



## Council Agenda Report

From: Darren Nash, Associate Planner

Subject: Oak Tree Removal Permit 17-016 & 17-017 - City of Paso Robles Initiated  
Council consideration of the request to remove multiple oak trees within the Oak Creek Park, the Senior Center, and within the Vine Street right of way, adjacent to Georgia Brown School.

Date: October 3, 2017

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### Facts

1. The Community Services Department has requested that the City Council approve the following oak tree removals:
  - **Vine Street right of way:** request to remove one (1) dual-stem 14-inch diameter Valley Oak tree. See Vicinity Map, Attachment 1.
  - **Oak Creek Park:** request to remove three (3) Coast Live Oaks and four (4) Blue Oaks within Oak Creek Park, east of Creston Road, south of Scott Street. See Vicinity Map, Attachment 2.
  - **Senior Center:** request to remove one (1) 50-inch Blue Oak, located at 270 Scott Street. See Vicinity Map, Attachment 2.

### Vine Street Tree Removal:

2. The Vine Street tree removal is related to the Vine Street Paving project, a project that will pave the existing dirt area of Vine Street, between 32<sup>nd</sup> Street and Caballo Road, behind Georgia Brown School.
3. Along the project boundary, sixteen (16) native oak trees exist that measure 6-inches or greater. Rodney Thurman, Arborist has been hired on behalf of the City to evaluate the trees. See Rodney Thurman's Arborist Report, Exhibit A of Draft Resolution A (Attachment 3).
4. Out of the 16 trees, one tree, Tree No. 7, a dual stem, 14-inches in diameter Valley Oak is proposed to be removed. The tree has a major area of included bark in the trunk which makes it prone to failure. It is located within the grading zone of the project and will impede the paving improvements for the Vine Street project.
5. Besides the request to remove Tree 7, the other fifteen (15) trees are being designed around and will be protected. There will need to be some pruning as recommended by the Arborist as part of his report.

### Oak Creek Park Removals:

6. The Public Works Department has hired Chip Tamagni of A&T Arborists to evaluate seven (7) oak trees within Oak Creek Park. Three (3) Live Oak trees along with four (4) Blue Oak trees have been determined by the Arborist to be dead, or in poor condition and recommended for removal. See A&T Arborist Report, Exhibit B of Draft Resolution A (Attachment 3).
7. The following table provides the tree information, and the cause of decline, as provided by Chip Tamagni in his Arborist Report:

Tree No.	Size - inches	Species	Issues
1	23	Live Oak	
2	12	Live Oak	
3	16	Live Oak	
4	12	Blue Oak	Squirrel holes at base of tree.
5	13	Blue Oak	Suppressed by larger healthier tree.
6	22	Blue Oak	Large trunk wound, oak root fungus.
7	6	Blue Oak	Stress as a result of drought.
<b>Total inches</b>	<b>104</b>	Would require 26-inches of replacement trees or 17, 1.5-inch replacement trees. Public Works has recently planted 40 oak trees within Oak Creek Park.	

- Nate Wyatt, Parks Maintenance Supervisor has indicated that forty (40) oak trees have been recently planted within Oak Creek Park, which would satisfy the mitigation requirement for the trees being removed within the park.

**Senior Center Oak:**

- The Public Works Department has hired Rodney Thurman to evaluate the decline of a 50-inch Blue Oak located adjacent to the Senior Center at 270 Scott Street. The tree has had recent limb failures, has root fungus, and multiple cankers and shedding bark throughout the tree. See Rodney Thurman Arborist Report, Exhibit C of Draft Resolution A (Attachment 3).
- The report indicates that the tree is in severe decline and has had past failures, where the remaining limbs are in similar condition and have high likelihood of failing, and therefore should be removed.

**Options**

- Approve Draft Resolution A, approving OTR 17-016 the removal of eight (8) oak trees, in Oak Creek Park and the Senior Center, based on the trees being in poor health and being safety hazards, as indicated in the Arborist Reports, and based on the recent planting of forty (40) oak replacement trees already planted within Oak Creek Park, no additional replacement trees are required; and,

Approve OTR 17-017, allowing the removal of one (1) oak tree related to the Vine Street Paving project, based on the tree being in poor condition and to allow for the installation of the Vine Street improvements, and require two (2) oak replacement trees to be planted within the Vine Street project site at the direction of the Arborist.

- Denial of OTR 17-016 with findings and require the oak trees to remain and be protected.
- Denial of OTR 17-017 with findings and require the oak trees to remain and be protected.
- Amend the above noted options.
- Refer back to staff for additional analysis.

**Analysis and Conclusions**

According to Section 10.01.050.E, 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:

- E. *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;*
    - a. Based on the Arborist indicating that the trees are in poor condition and represent a safety hazard to vehicles, equipment, and people, the trees appear to be good candidates 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;*
    - a. It is possible for the projects to move forward since the trees proposed for removal are located in the middle of park area, or within the street. Mitigation measures have been incorporated into the project to protect all remaining oak trees during construction and ongoing operations of the site. Given that the trees are currently in poor condition, and furthermore, there could be safety hazards if the trees remain on-site, removal would seem to be the best option.
  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;*
    - a. The removal of the trees 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;*
    - a. If the trees are allowed to be removed, the applicant would be required to plant eight (8) replacement trees in addition to Tree No. 4 remaining on the site.
  5. *Good forestry practices such as, but not limited to, the number of healthy trees the subject parcel of land will support.*
    - a. The removal of the trees will require replacement trees to be planted on site. The site will also incorporate various additional landscaping once it is developed.

**Option 1:** Option 1 takes into account that all trees within Oak Creek Park and the Senior Center present safety hazards that cannot be mitigated by pruning of the trees. The trees are in severe decline and cannot support additional growth. Additionally, the Vine Street tree is diseased and based on its poor health does not warrant narrowing the Vine Street road improvements to preserve the tree. On-site replacement trees either have already been planted, or would be required as mitigation to the tree removal.

**Option 2:** One or more of the tree removal requests could be denied, based on findings.

**Options 3/4:** Council may wish to approve an amended version of one of the options listed above or refer the item back to staff for additional analysis with the arborist.

**Fiscal Impact**

There is no fiscal impact to the City related to this oak tree removal request. Oak trees can provide value to a property, and be an aesthetic value to the City as a whole.

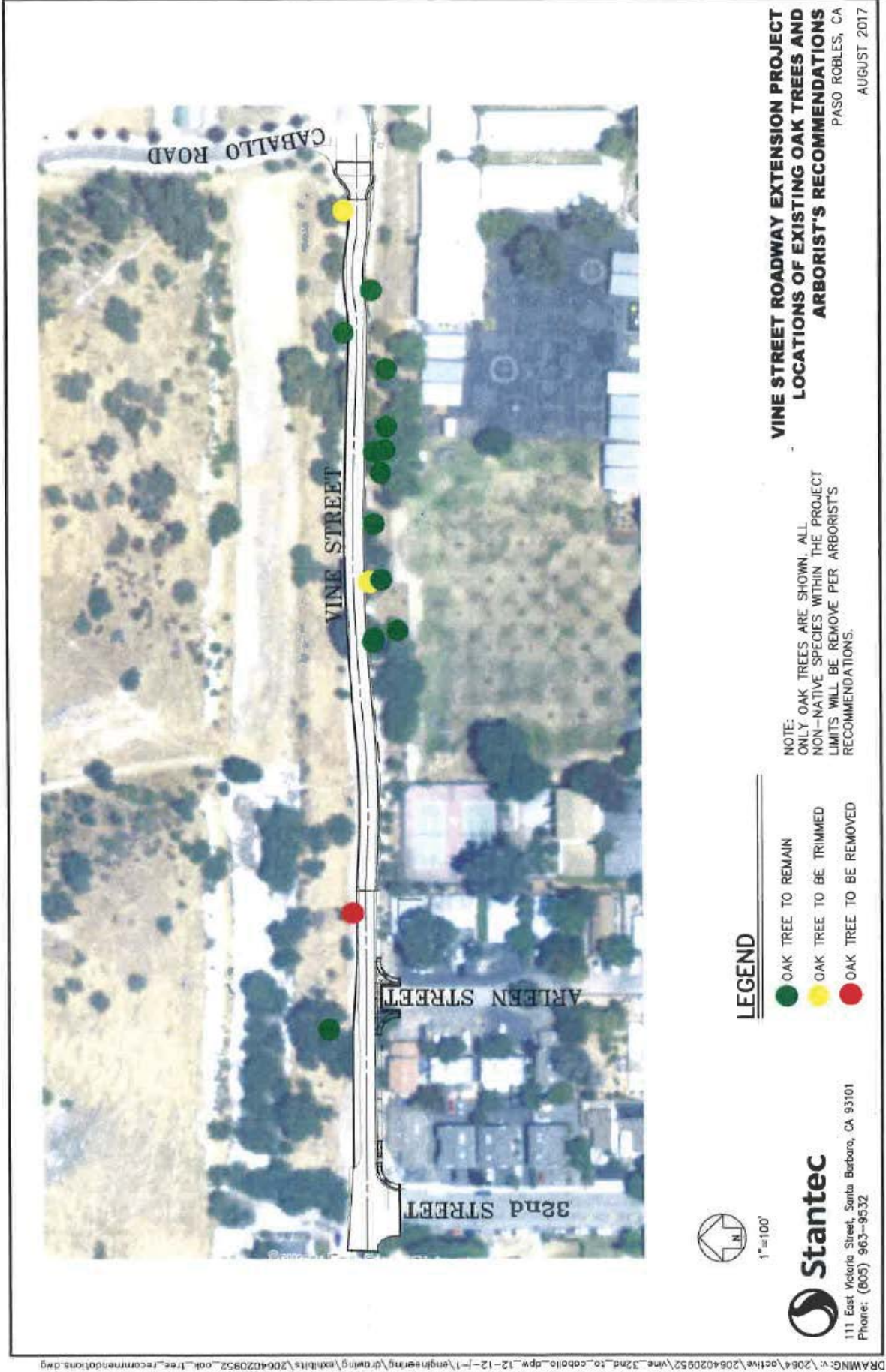
**Recommendation**

1. Approve Draft Resolution A, approving OTR 17-016, for the removal of eight (8) oak trees in Oak Creek Park and at the Senior Center, based on the trees being in poor health and being safety hazards. As indicated in the Arborist Reports, and based on the recent planting of forty (40) oak replacement trees already planted within Oak Creek Park, no additional replacement trees are required, and
2. Approve OTR 17-017, allowing the removal of one (1) oak tree related to the Vine Street Paving project, based on the tree being in poor condition and to allow for the installation of the Vine Street improvements, and require two (2) oak replacement trees to be planted within the Vine Street project site at the direction of the Arborist.

**Attachments**

1. Vicinity Map/Tree Location Map – Vine Street Project
2. Vicinity Map/Tree Location Map – Oak Creek Park/Senior Center
3. Draft Resolution A - Approval the removal of the trees
  - a. Rodney Thurman Arborist Report – Vine St. Project
  - b. Chip Tamagni Arborist Report – Oak Creek Park
  - c. Rodney Thurman Arborist Report – Senior Center

# Attachment 1





# Attachment 2



# Attachment 3

## Draft Resolution A

DRAFT RESOLUTION 17-XXX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
AUTHORIZING THE REMOVAL OF MULTIPLE OAK TREES  
IN RELATION TO OAK CREEK PARK / SENIOR CENTER (OTR 17-016)  
AND THE NORTH VINE STREET PAVEMENT PROJECT (OTR 17-017)**

(CITY INITIATED)

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WHEREAS, The Community Services Department is requesting the City Council approve oak tree removals in the following locations in the City:

- Vine Street right of way: request to remove one (1) dual-stem 14-inch diameter Valley Oak tree in relation to the Vine Street Pavement project between 32<sup>nd</sup> Street and Caballow Road, behind Georgia Brown School;
- Oak Creek Park: request to remove three (3) Coast Live Oaks and four (4) Blue Oaks within Oak Creek Park, east of Creston Road, south of Scott Street;
- Senior Center: request to remove one (1) 50-inch Blue Oak, located at 270 Scott Street;

WHEREAS, Rodney Thurman of Whit's Turn Tree has provided Arborist Reports related to the tree removals at the Senior Center and the Vine Street Pavement project, see Exhibits A and C; and

WHEREAS, Chip Tamagni of A&T Arborists has provided a report for the tree removals in Oak Creek Park, See Exhibit B; 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, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. All of the above recitals are true and correct and incorporated herein by reference.

Section 2 Findings. The City Council finds the factors outlined in Section 10.01.050.E, approving OTR 17-016 allowing for the removal of eight (8) oak trees, in Oak Creek Park and the Senior Center, based on the trees being in poor health and being safety hazards, as indicated in the Arborist Reports, and approve OTR 17-017, allowing the removal of one (1) oak tree related to the Vine Street Paving project, based on the tree being in poor condition and to allow for the installation of the Vine Street improvements, as indicated on Attachment A, Site Plan.

Section 3. Mitigation. Based on the recent planting of forty (40) oak replacement trees already planted within Oak Creek Park, no additional replacement trees are required for OTR 17-016, and require two (2) oak replacement trees for OTR 17-017, to be planted within the Vine Street project site at the direction of the Arborist

# Attachment 3

## Draft Resolution A

APPROVED this 3rd day of October 2017 by the following vote::

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Steven W. Martin, Mayor

ATTEST:

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Kristen L. Buxkemper, Deputy City Clerk

Exhibits

- A. Whit's Turn Tree Care Arborist Report
- B. A&T Arborist Report
- C. Whit's Turn Tree Care Arborist Report





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August 4, 2017

**To:** Ditas Esperanza – City of Paso Robles Public Works  
**From:** Rodney Thurman- Whit's Turn Tree Care

**RE:** Addendum to June 14, 2017 oak tree removal letter

Ms. Esperanza,

This letter is to be used in conjunction with the Oak Tree Removal Permit Application that I submitted which is in conjunction with the Oak Tree Protection Plan for the Vine Street Roadway Connection and includes a count of total oaks within the project and percent of oaks being retained. I have also given my recommendation for one (1) oak tree removal as well as maintenance pruning for native oaks within the project. Lastly, I have included observations and recommendations regarding root impacts for five (5) oak trees adjacent to Vine Street

The removal count differs from the June 14<sup>th</sup>, 2017 letter I sent to you in which I recommended three (3) native oaks for removal. I have since reviewed those trees and have changed my recommendations to only remove one (1) oak and trim two (2) others.

In total, I inventoried a total of 16 native oaks within the project boundaries, that measure 6 inches diameter and larger. Of those 16 trees, I have only recommended one (1) for removal, which means 96 percent of the native oaks within this project will be retained.

In the Tree Inventory Data Sheet below I have given recommendations for removal of one (1) oak tree and trimming of two (2) other oak trees within the Vine Street Roadway Connection between 32<sup>nd</sup> Street to Caballo Road. Each tree is numbered with an aluminum tag that is attached to the base of the trunk. All numbers are in reference to the tree protection plan that I prepared for Buddy Hain of Stantec Inc. Please refer to the tree protection report for additional detail.

Tree Inventory Data Sheet									
Tree #	Species	D.B.H. Inches	Height Feet	Crown Feet	Cond.	Location	Comments	Recommendation	TPZ
7	Valley Oak	7,7	20	15	Fair	West side of Vine St.	Two stem, tree inside construction footprint. Arborist supervision during grading in Critical Root Zone.	Remove	No
10	Valley Oak	29	55	55	Fair	East side of Vine St. at mid project	Tree has major area of included bark in trunk which makes its potential to fail high. Previously marked for removal. Tree is at edge of construction footprint, Arborist supervision during grading in Critical Root Zone.	Remove co-dominant stem leaning over roadway but retain tree.	29'
24	Live Oak	28	30	35	Good	Southwest corner of Vine Street and Caballo.	Tree is at edge of construction footprint. Makes visual barrier for right hand turn off Caballo. Arborist supervision during grading in Critical Root Zone.	Prune branches hanging over roadway for 15 feet of vertical clearance.	28'



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## Removal Recommendations:

**Tree 7** is a 14" diameter two-stem valley oak located at the west side of Vine Street approximately ¼ of the way north of 32<sup>nd</sup> street toward Caballo Road. This tree has a major area of included bark in the trunk which makes it prone to failure. It is located within the grading zone of the project and will impede road construction. This tree should be removed.





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## Trimming Recommendations:

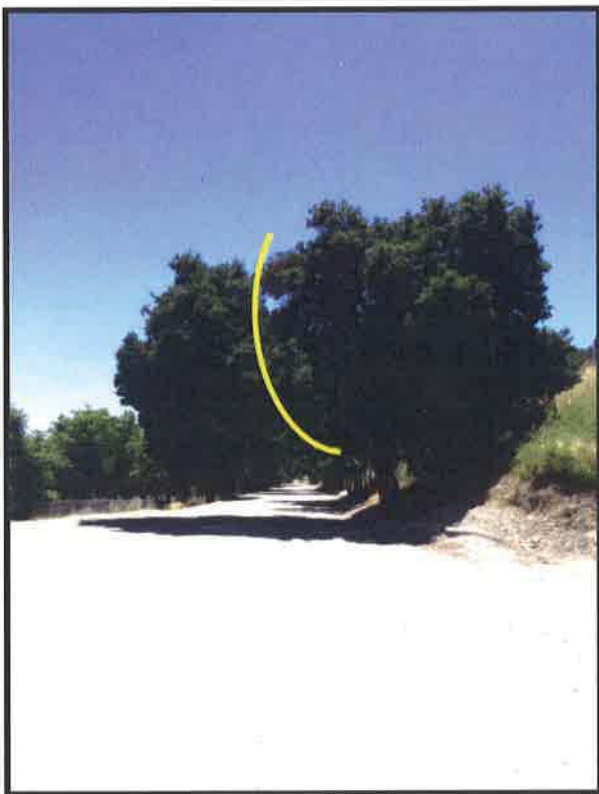
**Tree 10** is a 29" diameter valley oak located on the east side of Vine Street approximately ½ way between 32<sup>nd</sup> street and Caballo Road. This tree has a major area of included bark in the trunk which makes it prone to failure. The stem leaning over the roadway should be removed to eliminate the risk of branch failure. Yellow dashed line indicates branch to be removed. No significant grade cuts are planned for this area of road construction. Exploratory excavations in the critical root zone of the roadbed found no significant roots. This tree can be retained.





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**Tree 24** is a 28" diameter coast live oak located at the northwest corner of Vine Street and Caballo Road. The tree is at the edge of the construction footprint. No significant grade cuts are planned for this area of road construction. Exploratory excavations in the critical root zone of the roadbed found no significant roots. This tree can be retained. The tree creates a visual barrier down Vine Street for drivers turning south off Caballo Road. Pruning for 15 feet of clearance above the roadway to allow for fire trucks and other large vehicles to pass beneath will be needed. Yellow line in picture below indicates approximate reduction of canopy.







**Whit's-Turn  
Tree Care**

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## Root Protection Measures:

A total of 4 native oak trees in this project will potential have their critical root zones (CRZ) impacted due to road construction activities. On August 2<sup>nd</sup> 2014 root CRZ root excavations were performed using a hydraulic wand and vacuum system. Impacts to the roots were minimal because the hydraulic wand was used to wash away soil in the root-zone rather than using digging tools that could have damaged the roots.

A trench perpendicular to the roots was excavated at the base of the trunk to a depth of 16 inches to look for anchor roots. Another trench was excavated perpendicular to the roots at approximately 4 feet from the trunk at a depth of 16 inches to inspect for anchor roots in the roadway. In general, no roots larger than 1 inch in diameter were found in the actual roadway area where construction will take place. Smaller feeder roots were found in the roadway but not in significant amounts. Due to compaction and fill, the roadbed is not favorable to root growth. I assume that the more viable roots are on the side of the tree opposite the roadway. **See chart on following page for specific findings and recommendations.**

Critical Root Zone Excavation & Inspection				
Tree #	Species	Location	Comments	Recommendations
8	Valley oak	East side of Vine St. at Mid project	One root approximately 4 inches in diameter was found at the base of the tree at a depth of 12 inches. Multiple roots ranging from 1/4" to 3/4" diameter were found in roadbed 4 feet from trunk of tree at a depth of 8 inches below grade. This location has previously bermed soil stacked against its trunk that will be removed. Fill will be applied to the roadbed to a depth of approximately 8". I do not foresee any root damage being caused by grading machinery.	Recommend meandering road around tree for 4' to 6' for clearance from trunk. Arborist supervision during grading or fill activities within the CRZ of this tree. All tree protection measures recommended in the original tree protection plan shall also be implemented.
9	Valley oak	East side of Vine St. at Mid project	Two roots ranging 4 and 6 inches diameter were found at the base of the tree at a depth of 12 inches below grade. Multiple roots ranging from 1/4" to 3/4" diameter were found in roadbed 4 feet from trunk of tree at a depth of 8 inches below grade. This location has previously bermed soil stacked against its trunk that will be removed. Fill will be applied to the roadbed to a depth of approximately 8". I do not foresee any root damage being caused by grading machinery.	Recommend meandering road around tree for 4' to 6' for clearance from trunk. Arborist supervision during grading or fill activities within the CRZ of this tree. All tree protection measures recommended in the original tree protection plan shall also be implemented.



**Whit's-Turn  
Tree Care**

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Critical Root Zone Excavation & Inspection				
Tree #	Species	Location	Comments	Recommendations
10	Valley oak	East side of Vine St. at Mid project	Two roots ranging 4 and 6 inches diameter of were found at the base of the tree at a depth of 16 inches below grade. Inspections for roots were performed in the roadbed approximately 6 feet front the trunk of the tree and no roots were found. This location will have fill applied to the roadbed to a depth of approximately 8". I do not foresee any root damage being caused by grading machinery.	Recommend meandering road around tree for 4' to 6' for clearance from trunk. Arborist supervision during grading or fill activities within the CRZ of this tree. All tree protection measures recommended in the original tree protection plan shall also be implemented.
22	Valley oak	West side of Vine St. ¼ distance north of 32 <sup>nd</sup> St. toward Caballo.	Excavations were made 4 feet from the trunk in the roadbed. No roots measuring larger than 1/8 inch diameter were found. This location will have fill applied to the roadbed to a depth of approximately 8". I do not foresee any root damage being caused by grading machinery.	Recommend meandering road around tree for 4' to 6' for clearance from trunk. Arborist supervision during grading or fill activities within the CRZ of this tree. All tree protection measures recommended in the original tree protection plan shall also be implemented.
24	Coast live oak	Southwest corner of Vine Street and Caballo.	Excavations were made 4 feet from the trunk in the roadbed. No roots measuring larger than 1/8 inch diameter were found. This location will have fill applied to the roadbed to a depth of approximately 6". I do not foresee any root damage being caused by grading machinery.	Recommend meandering road around tree for 4' to 6' for clearance from trunk. Arborist supervision during grading or fill activities within the CRZ of this tree. All tree protection measures recommended in the original tree protection plan shall also be implemented.

Sincerely,

Rodney D. Thurman  
ISA Certified Arborist PN-2684AUM  
ISA Tree Risk Assessor Qualification



**VINE STREET ROADWAY EXTENSION PROJECT  
LOCATIONS OF EXISTING OAK TREES AND  
ARBORIST'S RECOMMENDATIONS**  
PASO ROBLES, AUGUST 2007

NOTE: ONLY OAK TREES ARE SHOWN. ALL NON-NATIVE SPECIES WITHIN THE PROJECT LIMITS WILL BE REMOVE PER ARBORIST'S RECOMMENDATIONS.

**LEGEND**

- OAK TREE TO REMAIN
- OAK TREE TO BE TRIMMED
- OAK TREE TO BE REMOVED



1"=100'



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August 18, 2017

**Re:** Tree Health Assessment for Nate Wyatt, 270 Scott Street, Paso Robles, CA

**To:** Nate Wyatt- City of Paso Robles Parks and Landscape Department

**From:** Rodney Thurman- Whit's Turn Tree Care

Mr. Wyatt,

Per your request, this letter is to inform you of the current tree health and structural stability of one (1) blue oak (*Quercus douglasii*) located at 270 Scott Street – City of Paso Robles Senior Center. I visited the location on July 21, 2017 and did a ground based inspection of the tree and found the following:

## Observations:

- The tree was a single stem with a **\*diameter at standard height (DSH)**, measured at 4.5 feet above ground level, of 50 inches. The tree height was approximately 60 feet with a **\*crown** spread of approximately 60 feet. See Appendix A- Photo1.
- The tree was located 30 feet to the southeast, rear corner of the senior center. See Appendix A- Photo1.
- The tree was within striking distance of the senior center.
- The **\*canopy** was declining, indicated by some branches not being fully leafed-out and live crown at approximately 50% of normal. See Appendix A- Photo1.
- I observed recent and past large **\*scaffold** branch failures due to large areas decay. See Appendix A- Photos1-3.
- There was root decay indicated by white fungus at the **\*root-crown** on the west side of the tree. See Appendix A- Photo 4.
- I observed large areas of shedding and dead bark on the lower trunk at west side of tree. See Appendix A- Photo 5.
- Multiple cankers and bark shedding throughout the tree in scaffold branches. See Appendix A- Photo 6.

## Discussion:

This tree is in severe decline. Fruiting fungal structures at the root crown, cankers and shedding bark on the main trunk and scaffold branches of this tree indicate root rot and vascular disease.

\* indicates glossary term listed in Appendix B





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The main issue with the tree is a Phytophthora fungal infection, which is blocking the vascular system of the tree and causing areas of the tree, including large branches, to die or decline. Recent scaffold failures occurred in July 2017. I also observed older scaffold branch failures. Remaining branches are in similar condition as previously failed branches and have a high likelihood of failing.

A secondary fungal infection caused by oak root fungus (*Armillaria mellea*) a known decomposer of roots is also contributing to root rot. Root rot has begun to decay anchor roots and makes the tree prone to complete failure.

The presence of fungal infections has compromised this tree to point that pruning cannot mitigate the hazard potential.

**Recommendation:** This tree is diseased beyond correction and should be removed as soon as possible.

Sincerely,



Rodney D. Thurman  
ISA Certified Arborist PN 2684AUM  
ISA Tree Risk Assessment Qualification

Appendices: Photographs, Glossary of Terms



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## Appendix A- Photos



**Photo 1-** View of tree from southeast. Scaffold failures indicated by yellow circles.



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**Photo 2-** Recent scaffold failure- July 2017- Indicated by yellow circle.





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**Photo 3-** Older scaffold -branch failure indicated by yellow circle.





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**Photo 4-** Fruiting fungal bodies at root crown indicated by yellow circle



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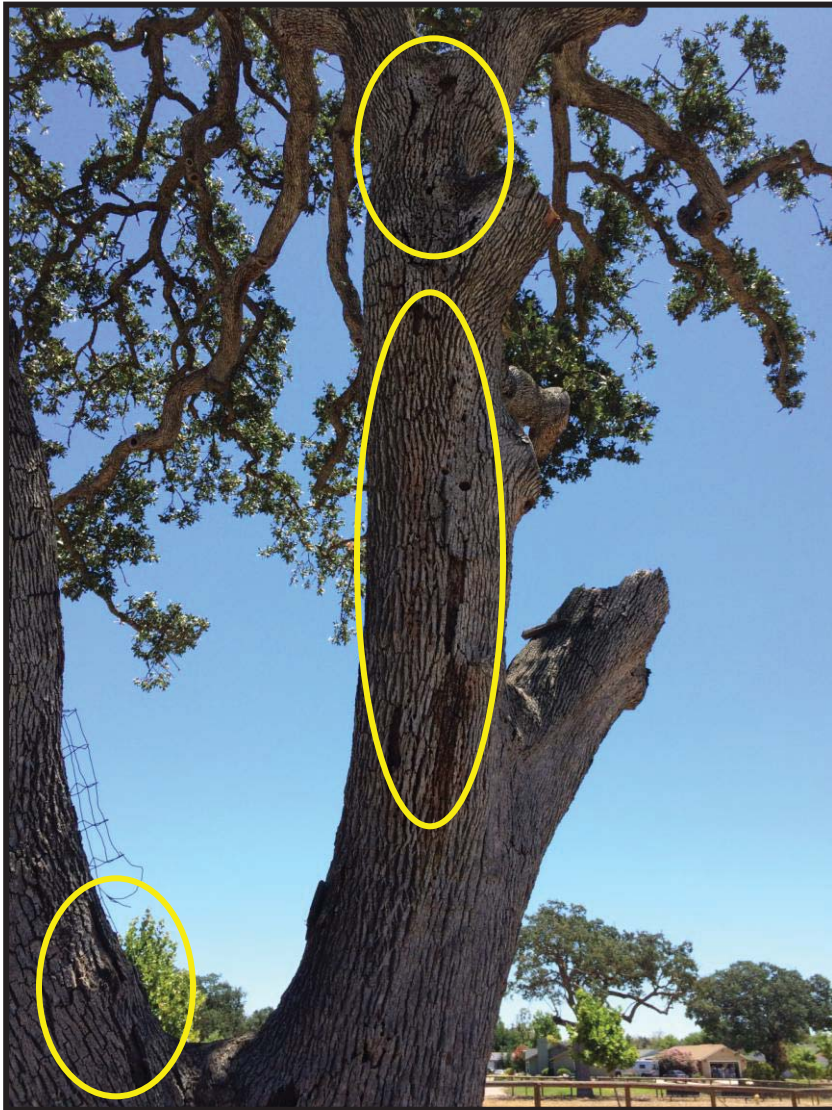


**Photo 5-** Shedding bark on lower trunk indicates root rot and vascular disease.





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**Photo 6-** Canker and shedding bark on scaffold branch indicated by yellow circles. Cankers are caused by Phytophthora fungus.



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## Appendix 2- Glossary of Terms

- **Canopy-** Collective branches and foliage of a tree or group of trees' crowns. Aggregate or collective tree crowns.
- **Crown-** Upper part of a tree, measured from the lowest branch, including all the branches and foliage.
- **Diameter at Standard Height (DSH) -** Diameter of trunk measured at 4.5 feet above ground level.
- **Root Crown-** Area where the main roots join the plant stem, usually at or near ground level. Root collar.
- **Scaffold-** Pertaining to tree architecture or form, a strong and properly spaced arrangement, framework, or system of branches throughout the crown