



**Town of Atherton
Planning Department
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DATE: JUNE 28th, 2023

TO: PLANNING COMMISSION

FROM: RADHA HAYAGREEV, SENIOR PLANNER

SUBJECT: Tree Protection Zone Exception for three heritage trees to 6 times (6x) the tree diameter for the construction of detached accessory building including a 1,200 SF ADU, a 2-car garage, and a small guest suite / pool house at **345 Stockbridge Ave.**, zoned R1-A (APN 070-011-290 / Permit PTPZ23-00003)

1. Tree A – 18-inch Coast Live Oak up to 6x for driveway
2. Tree B – 18-inch Coast Live Oak up to 6x for driveway
3. Tree C – 58-inch Redwood Heritage redwood to 6x for the 1,200 Sq. ft. ADU and guest suite / pool house.

CEQA: The proposal has been determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) to CEQA Section 15304, Minor Alterations to Land.

RECOMMENDATION:

Staff recommends that the Planning Commission **approve** the requested tree protection zone exceptions of all three trees for the construction of detached accessory building including a 1,200 SF ADU, a 2-car garage, and a small guest suite / pool house at 345 Stockbridge Ave

1. The requested TPZ exception would not be contrary to the purpose and intent of the Atherton General Plan.

Basis for finding: The requested TPZ exception for Tree A, B and C (Attachment 2) is found to result in a designated protection area sufficiently large enough to protect the tree and its roots from Disturbance and/or Damage, based upon the specific conditions the tree and conditions of the approval of this report, the nature of the proposed future construction, and supporting arboricultural industry standards, as professionally opined by the Town Arborist. The request is found to meet the applicable criteria of the Town's adopted Heritage Tree Guidelines and Standards Document.

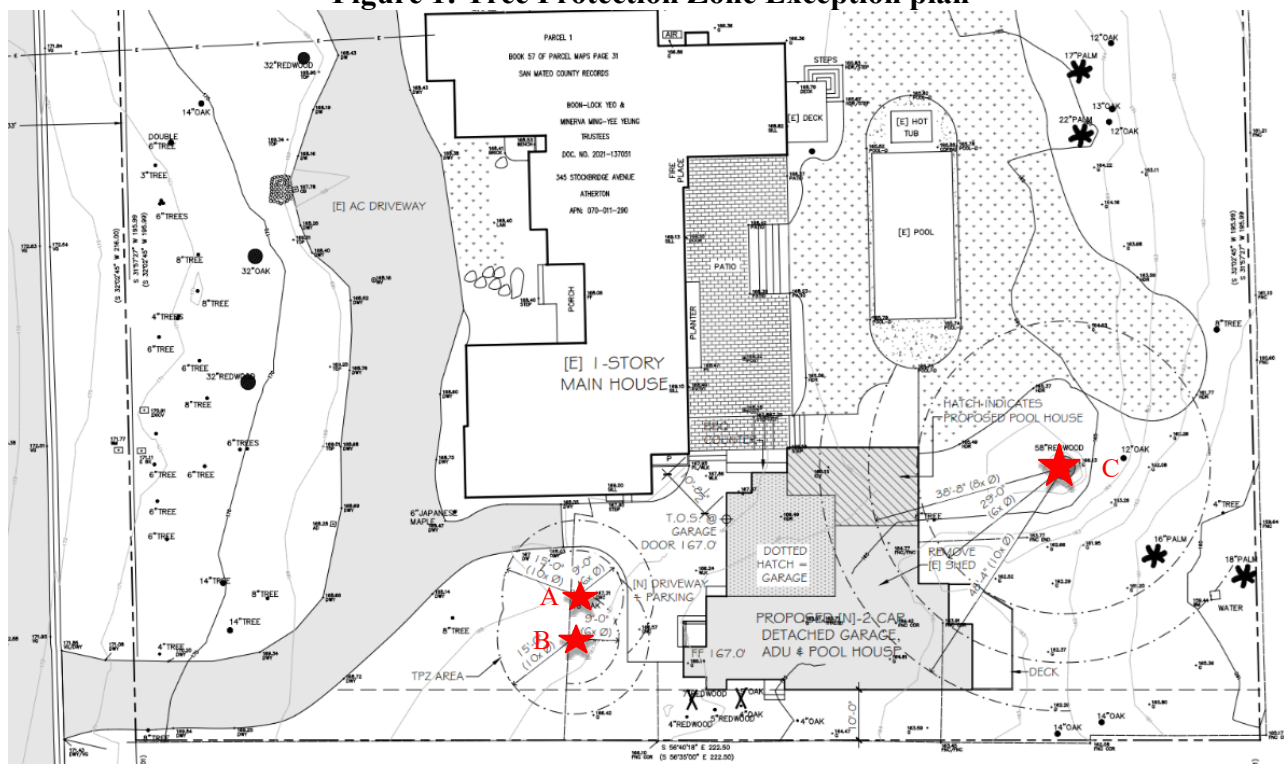
BACKGROUND:

The subject site is located on 345 Stockbridge Ave. (APN 070-011-290) and is a 43,610 sq. ft. interior lot located in the R1-A Zoning District and is surrounded by other low-density, single-family homes. The property has an existing single-story main residence with a basement and accessory structures.

The applicant is currently pursuing a remodel for the main home and is seeking tree protection zone exemptions for a new proposed detached garage, a 1,200 SF ADU and pool house in the side yard of the project.

The applicant seeks a tree protection area zone exception for the trees highlighted in a red star seen in Figure 1 below:

Figure 1: Tree Protection Zone Exception plan



The requested TPZ exceptions are for 6x the diameter of the trees, two 18-inch coast live oaks (A & B) and a 58-inch redwood tree. The scope of the requested TPZ exception which are less than 8x requires consideration by the Planning Commission in accordance with the Town's adopted *Heritage Tree Guidelines and Standards* ("Heritage Tree Guidelines") document.

The site plan is based on several discussions between planning and Town arborist to find the right configuration based on the site constraints and requirements of the buildings proposed.

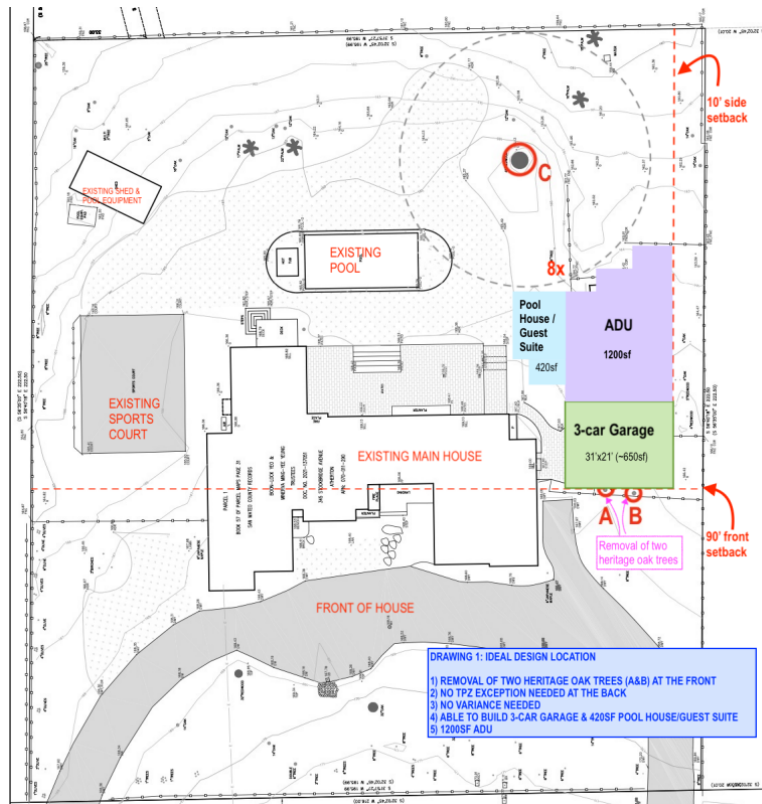
ANALYSIS:

The site currently has a sports court and a shed on one side with the pool located at the center of the back yard. The proposed accessory structures and ADU comply with the required accessory structure setback

lines, per AMC Chapter 17.40. The minimum requirement for the garage is 30ft from the building line but the proposed location is set back further inside to protect tree number A & B, refer to Figure-2 below.

The large 58” Redwood tree is a significant impact to any development in the TPZ zone in the rear yard.

Figure 2: Location and site context



Based on the Town Arborist memo (see attachment 3) in addition to site visit findings and analysis of the applicant’s arborist report, staff can recommend and support the Town Arborist’s recommendation of the TPZ exception of up to 6x from the proposed trees.

It is to be noted that tree C, the 58-inch redwood tree has been revived based on the care and protection of the applicant using the Town arborist’s guidance. The Town Arborist recommends conditional approval for this exemption, see Attachment 1&2 for more details.

CONCLUSION:

The Town’s Heritage Tree Preservation Standards and Specifications, implemented through the Municipal Code, allows the Planning Commission to consider requests for a Tree Protection Zone (TPZ) exception based on a series of specified criteria. The TPZ exception requests for the above three trees for the proposal can be concluded as below:

In conclusion, the updated requests of TPZ exception seen in Attachment 4 (February 9 site plan) can be approved subject to the following conditions:

- Hand excavation only within 8x TPZ
- The area under the drip line of trees should be thoroughly irrigated to a soil depth of 18” every 3-4 weeks during the dry months.
- Mulch should cover all bare soil within the tree protection fencing. This material must be 6-8 inches in depth after spreading, which must be done by hand. Coarse wood chips are preferred because they are organic and degrade naturally over time.
- Tree C will need to continue to be watered during the extent of this project.

Town Arborist recommends the tree protection exceptions based on the criteria below from Section 2.2 B. 2.

The probability of failure which is a function of heritage tree and site conditions such as, but not limited to, structural defects, presence of disease, species history, age or remaining life span, and varying weather conditions.

NOTICE

Legal advertisement of this hearing was published in *Almanac* newspaper, 15 days prior to the hearing date. Notice of this application was mailed to all property owners within 500 feet of the subject property. At the time of publishing this report, the Town has not received any public comment or inquiries on the application.

ALTERNATIVES:

The Planning Commission could approve, deny, or modify the request to approve the requested TPZ exception.

FORMAL MOTION:

I move that the Planning Commission find the Exception to the Tree Protection Zone (TPZ) for the three trees:

1. Tree A – 18-inch Coast Live Oak up to 6x for the driveway
2. Tree B – 18-inch Coast Live Oak up to 6x for the driveway
3. Tree C – 58-inch Redwood Heritage redwood to 6 times (6x) the trees diameter at for the ADU/pool house

to allow for the construction of a new detached garage, 1,200 Sq. ft. ADU and pool house / guest suite at 345 Stockbridge Ave. This project would not be contrary to the purpose and intent of the General Plan, for the reasons outlined in the Staff Report, and that the Commission approve the TPZ exception subject to the conditions as listed in the draft TPZ Exception Certificate.

/s/ Radha Hayagreev

Radha Hayagreev, Senior Planner

Attachments:

1. Draft Certificate with conditions of approval
2. Town Arborist Memo
3. Applicant’s PC application and request letter
4. Proposed Plans and alternative feasibility options
5. Project Arborist Report