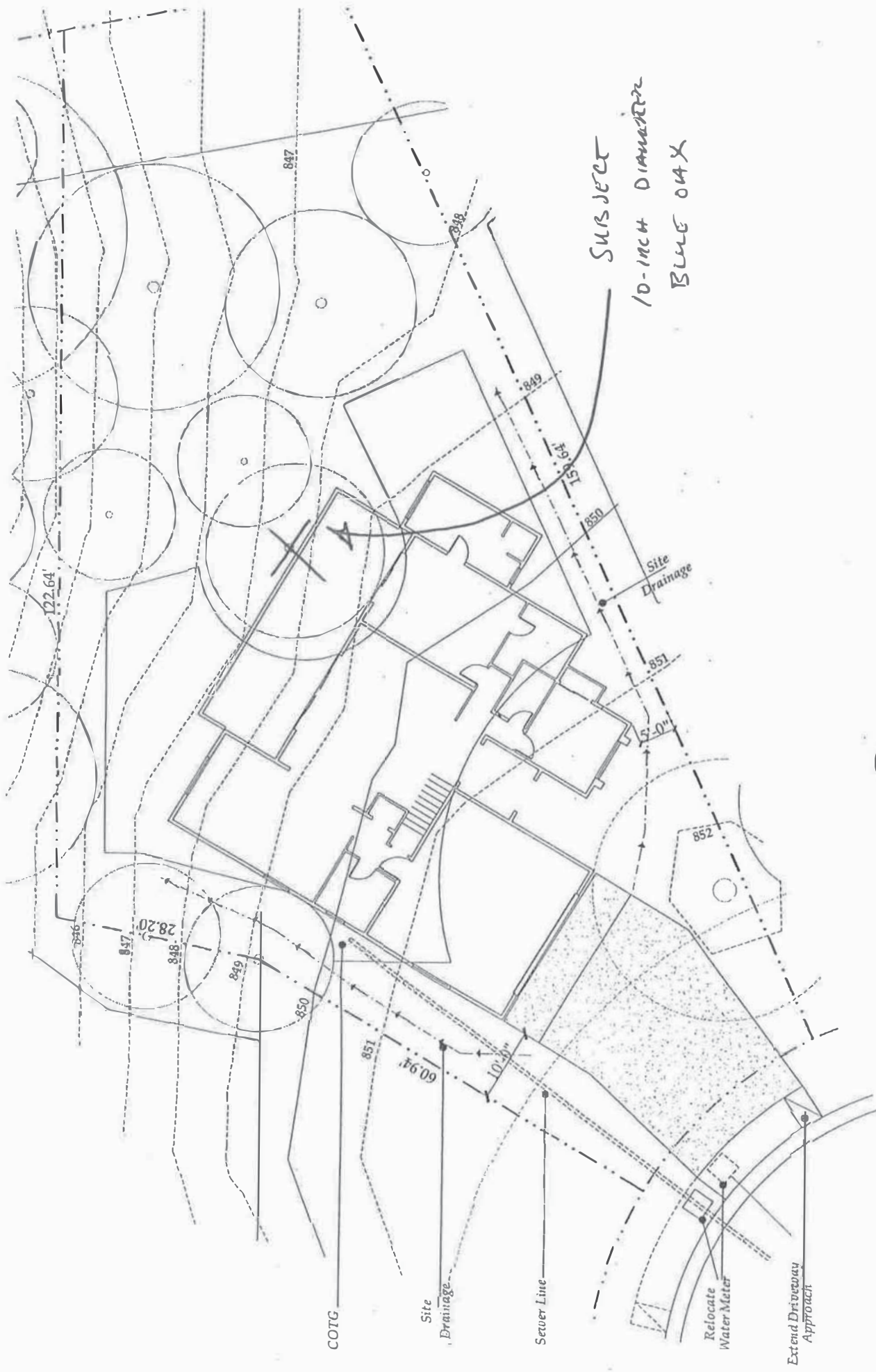


Via Magnolia

Via Lantana

Attachment 1  
Vicinity Map  
OTR 16-006  
Page 243  
(1710 Via Lantana - Vanerlip)





# SITEPLAN

1" = 10'

Attachment 2  
 Site Plan  
 OTR 16-006  
 (1710 Via Lantana - Vanerlip)





5-4-2016

Vince Vanderlip

Re: Lot 5, 1710 Via Lantana

This report is in regard to a 10 inch blue oak (*Quercus douglasii*) located just behind the home being constructed at 1710 Via Lantana in Paso Robles.

Approximately 10 years ago, we completed the original tree protection plan for all the lots in this subdivision. Since that time, tree health has changed. Some trees in adjacent lots that are completely untouched by human intervention are dying.

Tree health in the area has gradually declined most likely due to current drought conditions. The blue oak in question is located directly behind the home approximately 10 feet off the back wall. Many years ago, one of the limbs split and broke off. Decay has set in which can be seen in the included photograph. The interior decay exceeds 30% of the cross-sectional area of the trunk. That is the threshold for removing a tree when there is a target for it to hit. Although this tree is small enough to not really present much of a hazard at this point in its life, one day it will fail directly into the home. The useful life expectancy of this tree is probably only a few years at this point as the canopy shows signs of stress. We recommend removing this tree and replanting mitigation trees on site.

Please feel free to contact us with any questions

Chip Tamagni  
Certified Arborist #WE 6436-A  
California State Pest Control Advisor #75850  
Certified Hazard Risk Assessor #1209  
Cal Poly B.S. Forestry and Natural Resources Management

**Attachment 4**

**DRAFT RESOLUTION-A**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
AUTHORIZING THE REMOVAL OF ONE OAK TREE  
AT 1710 VIA LANTANA (OTR 16-006)  
(VANDERLIP)**

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WHEREAS, Vince Vanderlip has submitted a request to remove one oak tree, on the lot located at 1710 Via Lantana; and

WHEREAS, the trees proposed to be removed is one 10-inch diameter Blue Oak; and

WHEREAS, the request for the tree to be removed is in conjunction with building a new home on the lot, where the house is currently under construction; and

WHEREAS, the house has been designed in a manner that would protect the tree, however based on the Arborist indicating that the tree is in poor health, and that the tree has low aesthetic value, Mr. Vanderlip is requesting removal of the tree; and

WHEREAS, if the tree is approved to be removed, there are multiple other oak trees on the lot that would be preserved; 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 the 10-inch blue oak, based on the Arborist concluding that the tree is in decline as indicated by the presence of decay in 30% of the trunk area, evidence of previous limb failure, and overall is in decline as result of the multiple years of drought conditions, as indicated on Attachment A, Site Plan;
2. Require two (2) 1.25-inch diameter oak tree replacement trees to be plated at the direction of the Arborist.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 10<sup>th</sup> day of June 2016 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Steven Martin, Mayor

ATTEST:

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Kristy Buxkemper, Deputy City Clerk