

RESOLUTION NO. 14-170

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
AUTHORIZING THE REMOVAL OF OAK TREES FOR OAK TREE REMOVAL PERMIT
ENTRADA DE PASO ROBLES
4380 STATE ROUTE 46 EAST, APNs 025-431-044, -045, -049
APPLICANT – KEN HUNTER (OTR 14-003)

WHEREAS, Ken Hunter has submitted a request to remove 70 oak trees on a 386 acre site located on the northeast side of SR 46E, east of Airport Road, generally described as “Entrada de Paso Robles”; and

WHEREAS, removal of oak trees was considered by the Planning Commission in relation to an application for PD Amendment 01-0125, CUP Amendment 01-017, LLA PR 13-004, and an Addendum to a previously adopted Mitigated Negative Declaration for the Entrada de Paso Robles project; and

WHEREAS, the Planning Commission recommended approval to the City Council to remove approximately 175 oak trees with the approval of the Addendum to the Mitigated Negative Declaration (MND), PD Amendment 01-025, CUP Amendment 01-017, LLA PR 13-004; and

WHEREAS, the applicant has refined the site plan for Phase I of this project which has reduced the area of disturbance, and the number of proposed oak tree removals for Phase I from 100 to 70 oak trees; and

WHEREAS, regarding the oak trees proposed to be removed, the Director could not make the determination that the trees are “clearly dead or diseased beyond correction,” and therefore, Section 10.01.050.C of the Oak Tree Ordinance would consider the trees “healthy” and require that the City Council make the determination of whether the trees should be allowed to be removed after consideration of the factors listed in Section 10.01.050.D; and

WHEREAS, the City Council considered the factors listed in Municipal Code, Section 10.01.050.D; and

WHEREAS, A&T Arborists submitted an Arborist Report analyzing all of the oak trees located within the development area that may be impacted by the project and required tree protection measures. Protection measures were identified for potentially impacted trees that would remain. The report also identified the health of the trees proposed for removal. The tree removals were rated in terms of their relative health on a scale of 1-10, with 10 being the best health. All of the trees proposed for removal were rated “4” or less; and

WHEREAS, the project design would necessitate the need to remove healthy oak trees due to grading and construction of the Discovery Gardens, resort, ancillary buildings, driveways and parking lots.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby:

1. Authorize the removal of approximately 70 oak trees based on the trees being in marginal health, minimal environmental and scenic impacts, and that the removals are necessary in order to accommodate the proposed project.
2. Require the planting of 236 inches in diameter of replacement oak trees to be planted on the site at the direction of the project arborist to ensure the maximum potential for the trees to flourish, and/or off site at a location at the direction of the Community Development Director. The specific size and number of replacement trees shall be determined by the project arborist provided that the replacement trees equal the mitigation requirement.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 16th day of December, 2014 by the following vote:

AYES: Strong, Hamon, Gregory, Reed, Martin

NOES:

ABSENT:

ABSTAIN:



Steven W. Martin, Mayor

ATTEST:



Caryn Jackson, Deputy City Clerk