

RESOLUTION NO. 16-106

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF EL PASO DE ROBLES
APPROVE OAK TREE REMOVAL 14-010
APPLICANT – ERSKINE / RANCH & COAST PROPERTIES, INC.
APN: 025-435-031, 030 and 029

WHEREAS, Kirk Consulting, on behalf of Tom Erskine and Ranch & Coast Properties, Inc., has filed an application requesting consideration of Vesting Tentative Tract Map 3069, in connection with the development of a project known as the Erskine Industrial Park General Plan Amendment (the "Project"); and

WHEREAS, the Project is located at the eastern end of Wisteria Lane, north of State Route 46 East, APN: 025-435-031, 030 and 029; and

WHEREAS, in conjunction with the subdivision is a request to remove one 48-inch Valley Oak tree (Tree No. 19) located on proposed Lot 7; and

WHEREAS, the Arborist Report (Exhibit A) indicates that Tree No. 19, is in poor condition, has had past limb failures, it has a large split in the trunk, which extends entirely through in some areas; and

WHEREAS, the tree is necessary to remove to accommodate the new Connecting Road extension; 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

WHEREAS, on June 12, 2016, the Planning Commission recommended that the City Council approve OTR 14-010, subject to conditions of approval; 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 19-inch Valley oak, based on the Arborist concluding that the tree is in poor condition, has had past limb failures, and has a large split in the trunk which extends entirely through in some areas;
2. Require three (3) 1.25-inch diameter oak tree replacement trees to be plated at the direction of the Arborist.

APPROVED by the City Council of the City of El Paso de Robles this 2nd day of August 2016 by the following vote:

AYES: Gregory, Strong, Hamon, Reed, Martin
NOES:
ABSENT:
ABSTAIN:



Steven W. Martin, Mayor

ATTEST: 

Kristen L. Buykemper, Deputy City Clerk

Exhibit A – Arborist Report

A & T ARBORISTS

P.O. BOX 1311 TEMPLETON, CA 93465 (805) 434-0131



Tree Protection Plan For Tract 2778

Prepared by A & T Arborists
and Vegetation Management

Chip Tamagni
Certified Arborist #WE 6436-A

Steven Alvarez
Certified Arborist #WE 511-A

Tract # _____

PD # _____

Building Permit # _____

Exhibit A - Arborist Report

RECEIVED

MAY 23 2014

City of Paso Robles
Community Development Dept

As consulting arborists, we have been hired to inform and educate how to protect trees both during the design phase and construction. Different oak species can adapt to more impacts than others just as young trees can sustain more root disturbance than older trees. All individuals and firms involved in the planning stages should be made completely aware of the limitations regarding setbacks from critical roots zones that are recommended to protect the trees. When we are given a plan, it should show **all** possible disturbances within the drip line areas. This includes all cuts, fills, over-excavation limits, building clearances, planned vegetation, and all utilities. We will suggest changes if we feel the impacts are too great and it is up to the owner to follow our recommendations. If the plan we receive is not complete with potential impacts, we will fairly assume any additions will fall completely out of the critical root zone areas. It is the burden of the property owner to inform us of any changes, omissions, or deletions that may impact the critical root zone area of the trees in any way. This report is a preliminary investigation of the potential removals and tree impacts due to the project. In the near future we will be assessing every single tree that is potentially impacted or will need to be removed due to this project.

Project Description: This project involves the extension of Wisteria Street past Justin Winery into the current cattle land on the east side of Paso Robles. The plans are to build a roadway that will allow access to various parcels that make up Tract 2778.

The property consists of rolling grassland adjacent to Huer Huero Creek. The historical use has been for grazing as there are very few trees less than 40 years old. The oak trees on the property consist of blue oaks (*Quercus douglasii*) and valley oaks (*Quercus lobata*). Many of these trees are over-mature and have extensive cavities and hollow trunks rendering them potentially hazardous for any development within about 50 feet from the trunk on the larger trees.

There are two options for the path of the road at the north side of the property. We feel the western most option is preferred considering the location of the nearby trees.

Specific Mitigations Pertaining to the Project: These specific mitigations are intended to supplement the standard mitigations listed below. All work that is done within the critical root zone of a native oak is subject to monitoring by a certified arborist.

For both safety and tree health, all development within the individual parcels shall avoid the critical root zones unless specifically approved by a certified arborist at a later date. We noted that several trees have died from the time the aerial photograph was taken for this project. Due to the structural deficiencies in many of the trees (see spreadsheet comments), more will fail. There has been some lower canopy trimming which may help in prolonging the life of the trees but we feel a proper weight reduction and thinning program should be undertaken to preserve the few trees that exist on a given parcel. In addition, mistletoe should be removed from the trees along with a systemic insecticide application to reduce the scale populations that are infesting many of the trees.

There are three trees that may need to be removed for the roadway. Trees #21-23 are right on the edge of the road, however, their trunks were not plotted on the plans we received. A proper trunk location survey will be needed to determine if one or all three of these trees will need to be removed or possibly shift the road east. The impacts to

trees 30-32 can effectively be minimized by utilizing the west road option as described earlier.

All vegetation planted within the critical root zones shall be drought tolerant and native, thereby requiring minimal drip line irrigation. Absolutely no sprinklers shall be allowed to spray onto the trunk of an oak tree under any circumstance. This factor is one of the main reasons for blue oak mortality in the Paso Robles area.

Critical Root Zone Defined: The term “critical root zone” or CRZ is an imaginary circle around each tree. The radius of this circle (in feet) is equal to the diameter (in inches) of the tree. For example, a 10 inch diameter tree has a critical root zone with a ten foot radius from the tree. Working within the CRZ usually requires mitigations and/or monitoring by a certified arborist.

Most all trees potentially impacted by this project are numbered and identified on the grading plan and the spreadsheets. Potentially removed trees were highlighted on the preliminary grading plans. Some of these trees may be able to be saved with the design alterations suggested previously.

If pruning is necessary for building, road or driveway clearance, removal of limbs larger than 6 inches in diameter will require a city approved permit along with a deposit paid in advance (to the City of Paso Robles). The city will send out a representative to approve or deny the permit. Only 25% of the live crown may be removed during a given season. Only a crew supervised by a certified arborist may complete this work.

The following mitigation measures/methods must be fully understood and followed by anyone working within the critical root zone of any native tree. Any necessary clarification will be provided by us (the arborists) upon request.

It is the responsibility of the **owner or project manager** to provide a copy of the final tree protection plan to any and all contractors and subcontractors that work within the critical root zone of any native tree and confirm they are trained in maintaining fencing, protecting root zones and conforming to all tree protection goals. It is highly recommended that each contractor sign and acknowledge this tree protection plan.

Any future changes (within the critical root zone) in the project will need Project Arborist review and implementation of potential mitigation measures before any said changes can proceed.

Fencing: The proposed fencing shall be shown in orange ink on the grading plan. It must be a minimum of 4' high chain link, snow or safety fence staked (with t posts 8 feet on center) at the edge of the critical root zone or line of encroachment for each tree or group of trees. The fence shall be up before any construction or earth moving begins. The owner shall be responsible for maintaining an erect fence throughout the construction period. The arborist(s), upon notification, will inspect the fence placement once it is erected. After this time, fencing shall not be moved without arborist inspection/approval. If the orange plastic fencing is used, a minimum of four zip ties shall be used on each stake to secure the fence. All efforts shall be made to maximize

the distance from each saved tree. Weather proof signs shall be permanently posted on the fences every 50 feet, with the following information:

<p>Tree Protection Zone No personnel, equipment, materials, and vehicles are allowed Do not remove or re-position this fence without calling: A & T Arborists 434-0131</p>

Soil Aeration Methods: Soils within the critical root zone that have been compacted by heavy equipment and/or construction activities must be returned to their original state before all work is completed. Methods include water jetting, adding organic matter, and boring small holes with an auger (18" deep, 2-3' apart with a 2-4" auger) and the application of moderate amounts of nitrogen fertilizer. The arborist(s) shall advise.

Chip Mulch: All areas within the critical root zone of the trees that can be fenced shall receive a 4-6" layer of chip mulch to retain moisture, soil structure and reduce the effects of soil compaction.

Trenching Within Critical Root Zone: All trenching within the critical root zone of native trees shall be **hand dug**. All major roots shall be avoided whenever possible. All exposed roots larger than 1" in diameter shall be clean cut with sharp pruning tools and not left ragged. 2" and larger roots shall be saved. A **Mandatory** meeting between the arborists and trenching contractor(s) must take place prior to work start.

Grading Within The Critical Root Zone: Grading should not encroach within the critical root zone unless authorized. Grading should not disrupt the normal drainage pattern around the trees. Fills should not create a ponding condition and excavations should not leave the tree on a rapidly draining mound.

Exposed Roots: Any exposed roots shall be re-covered the same day they were exposed. If they cannot, they must be covered with burlap or another suitable material and wetted down 2x per day until re-buried.

Equipment Operation: Vehicles and all heavy equipment shall not be driven under the trees, as this will contribute to soil compaction. Also there is to be no parking of equipment or personal vehicles in these areas. All areas behind fencing are off limits unless pre-approved by the arborist.

Existing Surfaces: The existing ground surface within the critical root zone of all oak trees shall not be cut, filled, compacted or pared, unless shown on the grading plans **and** approved by the arborist.

Construction Materials And Waste: No liquid or solid construction waste shall be dumped on the ground within the critical root zone of any native tree. The

critical root zone areas are not for storage of materials either. All portable toilets shall be located no closer than 50 feet from the edge of any critical root zone.

Arborist Monitoring: An arborist shall be present for selected activities (trees identified on spreadsheet and items bulleted below). The monitoring does not necessarily have to be continuous but observational at all times during these activities within the CRZ. It is the responsibility of the **project manager or their designee** to inform us prior to these events so we can make arrangements to be present. All monitoring will be documented on the field report form which will be forwarded to the project manager and the City of Paso Robles Planning Department. All blatant violations shall be immediately reported to the project manager. Monitoring will include:

- pre-construction fence placement inspection
- any critical root zone disturbance
- all grading and trenching identified on the spreadsheet
- any other encroachment the arborist feels necessary

Pre-Construction Meeting: An on-site pre-construction meeting with the Arborist(s), Owner(s), Planning Staff, and the grading contractor shall be required for this project. Prior to final occupancy, a letter from the arborist(s) shall be required verifying the health/condition of all impacted trees and providing any recommendations for any additional mitigation. The letter shall verify that the arborist(s) were on site for all grading and/or trenching activity that encroached into the critical root zone of the selected native trees, and that all work done in these areas was completed to the standards set forth above.

Pruning Class 4 pruning includes-Crown reduction pruning shall consist of reduction of tops, sides or individual limbs. A trained arborist shall perform all pruning. No pruning shall take more than 25% of the live crown of any native tree. Any trees that may need pruning for road/home clearance shall be pruned **prior** to any grading activities to avoid any branch tearing.

Landscape: All irrigation trenching shall be routed around critical root zones, otherwise above ground drip-irrigation shall be used. Only drought tolerant native species shall be planted within the critical root zones.

Utility Placement: All utilities, sewer and storm drains shall be placed down the roads and pathways and when possible outside of the critical root zones. The arborist shall supervise trenching within the critical root zone. **All trenches in these areas shall be exposed by air spade or hand dug with utilities routed under/over** roots larger than 3 inches in diameter. Boring is another acceptable method.

Fertilization and Cultural Practices: As the project moves toward completion, the arborist(s) may suggest insecticide, fungicide, fertilization and/or mycorrhiza applications that will benefit tree health. Mycorrhiza offers several benefits to the host plant, including faster growth, improved nutrition, greater drought resistance,

and protection from pathogens. We will make the determinations during our monitoring visits on a tree by tree basis.

Further data to be collected will include: trees listed by number, species and multiple stems if applicable, scientific name, diameter and breast height (4.5'), condition (scale from poor to excellent), status (avoided, impacted, removed, exempt), percent of critical root zone impacted, mitigation required (fencing, root pruning, monitoring), construction impact (trenching, grading), recommended pruning, aesthetic value and individual tree notes along with canopy spread.

If all the above mitigation measures are followed, we feel there will minimal long-term significant impacts to the native trees.

Please let us know if we can be of any future assistance to you for this project.

Steven G. Alvarez
Certified Arborist #WC 0511

Chip Tamagni
Certified Arborist #WE 6436-A

TREE PROTECTION SPREAD SHEET FOR
Tract 2778

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TREE #	TREE SPECIES	SCIENTIFIC NAME	TRUNK DBH	TREE CONDITION	CONST STATUS	CRZ % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	AESTH. VALUE	FIELD NOTES	NS EW	LTSI H-M-L-N
1	BO	<i>Q. doug.</i>	24	5	A	0%	NONE	F	NO	II	excel.		40/40	none
2	BO	<i>Q. doug.</i>	40	4	A	0%	NONE	F	NO	II	excel.		50/50	none
3	BO	<i>Q. doug.</i>	34	3	A	0%	NONE	F	NO	II	good	past failures	50/50	none
4	BO	<i>Q. doug.</i>	25	1	A	0%	NONE	F	NO	II	fair	major failure	30/30	none
5	BO	<i>Q. doug.</i>	22	4	A	0%	NONE	F	NO	II	excel.	mistletoe	30/35	none
6	BO	<i>Q. doug.</i>	30	4	A	0%	NONE	F	NO	II	excel.		50/50	none
7	BO	<i>Q. doug.</i>	34	3	A	0%	NONE	F	NO	II	good	cavity	55/55	none
8	BO	<i>Q. doug.</i>	10	5	A	0%	NONE	F	NO	II	good		20/20	none
9	BO	<i>Q. doug.</i>	30	5	A	0%	NONE	F	NO	II	excel.		50/50	none
10	VO	<i>Q lobata</i>	44	2	A	0%	NONE	F	NO	II	good	major cavities	55/55	none
11	VO	<i>Q lobata</i>	42	2	A	0%	NONE	F	NO	II	good	major cavities	50/50	none
12	BO	<i>Q doug.</i>	34	4	A	0%	NONE	F	NO	II	good		50/50	none
13	VO	<i>Q lobata</i>	36	2	A	0%	NONE	F	NO	II	good	decay at base	50/30	none
14	VO	<i>Q lobata</i>	50	3	A	0%	NONE	F	NO	II	excel.	cavity at base	55/55	none
15	VO	<i>Q lobata</i>	20	3	A	0%	NONE	F	NO	II	good		35/35	none
16	VO	<i>Q lobata</i>	40	2	A	0%	NONE	F	NO	II	fair	scale infestation	55/55	none
17	BO	<i>Q. doug.</i>	25	4	A	0%	NONE	F	NO	II	excel.		45/45	none
18	BO	<i>Q. doug.</i>	24	4	A	0%	NONE	F	NO	II	excel.		40/40	none
19	VO	<i>Q lobata</i>	48	2	A	0%	NONE	F	NO	II	good	massive failure	65/65	none
20	VO	<i>Q lobata</i>	27	4	R	100%	GR		NO		good		40/40	

1 = TREE #: MOSTLY CLOCKWISE FROM DUE NORTH
 2 = TREE TYPE: COMMON NAME IE. W.O. = WHITE OAK
 3 = SCIENTIFIC NAME
 4 = TRUNK DIAMETER @ 4"6"
 5 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT
 6 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL
 7 = CRZ: PERCENT OF IMPACTED CRITICAL ROOT ZONE

8 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING
 9 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,
 10 = ARBORIST MONITORING REQUIRED: YES/NO
 11 = PERSCRIBED PRUNING: CLASS 1-4
 12 = AESTHETIC VALUE
 13 = NORTH SOUTH/ EAST WEST CANOPY SPREAD

14 = NORTH, SOUTH, EAST, WEST
 15 = LONG TERM SIGNIFIANT IMPACT

TREE PROTECTION SPREAD SHEET FOR
Tract 2778

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
TREE #	TREE SPECIES	SCIENTIFIC NAME	TRUNK DBH	TREE CONDITION	CONST STATUS	CRZ % IMPACT	CONST IMPACT	MITIGATION PROPOSAL	MONT REQUIRED	PRUNING CLASS	AESTH. VALUE	FIELD NOTES	NS EW	LTSI H-M-L-N
21	VO	<i>Q. lobata</i>	25	4	R	100%	GR		NO		good		35/35	
22	VO	<i>Q. lobata</i>	18	4	R	100%	GR		NO		good		25/25	
23	BO	<i>Q. doug.</i>	17	4	A	0%	NONE	F	NO	II	good		25/25	none
24	BO	<i>Q. doug.</i>	22	2	A	0%	NONE	F	NO	II	good	hollow tree	33/33	none
25	BO	<i>Q. doug.</i>	20	4	A	0%	NONE	F	NO	II	good		35/35	none
26	BO	<i>Q. doug.</i>	39	1	A	0%	NONE	F	NO	II	fair	mistletoe, in decline	30/30	none
27	BO	<i>Q. doug.</i>	18	2	A	0%	NONE	F	NO	II	fair	mistletoe, in decline	30/30	none
28	BO	<i>Q. doug.</i>	18	3	A	0%	NONE	F	NO	II	good		35/35	none
29	BO	<i>Q. doug.</i>	40	1	A	0%	NONE	F	NO	II	fair	in decline	30/30	none
30	VO	<i>Q. lobata</i>	28	3	I	5%	GR	F,M	YES	II	good		50/50	low
31	VO	<i>Q. lobata</i>	50	4	I	10%	GR	F,M	YES	II	good		60/60	low
32	VO	<i>Q. lobata</i>	55	2	I	15%	GR	F,M	YES	II	good	hollow tree	60/60	low
33	BO	<i>Q. doug.</i>	31	4	I	5%	GR	F,M	YES	II	good		40/40	low
34	VO	<i>Q. lobata</i>	28	3	A	0%	NONE	F	NO	II	good		50/50	none
35	VO	<i>Q. lobata</i>	34	2	A	0%	NONE	F	NO	II	fair	scale infestation	50/50	none
36	VO	<i>Q. lobata</i>	30	3	A	0%	NONE	F	NO	II	fair	scale infestation	45/45	none

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1 = TREE #: MOSTLY CLOCKWISE FROM DUE NORTH
 2 = TREE TYPE: COMMON NAME IE.W.O.= WHITE OAK
 3 = SCIENTIFIC NAME
 4 = TRUNK DIAMETER @ 46"
 5 = TREE CONDITION: 1 = POOR, 10 = EXCELLENT
 6 = CONSTRUCTION STATUS: AVOIDED, IMPACTED, REMOVAL
 7 = CRZ: PERCENT OF IMPACTED CRITICAL ROOT ZONE

8 = CONSTRUCTION IMPACT TYPE: GRADING, COMPACTION, TRENCHING
 9 = MITIGATION REQUIREMENTS: FENCING, MONITORING, ROOTPRUNING,
 10 = ARBORIST MONITORING REQUIRED: YES/NO
 11 = PERSCRIBED PRUNING: CLASS 1-4
 12 = AESTHETIC VALUE
 13 = NORTH SOUTH/ EAST WEST CANOPY SPREAD

14 = NORTH, SOUTH, EAST, WEST
 15 = LONG TERM SIGNIFIANT IMPACT

**CONCEPTUAL PLAN
ROAD ALIGNMENT & PARCELS
TRACT 2778**



CIVIL AND TRANSPORTATION ENGINEERING
CONSTRUCTION MANAGEMENT
LANDSCAPE ARCHITECTURE
PLANNING & ENVIRONMENTAL
PUBLIC WORKS CONSULTATION
SURVEYING OR BIM (7098)
WATER RESOURCES
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