

**FINDINGS AND CONDITIONS OF APPROVAL FOR COUNTY FILE CDTP24-00080:
MASON WODHAMS, MWAC (APPLICANT), BRADLEY AND LESLEY WOLFF (OWNERS)**

FINDINGS

A. Tree Permit Findings

1. Required Factors for Granting a Tree Permit. The Zoning Administrator is satisfied that the following factors as provided by County Code Section 816-6.8010 for granting a tree permit have been satisfied:

- *The arborist report indicates that the tree is in poor health and cannot be saved.*

Based on the Arborist Report (*Tree Evaluation, Prepared for Bradley and Lesley Wolff, 532 Hemme Avenue, Alamo, CA 94507; Bob Peralta Arbor Consulting, April 18, 2024*) submitted by the applicant on January 2, 2025, the trees in question are three Valley Oak trees (15.4-inch, 24-inch and 50.2-inch in DBH) which have lost several limbs over the past two years, and have been affected by drainage causing erosion and root exposure. The Certified Arborist states that the trees in question also have signs of decay in the base and canopies, and significant lean for at least one of the trees. The report recommends that these trees be removed before they fail and harm people and property as there is no safe way to prune the trees and save them.

2. Required Factors for Denying a Tree Permit. The Zoning Administrator is satisfied that none of the factors for denying a tree permit as provided by County Code Section 816-6.8010 apply.

B. Environmental Review

Tree Permit CDTP24-00076 is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(h) for the maintenance of existing landscaping. There is no substantial evidence that the project involves unusual circumstances, including future activities, resulting in, or which might reasonably result in, significant impacts which threaten the environment. None of the exceptions in CEQA guidelines section 15300.2 apply.

CONDITIONS OF APPROVAL FOR COUNTY FILE CDTP24-00080

Project Approval

1. A Tree Permit to remove three code-protected Valley Oak trees (with diameters ranging between 15.4-inches and 50.2-inches), due to poor health, is APPROVED, subject to the

conditions below.

2. Approval of the Tree Permit is based on, or as generally shown on the following documents:
 - Application materials accepted by the Department of Conservation and Development, Community Development Division (CDD): on January 2, 2025.
 - *Proposed Site Plan*; Mason Wodhams, MWAC, received by the CDD on January 2, 2025.
 - *Tree Evaluation, Prepared for Bradley and Lesley Wolff, 532 Hemme Avenue, Alamo, CA 94507*; Bob Peralta Arbor Consulting, April 18, 2024, received by the CDD on January 2, 2025.
3. Any deviation from the approved plans stated above shall require review and approval by the CDD and may require the filing of a new application to modify this Tree Permit.

Application Costs

4. The Tree Permit application is subject to an initial application deposit of \$750.00, which was paid with the application submittal, plus time, and material costs if the application review expenses exceed 100% of the initial deposit. Any additional fee due must be paid prior to an application for a grading or building permit, or 60 days of the effective date of this permit, whichever occurs first. The fees include costs through permit issuance and final file preparation. Pursuant to Contra Costa County Board of Supervisors Resolution Number 2019/553, where a fee payment is over 60 days past due, the Department of Conservation and Development may seek a court judgement against the applicant and will charge interest at a rate of ten percent (10%) from the date of judgement. The applicant may obtain current costs by contacting the project planner. If you owe additional fees, a bill will be sent to you shortly after permit issuance in the event that additional fees are due.

Arborist Expenses

5. The applicant shall be responsible for all arborist expenses related to the work authorized by this permit.

Additional Tree Permit

6. If any impacts to the trees occur in addition to those described herein, a new Tree Permit will be required. The fee for this application is a deposit of \$750.00 that is subject to time and material costs. Should staff costs exceed the deposit, additional fees will be required.

Tree Removal Activity Restrictions

7. All tree removal activities shall comply with the following restrictions:
- a. The applicant shall make a good faith effort to minimize project-related disruptions to adjacent properties, and to uses on the site. This shall be communicated to all project-related contractors.
 - b. The applicant shall require their contractors and subcontractors to fit all internal combustion engines with mufflers which are in good condition and shall locate stationary noise-generating equipment such as air compressors as far away from existing residences as possible.
 - c. The site shall be maintained in an orderly fashion. Following the cessation of construction activity, all construction debris shall be removed from the site.
 - d. A publicly visible sign shall be posted on the property with the telephone number and person to contact regarding construction-related complaints. This person shall respond and take corrective action within 24 hours. The CDD phone number shall also be visible to ensure compliance with applicable regulations.
 - e. Unless specifically approved otherwise via prior authorization from the Zoning Administrator, all construction activities shall be limited to the hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, and are prohibited on State and Federal holidays on the calendar dates that these holidays are observed by the State or Federal government as listed below:
 - New Year's Day (State and Federal)
 - Birthday of Martin Luther King, Jr. (State and Federal)
 - Washington's Birthday (Federal)
 - Lincoln's Birthday (State)
 - President's Day (State)
 - Cesar Chavez Day (State)
 - Memorial Day (State and Federal)
 - Juneteenth National Independence Holiday (Federal)
 - Independence Day (State and Federal)
 - Labor Day (State and Federal)
 - Columbus Day (Federal)
 - Veterans Day (State and Federal)

Thanksgiving Day (State and Federal)

Day after Thanksgiving (State)

Christmas Day (State and Federal)

For specific details on the actual date the State and Federal holidays occur, please visit the following websites:

Federal Holidays: [Federal Holidays \(opm.gov\)](https://www.opm.gov)

California Holidays: [State Holidays \(ca.gov\)](https://www.ca.gov)

- f. Large trucks and heavy equipment are subject to the same restrictions that are imposed on construction activities, except that the hours are limited to 9:00 AM to 4:00 PM.

ADVISORY NOTES

PLEASE NOTE ADVISORY NOTES ARE ATTACHED TO THE CONDITIONS OF APPROVAL BUT ARE NOT PART OF THE CONDITIONS OF APPROVAL. ADVISORY NOTES ARE PROVIDED FOR THE PURPOSE OF INFORMING THE APPLICANT OF ADDITIONAL ORDINANCE AND OTHER LEGAL REQUIREMENTS THAT MUST BE MET IN ORDER TO PROCEED WITH DEVELOPMENT.

- A. NOTICE OF 90-DAY OPPORTUNITY TO PROTEST FEES, DEDICATIONS, RESERVATIONS, OR OTHER EXACTIONS PERTAINING TO THE APPROVAL OF THIS PERMIT.

This notice is intended to advise the applicant that pursuant to Government Code Section 66000, et. seq, the applicant has the opportunity to protest fees, dedications, reservations, and/or exactions required as part of this project approval. The opportunity to protest is limited to a ninety-day (90) period after the project is approved.

The 90-day period in which you may protest the amount of any fee or imposition of any dedication, reservation, or other exaction required by this approved permit, begins on the date this permit was approved. To be valid, a protest must be in writing pursuant to Government Code Section 66020 and delivered to the CDD within 90 days of the approval date of this permit.

- B. Additional requirements may be imposed by the following agencies:

- Department of Conservation and Development, Building Inspection Division
- Contra Costa County Public Works Department
- East Bay Municipal Utility District
- Central Contra Costa Sanitary District

- San Ramon Valley Fire Protection District

The applicant is strongly encouraged to review these agencies' requirements prior to continuing with the project.