

TO: JAMES L. APP, CITY MANAGER
FROM: BOB LATA, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: MUNICIPAL CODE AMENDMENT 04-004: REFINEMENTS TO OAK TREE PRESERVATION ORDINANCE (CITY-INITIATED)
DATE: NOVEMBER 16, 2004

Needs: For the City Council to consider closing a continued open public hearing, and tabling an update to the City's Oak Tree Preservation Ordinance.

Facts:

1. The subject code amendment was continued from the September 21, 2004, Council meeting.
2. The Planning Commission has had a series of discussions on this topic. Based on those discussions, there do not appear to be grounds to proceed with a revision to the Oak Tree Preservation Ordinance at this time. If and when it appears that there are grounds to make refinements to the ordinance, a new public notice will be published.
3. A tabling of consideration of Code Amendment is being recommended.

Analysis
and

Conclusion: When the code amendment was initiated, there were discussions about tightening the enforcement provisions in the Oak Tree Preservation Ordinance. After holding workshops discussions, the only substantive measure that was identified was to require arborists to monitor oak tree related excavation work during construction and to require that a report be submitted upon project completion to document that the monitoring had occurred. That requirement has now been included as a condition of approval on each new development project (without the need to amend the City's Code). Based on these circumstances, it would seem reasonable to table consideration of the pending Code Amendment at this time.

Policy

Reference: Chapter 10.01, Paso Robles Municipal Code

Fiscal

Impact: None at this time

Options:

- a. Consider and approve a motion to table consideration of Code Amendment 04-004.
- b. Amend, modify, or reject the foregoing option.