



**Town of Atherton
Planning Department
80 Fair Oaks Lane
Atherton, California 94027
Phone: (650) 752-0544
planningdept@ci.atherton.ca.us**

DATE: July 26, 2023

TO: PLANNING COMMISSION

FROM: RADHA HAYAGREEV, SENIOR PLANNER

SUBJECT: Request for Tree Protection Zone Exception for two trees (#5 canary Island Pine and #14 Coast Live Oaks) at 7x times the tree diameter, for the construction of a new residential site development with a detached garage and a pool house.

LOCATION: Address: **29 Stockbridge Ave.**
APN: **059-311-110**
Zoning District: **Residential District (R-1A)**

CEQA: This project is categorically exempt from further California Environment Quality Act (CEQA) review pursuant to: CEQA Section 15304, Minor Alterations to Land

APPLICANT: Jon Jang, Jon Jang Architects

RECOMMENDATION:

Staff recommends that the Planning Commission **approve** the requested tree protection zone exceptions for two trees (#5 canary Island Pine and #14 Coast Live Oaks) at 7x times the tree diameter, for the construction of a new residential site development with a detached garage and a pool house.

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 #5 and #14 is found to result in a designated protection area sufficiently large enough to protect the trees and their 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 Development Standards.

Figure 1: Proposed Site Plan, Alternative location and TPZ exceptions

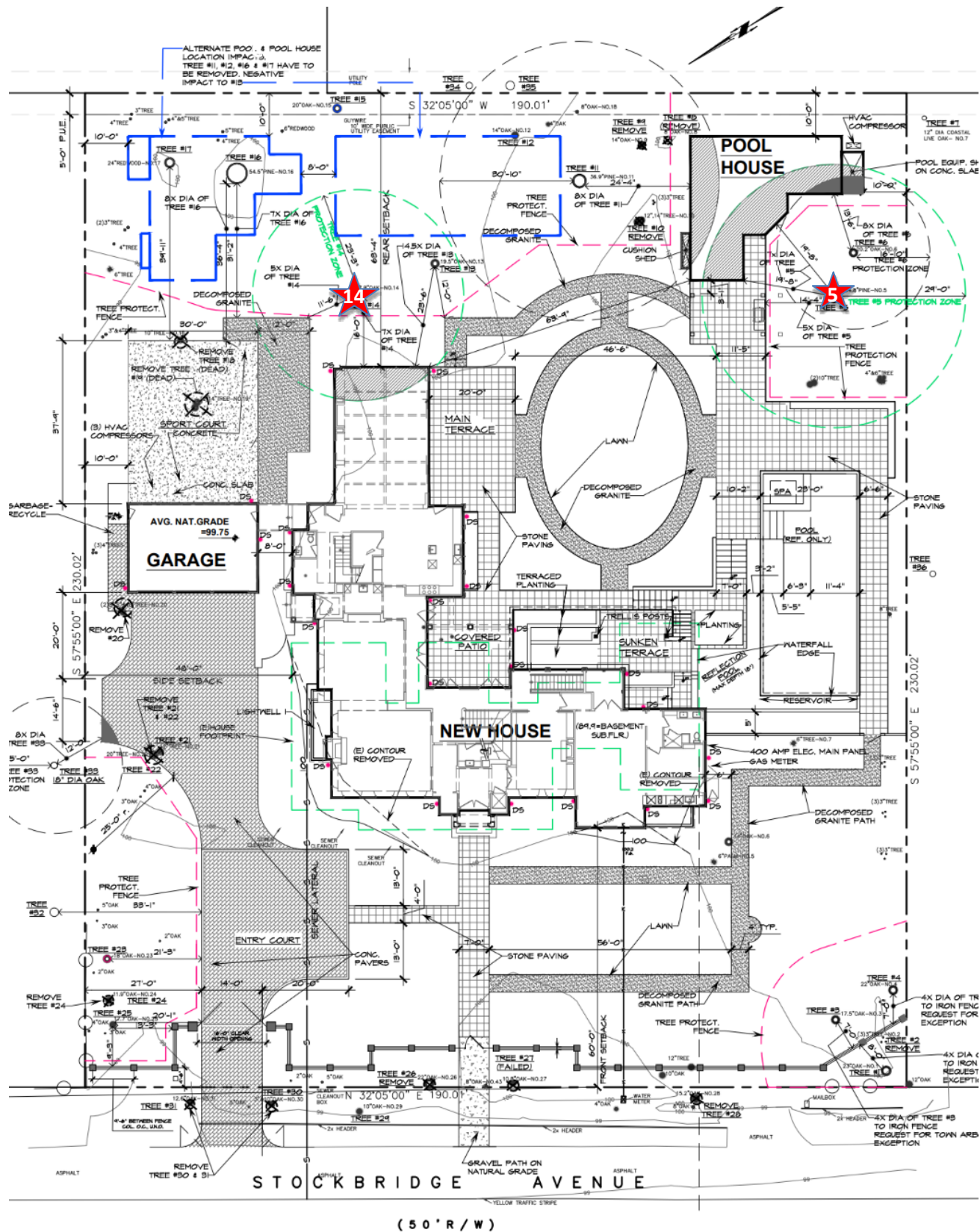


Image 1: Site Context, Aerial View



Image 1: Subject Tree #5



Showing trees #5 and #6

Image 2: Subject Tree #14



Showing trees #13, 14, and 16

BACKGROUND

Location and Context

The subject site is located at 29 Stockbridge Avenue, an interior lot located in the R-1A Zoning District. The parcel is an acre in size and is surrounded by single family residential on the east, south and west and Stockbridge Avenue on the north.

The applicant requests tree protection zone exemptions for the proposed pool house and main house as part of a full-site development also including the construction of a new single-family home with detached garage. The site plan is based on discussions between the Planning Department and the Town Arborist to find an ideal configuration based on the site constraints and requirements of the buildings proposed.

Table 1: Subject Trees Summary

Designated Tree Number	Type of Tree DBH (Diameter at Breast Height)	Tree Location	Exception Request (and distance from proposed trellis)
#5	Canary Island Pine, 34.8" DBH	On site, 29 Stockbridge	7x
#14	Coast Live Oak 14.5" DBH	On site, 29 Stockbridge	7x

ANALYSIS

The applicant explored relocating the proposed pool house to the opposite side of the rear yard to avoid the TPZ exceptions, see blue dashed line in Figure-1. That location seems to have a bigger impact on other larger heritage trees on the lot. After several discussions, what started as a request for 5.5x from both the trees, the applicant presents a site plan for a request of only 7x from the trees. While the town arborist did not initially support the earlier request of 5.5x, the memo attached supports the current request for 7x from tree #5 and #14.

From the analysis provided in the Town Arborist Memo (*See Attachment 2*), site visit findings and review of the Applicant's arborist report (*See Attachment 5*), staff can recommend and support the Town Arborist's recommendation of the TPZ exception for all four trees.

CONCLUSION

The Town's Heritage Tree Preservation Standards and Specifications, implemented through the Atherton 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 two trees for the proposal seen in the submitted Site Plan can be approved subject to the following conditions:

- All excavation is to be done by hand under the Project Arborist supervision when within 10x the tree's diameter.
- Irrigate the soil when within 10x the tree's diameter using 200 gallons of water before the start of excavation for the foundation and again 2 weeks later.

- All roots encountered measuring 1” in diameter or larger will need to be documented in the required monthly inspections. Encountered roots are recommended to be cleanly cut with cut root ends on the tree side covered in layers of wetted down burlap.
- 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.
- Sufficient tree protection installed.

NOTICE

Legal advertisement of this hearing was published in the Almanac Newspaper, 15 days prior to the hearing date. Notice of this application was also mailed to all property owners within a 500-ft radius of the subject property. At the time of publishing this report, the Town has not received any public comment or inquires on the application.

ALTERNATIVES

The Planning Commission may approve, deny, or modify the request to approve the requested TPZ Exception.

SUGGESTED MOTION FOR APPROVAL of the CONDITIONAL USE PERMIT

I move that the Planning Commission **approve** the requested tree protection zone exceptions for two trees, #5 - 34.8” DBH Canary Island Pine and #14 - 14.5” DBH Coast Live Oak at 7x times the tree diameter, for the construction of a new residential site development with a detached garage and a pool house at 29 Stockbridge Avenue; and

Find the project is categorically exempt from CEQA Section 15304, Minor Alterations to Land; and

Find the project would not be contrary to the purpose and intent of the General Plan; for the reasons outlined in the Staff Report, subject to the conditions as listed in the draft TPZ Certificate.

/s/ Radha Hayagreev
Radha Hayagreev, Senior Planner

Attachments:

1. Draft Certificate with Conditions of Approval
2. Town Arborist Memo
3. Applicant’s Planning Commission Application with Request Letter and Narrative
4. Proposed Project Site Plan
5. Project Arborist Report