



Council Agenda Report

From: Darren Nash, City Planner

Subject: Approval of an Oak Tree Removal at 1511 Vine Street (OTR25-08, P25-0078)

CEQA Determination: Staff recommends the City Council approve a Resolution thereby approving the removal of one valley oak located at 1511 Vine Street (OTR25-08, P25-0078) and finding the project exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15304.

Date: September 16, 2025

Facts

1. The City received an application filed by Vicki Silva, property owner, requesting the removal of one 44-inch diameter Valley Oak ("the project") on a developed lot at 1511 Vine Street (APN 008-318-013)(See Attachment No. 1, Vicinity Map for further detail.)
2. Certified arborist, Kelly Koker evaluated the oak tree on the property and provided an evaluation of the tree's health. The Arborist recommended the tree be removed (Attachment 2).
3. Paso Robles Municipal Code 10.01.050.A requires any person wishing to remove one or more oak trees to apply in writing to the Community Development Department for a permit.
4. Paso Robles Municipal Code 10.01.050.D.1 requires the Director of Community Development to prepare a report for the City Council's consideration of, among other things, "The condition of the oak tree with respect to health, status of 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 of infestation".
5. For the reasons further described herein, the Director of Community Development is recommending that the City Council approve Oak Tree Removal Permit OTR 25-08, based on a finding that the condition of the oak trees with respect to their general health, danger of falling, and proximity to existing or proposed structures justify the removal of the oak tree located on 1511 Vine Street, and, impose oak tree mitigation measures, as further described in the attached Resolution.
6. Removal of the 44-inch oak tree could require the replanting of as many as seven (7) 1.5-inch diameter mitigation trees, however, as a result of the tree decline not being the fault of the property owner, that the property has limited area to plant new trees, and since no construction is associated with this removal request, planting one 15 gallon valley oak tree on site is reasonable.
7. The proposed project to remove one 44-inch diameter valley oak is exempt from environmental review pursuant to State CEQA Guidelines Section 15304 – Class 4, Minor Alterations to Land. .

Options

1. Take no action; or
2. Approve the Oak Tree Removal Permit OTR 25-08, based on a finding that the condition of the oak trees with respect to their general health, danger of falling, and proximity to existing or proposed structures justify the removal of the oak tree and require the planting of one 15-gallon valley oak tree on site; or

3. Provide alternative direction to staff.

Analysis and Conclusions

The Oak Tree Preservation Ordinance requires staff to consider five factors when making a recommendation to City Council for oak tree removal permits. The factors are listed below with an explanation for how each was considered in staff's recommendation in italics:

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;

The project arborist has provided an arborist report that indicates that the tree is in poor condition, as a result of the tree having low vigor, the tree being situated against the house, compacted soil in the Critical Root Zone (CRZ) of the tree, and an unbalanced and sparse crown. The tree has recent and past limb failures. A beehive is located in the tree. The arborist rates the tree as a 2 or 3, indicating it is in fair to poor condition and recommends the tree be removed.

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;

There is no construction proposed for this property. The request for removal is to prevent additional limb failures.

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;

The subject oak does not contribute to an intact habitat and is not in proximity to significant flow of surface waters.

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;

The tree provides shade and beauty, and contributes to the historic value of the property and the downtown. The applicant will be required to replant 1 oak tree.

5. Good forestry practices such as, but not limited to, the number of healthy trees the subject parcel of land will support.

Removal of the 44-inch oak tree could require the replanting of as many as seven (7) 1.5-inch diameter mitigation trees, however, as a result of the tree decline not being the fault of the property owner, that the property has limited area to plant new trees, and since no construction is associated with this removal request, planting one 15 gallon valley oak tree on site is reasonable.

When considering all required factors, due to the overall health of the tree and its proximity to proposed structures, staff finds the removal is justified given the information provided.

Subject 44-inch Valley Oak



Fiscal Impact

There is no direct fiscal impact on the City from this action.

CEQA

Staff recommends that pursuant to the California Environmental Quality Act (CEQA), the City Council determine that this proposal to remove the 44-inch live oak tree is exempt from the provisions of the California Environmental Quality Act (CEQA) in accordance with the CEQA Guidelines Section 15304 – Class 4, Minor Alterations to Land, which consist of minor private alterations in the condition of land and/or vegetation which do not involve the removal of a healthy, mature, scenic trees. Here, the proposed project involves the removal of one oak tree that is structurally compromised and poses a hazard due to its condition and proximity to existing structures. Moreover, the tree removal process is limited to the removal of one oak tree in poor health and is thus a minor private alteration. There is no evidence of any unusual or special conditions that would result in a significant effect on the environment.

Lastly, none of the exceptions to the use of a categorical exemption identified in State CEQA Guidelines section 15300.2 apply. The project site does not contain any environmentally sensitive areas. There is no potential for cumulative impacts; there are no unusual circumstances that would have a significant impact on the environment; the actions would not negatively impact scenic resources within a duly designated scenic highway; there is no record of hazardous waste.

Recommendation

Approve Resolution 25-XXX, authorizing the oak tree removal (permit OTR25-08) based on a finding that the condition of the oak tree with respect to its general health, danger of falling, and proximity to existing or proposed structures justify the removal of the oak tree and require one 15-gallon valley oak mitigation tree to be planted on site.

Attachments

1. Vicinity Map
2. Vicki Silva Email
3. Resolution 25-XXX - Authorizing the Removal of One Valley Oak Tree
 - a. Exhibit A – Arborist Report