

RESOLUTION NO. 05-120

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
APPROVING ARBORIST REPORT GUIDELINES

WHEREAS, as directed by the City Council, staff has prepared Guidelines for the preparation of Arborist Reports; and

WHEREAS, if adopted, the Guidelines would be handed out at the front counter and be available on the City Website to guide Arborist with the minimum requirements for Arborist Reports in the City of Paso Robles; and

NOW, THEREFORE, BE IT RESOLVED, that based upon the facts and analysis presented in the staff report and statements of findings within this resolutions, the City Council of the City of El Paso de Robles does hereby adopt the Arborist Report Guidelines attached as Exhibit 'A'.

ADOPTED by the City Council of the City of El Paso de Robles at a regular meeting of said Council held on the 7th day of June 2005 by the following vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

EXHIBIT A

Oak Tree Impact Evaluation Report Guidelines

In order to maintain the heritage and character of the City, as well as preserve its beauty and identity, a program has been established for the preservation of oak trees (see attached City Municipal Code Chapter 10.01). Whenever a development project has the potential to impact one or more oak trees, an Oak Tree Impact Evaluation Report, prepared by a City approved and ISA-certified Arborist, is to be submitted to the Community Development Department. The Report is to evaluate the existing general condition of the tree(s), assess the potential for adverse impacts to the tree(s) that could occur as a result of the project, and identify minimum mitigation measures to reduce or avoid the potential impacts.

1. PURPOSE

The purpose of the Oak Tree Impact Evaluation Report is to:

- A. Provide sufficient information and analysis for subsequent use by City staff when making an initial environmental determination on the proposed development project. Per the California Environmental Quality Act, City staff is responsible for determining whether or not:
 - The proposed project will have any adverse impacts on biological resources (oaks); and,
 - The impacts can be mitigated to a less than significant level or avoided altogether.
- B. Review the project's compliance with the provisions of Chapter 10.01 of the Municipal Code; and, identify if any mitigation measures are required to ensure the survival of the tree(s).
- C. Once mitigation measures are determined, to develop a monitoring program to insure compliance with the mitigation measures throughout the development process. Provide for Arborist inspections throughout the development process and ultimately end up with the Arborist sign-off on the project certifying that the project has been designed to his/her satisfaction, and that there will not be a significant impact of the project to the oaks.

2. CRITERIA

At a minimum, the Report needs to include the following items:

- A. Title Sheet: needs to identify the Tree Preservation/Arborist Report, Project Name / Property Address, Related project numbers (i.e. Tract, PD, Building Permit), Date, Arborist information including current Professional Certifications & expiration dates, and signature. Also included on the title sheet needs to be verification of current City Business License and proof of current professional liability insurance.
- B. A general introduction, as well as a site and project description.
- C. The plotting of all oak trees in the project impact area that have a trunk of six inches or greater in diameter on a topographic site plan. The plan is also to show both the “drip line” and the critical root zone of each tree, the trunk diameter, and the disposition thereof (“to be removed” or “to be saved”).
- D. An assessment of the general health and condition of each tree, including identifying the ISA scale or ISA criteria under which the evaluation was made and providing a table listing the scientific name, age, height, trunk diameter, canopy spread, health, condition, estimated safe useful life expectancy, and aesthetic quality of each tree.
- E. The arborist needs to include a valuation of each tree in accordance to ISA criteria.
- F. If the arborist has determined that the oak tree is dead or beyond being saved, the report needs to include an analysis of how the tree died or why it has resulted in the detrimental condition that it is in.
- G. An analysis of the potential impacts to the overall health and survivability of each tree or grouping of trees, as well as affect on the root zone and the canopy, including the percentage of root zone loss and/or canopy loss that could occur as a result of the project.
- H. A discussion of project alternatives, if any. This might include reducing the number of proposed lots in a subdivision, the shifting of a building footprint, deviation from road standards or removing a smaller tree to save a larger, healthier tree.
- I. Mitigation measures or recommendations that may offset the potential for adverse impacts to the tree(s). These should include all of those listed in Section 10.01.090, and any others that may be site-specific. Mitigation measures, such as protective fencing and areas to be “hand-excavated”, are to be shown on a site plan.

- J. An evaluation of the long-term impacts to the tree(s) that could occur as a result of the project as well as a listing of the recommended mitigation measures or site-specific programs to reduce or avoid the impacts.

The long-range evaluation for each tree should include identifying if the project will have:

- No impact;
- Less than significant impact;
- Potentially significant impacts that can be mitigated to a less than significant level; or,
- Impacts that are significant and cannot be mitigated. *(An impact that cannot be mitigated is one where the project would likely result in permanent damage or death to the tree(s), regardless of protective efforts. For example, if a tree could be expected to recover from development encroachment, but will lose 30% of the canopy from trimming, the impact of the project might be considered potentially significant but able to be mitigated by imposing mitigation measures capable of ensuring continued canopy growth and root system health).*

- I. Provide a list of Protection Requirements (to include but not limited to):
1. Any changes in the project referenced in this report will need Project Arborist review to ensure the report is still valid;
 2. Project Manager shall be responsible for instructing workers about tree protection goals, implementing protection of root zones, and installing and maintaining protective fencing;
 3. Protective fencing is required between all construction activities and native trees. Their locations will be established prior to construction commencing at the direction and approval of the Project Arborist;
 4. The fences shall be four-foot tall orange plastic, with steel t-posts sunk into the ground, eight feet apart. The fencing shall be installed prior to any site disturbance or construction, and shall remain in place until all construction is complete;
 5. No grading, trenching, materials storage, soil storage, debris, or site disturbance shall occur within the protected area. No concrete, plaster, or paint washout shall be allowed within the tree protection zone. Under no circumstance shall lack of space be used as reason to remove protective fencing;
 6. Weather proof signs shall be permanently posted on the fences every 50 feet, with the following information:

Tree protection zone

No personnel, equipment, materials, and vehicles
are allowed

Do not remove or replace this fence
Name and phone of Manager.

- J. The Project Arborist shall develop a Monitoring Program in order to implement the required mitigation measures. The program may include the requirement that the project be reviewed by the Arborist at various times of development such as follows:
1. Prior to the issuance of a Grading Permit to ensure proper installation of protective fencing and signage;
 2. At the time there is any work within the CRZ of an oak tree;
 3. Prior to certificate of occupancy;
 4. Any other critical times the Arborist deems necessary.
 5. In follow up to the monitoring of a project, at the time of each site visit, a Field Report form (example attached) needs to be filled out and given to both the Project Manager and the City of Paso Robles Planning Department.
- K. Conclusion Statement: A statement needs to be provided that describes that the project if constructed as recommended by the Arborist, with the listed mitigation and monitoring will meet the requirements of the City of Paso Robles Oak Tree Ordinance to preserve the oak trees on site. If oak tree removals are proposed, the conclusion needs to explain why the trees can not be preserved and why there is no other alternative that would allow preservation of the oak tree(s). The form is a valuable way to keep track of a project and it lets the builders know that the arborist and the City are in close contact.
- L. Oak Tree Removal: If there are oak trees 6-inches in diameter or over that are proposed to be removed, the following information will need to be included with the Arborist Report:
1. Application for Oak Tree Removal;
 2. Application fee;
 3. Ten (10) sets of Color Photographs;
 4. Trees will need to be clearly marked in the field to indicate which trees would be removed.