RESOLUTION 16-159

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
AUTHORIZING THE REMOVAL OF TWO OAK TREES
ON OAK STREET AT 36TH STREET
(OTR 16-003 / WEBB)
APN: 008-031-029, 030 & 033

WHEREAS, Planned Development 16-001 was approved by the Planning Commission on June 14, 2016, allowing for the development of a 10-unit apartment complex on the vacant site located on the southeast corner of Oak Street and 36th Street; and

WHEREAS, in conjunction with PD 16-001, the applicants have submitted an application for OTR 16-003, requesting to remove two oak trees located within the 36th Street right of way; and

WHEREAS, the Arborist Report (Exhibit A) has been prepared by Henry Curtis, Arborist, which indicates that the two trees are in extremely poor condition as a result of several years of pruning for clearance from the overhead utility lines; and

WHEREAS, along with the approval of Planned Development 16-001 the Planning Commission recommended that the City Council approve OTR 16-003; 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

SECTION 1. Pursuant to Paso Robles Municipal Code section 10.01.050.D., and based on the entire record including all written and oral evidence presented, the City Council finds as follows:

1. Having considered the factors outlined in Section 10.01.050.D.1. of the Paso Robles Municipal Code, and the information provided by the Arborist in Exhibit A, the City Council finds that allowing the removal of the trees to allow for new frontage improvements and utility line undergrounding on 36th Street, along with the requirement for replacement oak trees on site, would result in a better project.

SECTION 2: APPROVAL

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

1. Authorize the removal of Tree No. 2 (11-inch Live Oak) and Tree No. 3 (12-inch Live Oak) based on the trees being in poor health, as indicated in the Arborist Report, attached as Exhibit A;

2. Require four (4) 1.5-inch diameter oak replacement trees (or fewer replacement trees adding up to 6-inches) 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 6th day of December 2016 by the following vote:

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

Steven W. Martin, Mayor

ATTEST:

Kristen L. Buxkemper, Deputy City Clerk

Exhibit A: Arborist Report

Whit's-Turn
Tree Care

ARBORIST REPORT

Prepared for:

Hamrick Associates, Inc.

Property Location:

S.E. Corner of 36th & Oak, Paso Robles

RECEIVED
FEB 23 2016
City of Paso Robles
Community Development Dept.

Prepared By:

Henry Curtis
Certified Arborist WE-6345A
(805) 462-9958

CERTIFIED ARBORIST ISA

Henry Curtis

Exhibit A

Whit's-Turn
Tree Care
P.O. Box 1784 Templeton, CA 93465
Telephone: 805-462-9958 Fax: 805-462-9978

HENRY CURTIS – CERTIFIED ARBORIST WE-6345A

September 1, 2015

Hamrick & Associates, Inc. is proposing to build a project on the S.E. corner of 36th and Oak Street in Paso Robles, CA. This property has three native Oak trees that will be impacted.

Tree #1 on the lot is a mature Valley Oak (Quercus lobata) located on the S.E corner. This tree appears to be in good health. The proposed project will impact the tree approximately 25%. The impact to this tree should be minimized by following the mitigation I have recommended in my report.
The contractor has designed the project to minimize intrusion of the critical root zone under the dripline of the tree. Pavers will be used for the parking area instead of concrete or asphalt, which helps minimize negative impact on feeder roots.

Trees #2 and #3 are located along 36th street. One Valley Oak (Quercus lobata) and one Live Oak (Quercus agrifolia). Both trees are directly under power lines and have been left in extremely poor condition due to the line clearance pruning done over several years. Neither of these trees is an asset to the City of Paso Robles or to the property owner. I am recommending removal of these two trees as is referenced on the tree chart within my arborist report.

If you have questions about this project as it relates to the Oak trees please contact my office.

Henry Curtis
Certified Arborist
WE-6345A

Exhibit A

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Exhibit A

Tree Preservation Guidelines

The mitigation I am requesting must be followed by anyone working within the *C.R.Z of the native Oak tree located at this site. Copies of these guidelines must be provided to any contractors involved with this project.*The Critical Root Zone is an imaginary circle on the ground that corresponds with the "dripline" of the tree. The dripline of a tree is where the greatest extent of a tree's branches end.

Pre-Construction:

Tree Protection Fencing:

The tree indicated as Impacted, identified on the Tree Protection Chart, will require tree fencing installed one foot outside their entire drip-lines. A warning sign shall be prominently displayed on each fence. Please use the example attached with this report. The sign must be laminated for weather resistance. After fencing is installed please notify me to come and inspect the placement before ground is broken at the project site.

Pre-Construction Meeting:

Before any grading or trenching has begun there must be a meeting with all interested parties to discuss suggested mitigation for the protection of the native Oak tree. Generally, this includes a Certified Arborist, General Contractor, Grading Contractor, and any City or County Officials overseeing this project. Please notify me in advance of the meeting.

Construction:

The configuration of protective fencing cannot be changed without my prior authorization. All dirt work performed near the Oak tree should be done with extreme care to disturb as little of the trees C.R.Z as possible. Workers must use caution not to rip or tear large roots with shovels or equipment. The use of an "air spade" is encouraged for authorized excavation within the trees C.R.Z Tools such as a Ditch Witch are discouraged as they leave a jagged,

broken root surface which causes the roots to die back and leaves them vulnerable to be attacked by soil born fungi. Any tree roots larger than one inch dug up during dirt work need to be flush cut and recovered with dirt immediately. If large roots are exposed and cannot be recovered immediately then they must be covered with wet burlap to keep the roots moist.

Construction Waste:

There is to be no cleaning of construction equipment or any waste products near the C.R.Z of the native Oak trees at This site. All waste or extra materials that could possibly leach into the trees feeder roots need to be cleaned and Stored elsewhere.

Landscaping:

To ensure the longevity of your native tree, landscaping underneath their drip lines should be kept natural with The exception of the woodchips. Also, keeping irrigation systems outside of the trees drip lines. For more information Regarding landscaping near native Oaks, see the publication: Compatible Plants Under and Around Oaks, California Oak Foundation, http://www.CaliforniaOaks.org/

Customer name: Hamrick Associates, Inc.
Job address: S.E. corner of 36th Oak

Whit's-Turn Tree Care

Date Completed: 8/28/2015

Tree #	*Common Name*	*Scientific Name*	*Trunk DBH*	**Tree Condition 1-10*	*Construction Status*	*C.R.Z. Impact*	**Anticipated Construction Impact*	*Mitigation Proposal*	*Monitoring Required*
1	**Valley Oak**	Quercus lobata	33"	9	Impacted	25%	Grading/ parking area	Pavers/Tree protection fencing. Prune for clearance	NO
2	**Live Oak**	Quercus agrifolia	3 spar 11", 8", 8"	2	Removal	x	x	x	x
3	**Live Oak**	Quercus agrifolia	3 spar 12", 11", 10"	3	Removal	x	x	x	x

Tree Condition Key

Based on a scale of 1-10

1 being the worst and 10

being the best

Construction Impact

I=Impacted

NI=Not Impacted

R= Removal

Exhibit A

Exhibit A

Description of Tree Protection Chart

Tree number can be found on the project plans as well as labeled on the tree with a numerical tag.

Common Name: labels the tree with a common name such as VO=Valley Oak, BO=Blue Oak, LO=Live Oak BW=Black Walnut

Scientific Name: Scientific name of the tree species

Trunk D.B.H., is the abbreviation for the trunk diameter at breast height in inches

Tree Condition, ranging from zero to ten. Zero= deceased, One=Poor condition, Ten=Excellent

Construction Status of tree, Avoided-Removal-Impacted

C.R.Z. Impact is the anticipated percentage of impact to the trees Critical Root Zone.

Anticipated Construction Impact

Such as; retaining wall, grading, trenching, etc.

Monitoring Required Yes/No

If yes, the Arborist must be notified and on site during any trenching or grading near the tree

Whit's-Turn
Tree Care

TREE PROTECTION

No grade change, storage of materials or equipment is permitted within this C.R.Z.
Tree protection fencing must not be removed or crossed without permission.

Henry Curtis
Arborist WE-6345-A
(805)462-9958

Exhibit A