

Attachment 7

RESOLUTION 26-XXX(E)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES APPROVING OTR 25-09

APPLICANT – COVELOP, INC. & MD3 INVESTMENTS APN: 025-362-050

WHEREAS, Covelop, Inc. & MD3 Investments (“Applicant”) have applied for Oak Tree Removal 25-09 for the removal of six (6) Valley Oak trees as part of the entitlements for a 154-unit residential subdivision (“Project”) on a +/- 12.98-acre property located at 2930 Union Road, Lots 6 & 13 of APN 025-362-050; and

WHEREAS, the General Plan designation is Commercial Service (“CS”) and the zoning designation is Commercial/Light Industrial with a Planned Development Overlay and Special Planned Overlay “F” (C3-PD, District “F” Overlay); and

WHEREAS, the entitlements associated with the Project request include a Zoning Code Amendment (“RZN 25-03”) requesting an amendment to the Zoning Map and Zoning Code to revise the designation of the subject property to include the addition of a Mixed-Use (“MU”) Overlay and a Special Planned Development (“SPD”) Overlay (“Overlay K”), Planned Development 25-14 (“PD25-14”), Modification 26-04 (“MOD26-04”), Conditional Use Permit 25-05 (“CUP25-05”), Vesting Tentative Tract Map 3255 (“VTTM 3255”), and Oak Tree Removal 25-09 (“OTR 25-09”); and

WHEREAS, certified Arborist Rodney Thurman, with Heritage Tree Arboricultural Consulting Inc. (“HTACI”), prepared an Arborist Report in 2022 to evaluate the oak trees on the Project site and provide an evaluation of the trees’ health, along with a supplemental memo in 2025 when the Project scope changed from a commercial project to a residential project. As part of both reports, the Arborist found that of the eight (8) existing Valley Oak trees, one (1) tree has since died and has fallen due to internal decay and root rot, six (6) trees remain unhealthy and pose a substantial risk for injuring residents of the development, and one (1) tree is healthy and shall be retained and protected; and

WHEREAS, the Community Development Director could not make the determination that six (6) trees proposed for removal as part of this project area are “clearly dead or diseased beyond correction,” and therefore, the trees are “healthy,” as defined by Section 10.01.050(C) of the Oak Tree Preservation Ordinance. The City Council must make the determination of whether the trees should be removed or not, after consideration of the factors listed in Section 10.01.050(D); and

WHEREAS, the City’s Oak Tree Preservation Ordinance requires replacement of twenty-five percent (25%) of the diameter of the oaks being removed. In this case, removal of the six (6) trees equates to two hundred sixty-five (265) inches being removed and would require the replanting of as many as thirty-four (34) two (2) inch diameter mitigation trees; and

WHEREAS, on March 24, 2026, the Planning Commission held a duly noticed public hearing at which it received a staff report, considered all public testimony, and reviewed the proposed Oak Tree Removal request; and

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WHEREAS, on February 20, 2024, the City adopted a Mitigated Negative Declaration (“MND”) for a commercial/industrial project (“Covelop”) consisting of two hundred forty thousand (240,000) square feet of floor area spanning six (6) buildings for this Project site (Planned Development 22-20, Conditional Use Permit 22-20, Vesting Tentative Parcel Map 22-0054, Oak Tree Removal 23-11). As lead agency, and as part of the City’s due diligence, the City required a supplemental Noise Analysis, a supplemental Arborist Report, and a supplemental Air Quality and Greenhouse Gas Emissions Analysis to determine if the proposed Project would result in any new or more severe significant effects not identified in the original MND. Based on these studies, and a full analysis of the scope of the Project, and the previously adopted 2024 MND, none of the criteria specified in CEQA Guidelines Section 15162 requiring a subsequent or supplemental environmental document to be prepared is triggered. In particular, (1) there have been no substantial changes in the project that will require major revisions to the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effect; (2) there have been no substantial changes with respect to the circumstances under which the Project is undertaken that will require major revisions to the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effect; and (3) there has been no new information of substantial importance that was not known and could not have been known at the time the previous MND was adopted that shows: (a) the Project would have significant effects not discussed in the previous MND; (b) the Project would have more severe environmental effects; or (c) mitigation measures previously found to be infeasible or new mitigation measures now exist and would be feasible and would reduce significant effects. Therefore, an addendum is the appropriate document under CEQA to analyze the consistency of the Project with the type and intensity of development previously analyzed for the site in the MND as provided for in CEQA Guidelines Sections 15162 and 15164; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. All of the above recitals are true and correct and incorporated herein by reference.

Section 2. Pursuant to Paso Robles Municipal Code section 10.01.050.D. and based on the information contained in the staff report, testimony presented during the public hearing, and responses thereto, the City Council finds:

1. Six (6) Valley Oak trees proposed for removal, as shown in Exhibit A, are unhealthy and pose a substantial risk for injuring residents of the development, and one (1) tree is healthy and shall be retained and protected.

Section 3. The City Council of the City of El Paso de Robles does hereby:

1. Approve OTR 25-09, allowing the removal of six (6) Valley Oak trees totaling 265-inches, as shown in Exhibit A;
2. Require the on-site planting of thirty-four (34) 2-inch diameter mitigation Oak trees; and
3. Require the provision of irrigation and protection for the replanted Oak trees until they are established.

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EXHIBIT	DESCRIPTION
A	Oak Tree Location Map
B	Arborist Report, 2022
C	Arborist Supplemental Memo, 2025
D	Site Specific Conditions of Approval

APPROVED this 21st day of April, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

John R. Hamon, Jr., Mayor

ATTEST:

Melissa Martin, City Clerk

Exhibit A - Oak Tree Location Map

Exhibit B - Arborist Report, 2022

Exhibit C - Arborist Supplemental Memo, 2025

Exhibit D - Site Specific Conditions of Approval