

Attachment 1

RESOLUTION 26-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES APPROVING THE REMOVAL OF ONE (1) VALLEY OAK TREE LOCATED AT 721 28TH STREET (APN 008-081-010)

WHEREAS, in February 2026, 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; and

WHEREAS, the application includes an Arborist Report from Certified Arborist Daniel Ponti, Timber Worx LLC, dated February 2026; and

WHEREAS, the Arborist found that the condition of the tree in question was in decline, 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; and

WHEREAS, the Community Development Director could not make the determination that the tree is “clearly dead or diseased beyond correction,” and therefore, the tree is “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 tree 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 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; and

WHEREAS, 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 that the decline of the oak tree is not the fault of the landowner, as verified by a Certified Arborist. 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; and

WHEREAS, 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; and

WHEREAS, the City Council met to discuss the request for an oak tree removal on April 21, 2026, considered the facts as presented in the staff report prepared for this project, and accepted public testimony; and

WHEREAS, the City Council determine that this proposal to remove the 38-inch 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

Attachment 1

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 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.

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 hereby finds and determines that the 38-inch Valley Oak tree located at 721 28th Street is at a high risk of failure and a potential hazard to utilities, structures, and people on-site.

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

1. Approve the request to remove one (1) 38-inch diameter Valley Oak tree, shown in Exhibit A;
2. Require either:
 - a) The on-site planting of two (2) 1.5-inch diameter native oak trees, at the direction of a certified arborist;
 - b) The provision of payment for each tree to the City Oak Replacement Fund at a cost of \$200 each, totaling \$400 in whole;
3. Require, if option 2a) above is undertaken, the provision of irrigation and protection for the replanted oak trees until they are established, with tree preservation security posted per Section 10.01.050 if applicable.

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

Attachment 1

Exhibit A - Site Plan

Exhibit B – Timber Worx LLC Arborist Report

Exhibit C – Timber Worx LLC Planning Comment Response Letter