



Council Agenda Report

From: Sam Ricklefs, Assistant Planner

Subject: Approval of Oak Tree Removal Permit 26-01 – A Request to Remove a 38-inch Diameter Valley Oak Tree Located at 721 28th Street (APN 008-081-010)

CEQA Determination: The City finds that this action 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.

Date: April 21, 2026

Facts

1. The City received an application requesting the removal of one 38-inch diameter Valley Oak tree (*Quercus lobata*) submitted by Daniel Blakely for the property located at 721 28th Street (APN 008-081-010), currently containing a duplex.
2. The application includes an Arborist Report from Certified Arborist Daniel Ponti, Timber Worx LLC. The Arborist found that the condition of the tree in question was in decline, due to “chronic competition” from a 34-inch diameter bay laurel tree approximately 10 feet away within the oak's critical root zone (CRZ), increasing the likelihood of large scaffold limb failure within three (3) years. This limb failure was found by the Arborist to have likely moderate-to-severe consequences to utilities, structures, and pedestrians. Based on this determination, the Arborist recommended full removal of the tree as the best course of action.
3. Planning Staff inspected the site to review the tree proposed for removal. As the Director was unable to make the determination that the tree is “clearly dead or diseased beyond correction” under Paso Robles Municipal Code (PRMC) Section 10.01.050.C, the tree is deemed "healthy" requiring that the City Council make the determination of whether the tree should be removed or not. This decision is based on consideration of the factors listed in Section 10.01.050.D.
4. For the reasons further described herein, staff is recommending that the City Council approve Oak Tree Removal Permit OTR 26-01, based on a finding that the condition of the oak tree with respect to its general health, danger of limbs failure, and proximity to existing structures and utilities justify removal, and impose replacement oak tree requirements.
5. The City's Oak Tree Preservation Ordinance requires replacement of 25% of the diameter of the oak being removed. In this case, removal of the 38-inch Blue Oak tree would require the replanting of as many as six (6) 1.5-inch diameter mitigation trees.
6. Section 10.01.050 of the Oak Preservation Ordinance allows for a reduction in the number of replacement trees required for projects where it is determined, verifiable by a Certified Arborist report, that the decline of the oak tree is not the fault of the landowner. The applicant is requesting a reduced number of replacement trees based on this stipulation. The applicant is also requesting the ability to pay in-lieu fees for replacement trees instead of planting replacement oaks on site.

Options

1. Take no action;

2. Approve a Resolution authorizing the removal of one 38-inch Valley Oak tree and requiring mitigation oak trees to be planted on-site or the payment of in lieu fees into City Oak Replacement fund;
3. Deny the Oak tree removal permit with findings and require the oak tree to remain and be protected;
4. Provide alternative direction to staff.

Analysis and Conclusions

Certified Arborist Daniel Ponti, Timber Worx LLC, performed an evaluation of the Valley oak tree in February 2026 and provided an evaluation of the overall health of the tree (see Exhibit B to Attachment No. 1 for further detail). The Arborist found that the tree had significant reductions in canopy density, diminished growth, and physiological stress, and that “it is reasonable to consider Valley Oak to be approaching end-of-life decline.” Pruning was found to not be considered a viable long-term solution for the health of the tree and potentially deteriorate the health of the tree further. Based on these findings, the Project Arborist recommended removal of the tree for consideration.



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 finds that the oak tree in question is in significant decline. The primary reason for the tree’s decline is due to the presence of a 34-inch diameter bay laurel tree approximately 10 feet from the oak, within the tree’s critical root zone

(CRZ). The Arborist notes that the close proximity of the two trees has led to “chronic competition for soil moisture, nutrients, and rooting space”, which has prevented the oak tree from receiving the necessary elements needed to thrive and caused significant reductions of canopy density, diminished growth, and overall physiological stress.

In a follow-up Planning letter sent by City Staff to the Project Arborist, the question was posed as to whether removal of the bay laurel tree would be sufficient action to restore the oak tree’s health and thus preserve the tree as-is. The Project Arborist determined that the long-term suppression of the Valley oak by the bay laurel was likely to be irreversible due to the tree’s age and state of condition. It was additionally determined that pruning of the tree to reduce the risk of limb failure would require removal of greater than 25% of the tree’s remaining canopy, likely further diminishing the tree’s chance of survival.

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 further construction proposed for this property. The request for removal is due to the tree’s declining health and potential risks posed to nearby utilities and buildings as well as pedestrians.

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 tree does not contribute to an intact habitat and is not in close proximity to any 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 oak tree provides both shade and scenic beauty to the site, and is the only mature oak tree located on the given property. The applicant will need to replace the tree with mitigation trees.

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 tree would require replacement by six (6) native oaks at the minimum 1.5-inc caliper. The number of trees required may be unlikely to fit within the given yard space of 721 28th Street. The Project Arborist noted the willingness of the applicant to pursue a replacement agreement to plant the replacement oaks on public property (pay in-lieu payment to City), as per Section 10.010.050.E of the Oak Tree Ordinance.

City Staff has reviewed the request for reduced number of replacement trees. Based on the decline of the subject oak tree being due to the presence of the bay laurel, not the fault of the landowner, requiring two (2) replacement trees at the minimum 1.5-inch caliper was found to be a reasonable reduction.

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 38-inch Valley 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, except for forestry and agricultural purposes.” 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 buildings, utilities, and pedestrian areas. 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.

Recommendation (Option 2)

Approve Resolution 26-XXX, authorizing the removal of one 38-inch Valley Oak tree and require mitigation oak trees by planting two mitigation trees on site and/or provide payment for each tree to the City Oak Replacement Fund at a cost of \$200 each.

Attachments

1. Resolution 26-XXX – OTR 26-01 - 721 28th Street
 - a. Exhibit A - Site Plan
 - b. Exhibit B – Timber Worx LLC Arborist Report
 - c. Exhibit C – Timber Worx LLC Planning Comment Response Letter