



Los Angeles County Department of Regional Planning



Planning for the Challenges Ahead

Richard J. Bruckner
Director

May 20, 2010

TO: Gina Natoli, AICP, Hearing Officer

FROM: Donald Kress, Regional Planning Assistant II *DK*
Land Divisions Section

SUBJECT: PROJECT NO. PM070971-(5)
OAK TREE PERMIT CASE NO. 200900003
June 1, 2010; AGENDA ITEM NO. 2

PROJECT BACKGROUND

The applicant requests approval of Oak Tree Permit ("OTP") Case No. 200900003 for encroachment into the protected zone of four oak trees (one heritage oak). OTP 200900003 is associated with Plot Plan No. 200900478, a proposal to build a single-family residence with attached garage on the subject property.

The project was heard before the Hearing Officer on April 20, 2010 and continued to June 1, 2010, in order to allow the Los Angeles County Forester and Fire Warden ("Forester") and Los Angeles County Department of Regional Planning ("Regional Planning") staff time to review issues raised during the April 20, 2010 public hearing.

This project was considered within the approved Negative Declaration for Tentative Parcel Map No. 070971 ("PM 070971"), Environmental Assessment Case No. 200900002.

APRIL 20, 2010 PUBLIC HEARING

On April 20, 2010, the Hearing Officer heard a presentation from the case planner summarizing the project. The applicant was available to answer questions from the Hearing Officer. In response to the Hearing Officer's questions about work on the subject property which may encroach into the protected zones of oak trees, the applicant stated that he had replaced the fence along the rear property line of the subject property. No other persons spoke. The Hearing Officer continued the public hearing to June 1, 2010, and directed to case planner to contact the Forester and determine whether the new fence was within the protected zone of any oak trees.

ACTIVITY SINCE THE APRIL 20, 2010 PUBLIC HEARING

Inspection of the subject property by the Forester and the applicant's arborist indicated that the installation of a fence along the rear property line of the subject property, and of a temporary power pole near the front of the subject property, are encroachments into the protected zones of oak trees and must be added to the current oak tree permit request. In addition, future utility trenches for the proposed house will also be an encroachment. The applicant provided an updated arborist's report, updated oak tree exhibit, revised oak tree permit burden of proof, and revised oak tree permit application to address these additional encroachments. These documents were provided to the Forester for review.

PROJECT ISSUES

OTP 20090003 proposes four encroachments:

- Oak Tree No. 3: The proposed driveway, proposed sewer line trench from the street to the future residence, and temporary power pole encroach into the protected zone of this oak tree.
- Oak Tree No. 4: The proposed driveway, proposed utility trench from the street to the future residence, and proposed residence encroach into the protected zone of this oak tree.
- Oak Tree No. 5: The rear yard fence encroaches into the protected zone of this oak tree. The Forester has determined that this oak tree is not a qualifying oak tree and may be removed without a permit.
- Oak Tree No. 6: The rear yard fence encroaches into the protected zone of this oak tree. This oak tree is a heritage oak.

The conditions requiring the planting of four mitigation oak trees required by underlying Oak Tree Permit No. 20070020 were removed from the conditions for Oak Tree Permit Case No. 20090003, as these conditions are included in the parcel map conditions for PM 070971. The Forester will approve the appropriate location for the planting of these four mitigation oak trees.

STAFF EVALUATION

The applicant has identified the minimum encroachments required to construct the proposed single-family residence. Any further encroachments or removals on the subject property will require a separate oak tree permit.

RECOMMENDATION

At this time, staff is awaiting the receipt of updated oak tree permit conditions from the Forester, based on his most recent site visit and review of the updated arborist's report, updated oak tree exhibit, revised oak tree permit burden of proof, and revised oak tree permit application. If these updated oak tree permit conditions are not received by Wednesday, May 26, 2010, staff will recommend a continuance of the public hearing.

SMT:dck

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