



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

Jon Sanabria
Acting Director of Planning

January 26, 2010

TO: Gina Natoli, AICP, Hearing Officer

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

**SUBJECT: PROJECT NO. PM070971-(5)
TENTATIVE PARCEL MAP NO. 070971
OAK TREE PERMIT CASE NO. 200900003**

February 2, 2010; AGENDA ITEM NOS. 2a, 2b, and 2c

PROJECT BACKGROUND

The project proposes a residential subdivision to create two single-family parcels on approximately 0.38 gross acres, along with the removal of two oak trees and encroachment into the protected zone of seven oak trees (one heritage oak, as determined by the consulting arborist).

The subject property fronts on Frances Avenue, and the two proposed parcels will take access directly from Frances Avenue. The existing street right-of-way on Frances Avenue is 40 feet. The Los Angeles County Department of Public Works ("Public Works") is not requiring the dedication of additional street right-of-way due to title limitations along Frances Avenue.

The project was first scheduled before the Hearing Officer on November 17, 2009, and continued to December 15, 2009, January 5, 2010, and February 2, 2010.

A Negative Declaration has been prepared pursuant to California Environmental Quality Act ("CEQA") reporting requirements.

An underlying permit, Oak Tree Permit Case No. ("OTP") 200700020, granted to a previous property owner, allowed the removal of three oak trees and encroachment into the protected zones of eight oak trees in order to accommodate the construction of a single-family residence on a portion of the subject property. The permit was scheduled before the Los Angeles County Regional Planning Commission ("Commission") on September 5, 2007 before being approved on December 5, 2007 at a duly noticed public hearing, and effective December 19, 2007. Since its approval, two of the three trees authorized to be removed have been removed but the required four mitigation trees were not planted. The residence was not constructed.

NOVEMBER 17, 2009 PUBLIC HEARING

On November 17, 2009, the Hearing Officer continued the public hearing to December 15, 2009, without opening the public hearing or taking any testimony. The Hearing Officer, Mr. Paul McCarthy, had to recuse himself from hearing the case because he had been involved in processing the environmental document associated with the case.

DECEMBER 15, 2009 PUBLIC HEARING

During the December 15, 2009 public hearing, the case planner and the applicant made presentations to the Hearing Officer, Ms. Gina Natoli, and testimony was taken from one project opponent.

The case planner's presentation included an explanation of zoning history of the subject property; clarification of the number of onsite oak trees as well as proposed removals and encroachments; and a review of the neighbors' concerns regarding the project.

The applicant's presentation pointed out that the proposed oak tree removals and encroachments would allow him to build lower-profile houses on the proposed parcels, and that he had met with several neighbors. Additionally, the applicant offered to plant larger mitigation trees than were required by the draft oak tree permit conditions, to address the neighbors' concern about the length of time for 15-gallon oak trees to grow to a large size.

The project opponent's testimony reiterated concerns about preservation of the existing oak trees; location and availability of documents for the subject project; and potential increases in traffic and parking. She also expressed additional concerns regarding protection of the oak trees during construction of future development; past development of the subject property; and property maintenance. She expressed that more neighbors were in opposition, but, due to staff's recommendation for continuance, did not attend.

The Hearing Officer indicated that OTP 200900003 was not appropriate as a concurrent application with Tentative Parcel Map No. 070971 ("PM 070971") as there was no nexus for the removal and encroachment into the protected zones of oak trees with the proposed subdivision. The Hearing Officer indicated that the applicant had the option of withdrawing OTP 200900003, or it would be denied.

The Hearing Officer continued the public hearing to January 5, 2010, to allow the neighbors to review the information provided in the Hearing Officer continuance memo dated December 14, 2009. The applicant agreed to the continuance.

JANUARY 5, 2010 PUBLIC HEARING

During the January 5, 2010 public hearing, the case planner and the applicant made presentations to the Hearing Officer, and testimony was taken from one testifier, who had concerns about the project.

The applicant summarized the steps he has taken to create a project compatible with the neighborhood, and stated that his project "is a good example of the Oak Tree Ordinance's purpose," as there are currently nine oak trees on the subject property and there will be 15 oak trees on the subject property when the project is completed. The applicant also gave a brief accounting of the case-processing fees he has paid since his original application for the project. The applicant discussed project options with the Hearing Officer. The Hearing Officer offered the applicant a choice of three options. The first option was for the applicant to withdraw OTP 200900003 and the Hearing Officer to approve PM 070971. The second option was for the Hearing Officer to decide on both OTP 200900003 and PM 070971. The third option was to continue the public hearing.

The testifier noted that the applicant is "a respected builder" in the La Crescenta area, but that the neighbors "feel disrespected" by the poor maintenance of the subject property and the property adjacent to the east. He also commented that this area of La Crescenta has numerous streets which are narrow, so the parking concerns previously expressed by neighbors are not unique to Frances Avenue, upon which the subject property fronts.

As follow-up to the previous hearing, the Hearing Officer asked the case planner whether he had met with the neighbors to review the project file. The case planner stated that no meeting had been arranged.

The Hearing Officer reiterated her previously-stated view that OTP 200900003 was not appropriate as a concurrent application with PM 070971 as there was no nexus for the removal and encroachment into the protected zones of oak trees within the proposed subdivision, and that the burden of proof for the OTP had not been met. The Hearing Officer indicated that the applicant had the option of withdrawing OTP 200900003, or it will be denied. She indicated her intent to approve PM 070971. The applicant inquired whether he could transfer the OTP to a pending Plot Plan Case No. ("RPP") 200900487, which proposes one single-family residence on the subject property. The Land Divisions section head stated that there may be procedural issues related to noticing for such a transfer, but noted staff is not aware of anything to prevent such a transfer.

The Hearing Officer continued the public hearing to February 2, 2010, to allow staff to research the procedure for separating OTP 200900003 from PM 070971, and allowing that OTP to be associated with RPP 200900487. The applicant agreed to the continuance.

PROJECT ISSUES

Staff has determined a process by which OTP 200900003 can be separated from PM 070971, and associated with RPP 200900487. The applicant must revise the application and burden of proof for OTP 200900003 to reflect that this OTP is now for one single-family residence on the existing lot within the proposed boundaries of Parcel No. 2 of PM 070971. The applicant must also provide a revised arborist's report which correctly depicts the proposed development. This revised arborist's report will be submitted to the Forestry Division, Prevention Bureau of the Los Angeles County Forester and Fire Warden ("Forester"), for review and updated recommended conditions. The hearing for the OTP will be re-noticed with the

revised scope after the applicant has submitted the revised materials and the updated recommended conditions have been received from the Forester.

The applicant may develop proposed Parcel No. 1 after the final map to PM 070971 has recorded. At the time proposed Parcel No. 1 is developed, the applicant will be required to follow all County regulations regarding oak trees, including the filing of an oak tree permit as necessary, on the parcel. The application for an oak tree permit must include an arborist's report specific to the development proposed on the parcel. Protection and preservation of the oak trees will be addressed through the oak tree permit process.

STAFF EVALUATION

The process identified above allows PM 070971 to be approved, and the development of the parcels proposed by PM 070971 to be considered in association with individual oak tree permits specific to the development on each parcel at that time, if necessary.

Staff has revised the conditions of tentative map approval to remove the requirement to plant the four mitigation trees required by the underlying OTP Case No. 200700020. The requirement to plant these mitigation trees will be included in revised conditions for OTP 200900003.

RECOMMENDATION

Staff recommends that the Hearing Officer close the public hearing, approve the Negative Declaration, and approve Tentative Parcel Map No. 070971 subject to the attached revised conditions.

SMT:dck

1/26/2010

Attachments: Revised Draft Tentative Map Findings
Revised Draft Tentative Map Conditions
Additional Correspondence

**DRAFT FINDINGS OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
PROJECT NO. PM070971 - (5)
TENTATIVE PARCEL MAP NO. 070971**

1. The Los Angeles County Hearing Officer, Ms. Gina Natoli, conducted a duly noticed public hearing in the matter of Tentative Parcel Map No. 070971 ("PM 070971") on December 15, 2009, January 5, 2010, and February 2, 2010. PM 070971 was heard concurrently with Oak Tree Permit Case No. 200900003 ("OTP 200900003"). This project was first scheduled for public hearing on November 17, 2009, but was continued by Hearing Officer Mr. Paul McCarthy without opening of the public hearing.
2. PM 070971 is a proposal to create two single-family lots on 0.38 gross acres.
3. OTP 200900003 is a related request to authorize the removal of two oak trees (no heritage oaks) and the encroachment into the protected zone of seven oak trees (one heritage oak).
4. The subject site is located at 2748 Frances Avenue, La Crescenta, within the La Crescenta-Montrose Community Standards District ("CSD"), within the La Crescenta Zoned District.
5. The irregularly shaped property is 0.38 gross acres (0.38 net acres) in size with topography sloping slightly to the south. The site is vacant.
6. The subject property consists of one vacant lot. Surrounding uses include single-family residences to the north, east, south, and west.
7. Access to the subject property will be provided by Frances Avenue, a 40-foot wide public street.
8. The subject property is depicted within Category 1 (Low Density Residential - One to Six Dwelling Units per Gross Acre) on the Land Use Policy Map of the Los Angeles Countywide General Plan ("General Plan"). This land use designation would allow a maximum of two dwelling units on the site. The applicant has proposed two dwelling units, which is consistent with the maximum density allowed by this land use category.
9. The project site is currently zoned R-1-7,500 (Single-Family Residential - 7,500 Square Feet Minimum Required Lot Area). Surrounding zoning to the north, east, and west is R-1-7,500. Zoning to the south is R-1-7,500 and R-1-10,000 (Single-Family Residential - 10,000 Square Feet Minimum Required Lot Area).
10. The subject property is within the La Crescenta-Montrose CSD; however, this CSD has no requirements for development in the R-1 Zone.
11. The proposed project is required to comply with the development standards of the R-1-7,500 Zone, pursuant to Section 22.20.070 of the Los Angeles County Code ("County Code"). Single-family residences are permitted in the R-1 Zone. Each parcel will be 8,277 net square feet in size, meeting the minimum requirement of 7,500 net square feet per lot.

12. The tentative parcel map dated April 13, 2009, depicts two single-family parcels on 0.38 gross acres. Parcel Nos. 1 and 2 will each have an area of 8,277 net square feet. Parcel Nos. 1 and 2 will each have approximately 69 feet of frontage on Frances Avenue, a 40-foot wide dedicated public street. Both parcels will take access from Frances Avenue. The existing street right-of-way on Frances Avenue is 40 feet. The Los Angeles County Department of Public Works ("Public Works") is not requiring the dedication of additional street right-of-way due to title limitations along Frances Avenue. No grading is proposed. The project site is vacant.
13. The subject property has several previous cases. Specifically, Lot Line Adjustment ("LLA") Case No. 200600042, which relocated the easterly lot line of APN 5866-025-016 further to the west and recorded on April 16, 2007; Certificate of Compliance Case No. 200600525, which completed the lot line adjustment approved by LLA Case No. 200600042 and recorded on April 16, 2007; and OTP 200700020, which authorized the removal of three oak trees (no heritage oaks) and the encroachment into the protected zone of eight oak trees (one heritage oak) in order to construct a new single-family residence in the R-1-7,500 Zone. OTP 200700020 was approved by the Los Angeles County Regional Planning Commission on December 19, 2007. OTP 200700020 was partially used with the removal of two of the three oak trees by a previous owner, but to date, mitigation trees have not been planted.
14. Thirteen items of correspondence have been received since early November, 2009, regarding the project. Seven items of correspondence from neighbors opposed to the project indicate their main concern is about a request for the removal of oak trees or encroachment into the protected zones of oak trees when the location and detailed configuration of development requiring the removals is not clear. Specific concerns of the neighbors are that the subdivider has the option of paying a fee to the County of Los Angeles Oak Forest Special Fund instead of planting mitigation trees onsite; that the applicant did not adequately substantiate the oak tree permit burden of proof described in County Code Section 22.56.2100; that removal of oak trees will have a negative effect on the aesthetics of the community; and that some conditions of the oak tree permit required additional detail or clarification. Additional concerns expressed in the correspondence relate to the zoning history of the subject property; a potential increase in traffic and parking on Frances Avenue, which the neighbors feel is a narrow and crowded street; and the inadequacy of the environmental Initial Study. Six items of correspondence from neighbors supporting the project were received since the December 15, 2009 public hearing. The correspondence notes that the applicant's proposed development does not require any zoning variances; the parcels proposed by the project are larger than many parcels in the surrounding area; and two new homes which will eventually be built on the subdivided subject property will add to the property values of the neighborhood. One of these neighbors has since withdrawn her support, however, and now concurs with the project opponents.

NOVEMBER 17, 2009 PUBLIC HEARING

15. During the November 17, 2009 public hearing, the Hearing Officer, Mr. Paul McCarthy, continued the matter without opening the public hearing due to a conflict of interest with his involvement in the preparation of the environmental document.

DECEMBER 15, 2009 PUBLIC HEARING

16. During the December 15, 2009 public hearing, the case planner made a presentation to the Hearing Officer, Ms. Gina Natoli, which included an explanation of the zoning history of the subject property, a clarification of the number of oak trees on the subject property and the number of oak trees to be removed and to have their protected zones encroached into, and a review of the concerns of neighbors regarding the project.
17. During the December 15, 2009, public hearing, the applicant made a presentation in which he pointed out that the proposed oak tree removals and encroachments would allow him to build lower-profile houses on the proposed parcels than he could without the removals and encroachments. The applicant also stated he had met with several neighbors at the subject property and discussed the project, and he offered to plant larger mitigation trees than required by the draft oak tree permit conditions in order to address the neighbors' concern about the time it takes for 15-gallon oak trees to grow to a large size.
18. During the December 15, 2009 public hearing, testimony was taken from one project opponent, who reiterated concerns about preservation of the existing oak trees and potential increases in traffic and parking, and expressed additional concerns regarding protection of the oak trees during construction of future development; concerns with past development on the property and property maintenance; and accessibility of documents relating to the subject project. She also expressed that more neighbors in the community were in opposition, but, due to staff's recommendation for continuance, they did not attend.
19. During the December 15, 2009 public hearing, the Hearing Officer asked the opponent if she felt the community needed time to review documents relating to the approval of the subdivision only. The opponent replied it was her understanding that there already was a subdivision, and that she would like to see more detail on the subdivision
20. During the December 15, 2009, the Hearing Officer indicated that OTP 200900003 was not appropriate as a concurrent application with PM 070971 as there was no nexus for the removal and encroachment into the protected zones of oak trees with the proposed subdivision. The Hearing Officer indicated that the applicant had the option of withdrawing OTP 200900003, or it would be denied.
21. The Hearing Officer continued the public hearing to January 5, 2010, to allow the neighbors time to review the information provided in the Hearing Officer continuance memo dated December 14, 2009. The applicant agreed to the continuance.

JANUARY 5, 2010 PUBLIC HEARING

22. During the January 5, 2010 public hearing, the case planner made a presentation which included an explanation of the zoning history of the subject property; clarification of the number of oak trees on the subject property and the number of oak trees to be removed and have their protected zones encroached upon; and a review of the neighbors' concerns regarding the project.
23. During the January 5, 2010 public hearing, the applicant summarized the steps he has

taken to create a project which is compatible with the neighborhood, and stated that his project "is a good example of the Oak Tree Ordinance's purpose," as there are currently nine oak trees on the subject property and there will be 15 oak trees on the subject property when the project is completed. The applicant also gave a brief accounting of the case-processing fees he has paid since his original application for the project. The applicant discussed project options with the Hearing Officer. The Hearing Officer offered the applicant a choice of three options. The first option was for the applicant to withdraw OTP 200900003 and the Hearing Officer to approve PM 070971. The second option was for the Hearing Officer to decide on both OTP 200900003 and PM 070971. The third option was to continue the public hearing.

24. During the January 5, 2010 public hearing, testimony was taken from one individual who had concerns about the project. He noted that the applicant is "a respected builder" in the La Crescenta area but that the neighbors "feel disrespected" by the poor maintenance of the subject property and the property adjacent to the east. He also commented that this area of La Crescenta has numerous streets which are narrow, so the parking concerns previously expressed by neighbors are not unique to Frances Avenue, upon which the subject property fronts.
25. During the January 5, 2010 public hearing, the Hearing Officer asked the case planner whether he had met with the neighbors to review the project file. The case planner stated that no meeting had been arranged.
26. During the January 5, 2010, public hearing, the Hearing Officer reiterated her previously-stated view that OTP 200900003 was not appropriate as a concurrent application with PM 070971 as there was no nexus for the removal and encroachment into the protected zones of oak trees within the proposed subdivision, and that the burden of proof for the OTP had not been met. The Hearing Officer indicated that the applicant had the option of withdrawing OTP 200900003, or it would be denied. She indicated her intent to approve PM 070971.
27. During the January 5, 2010 public hearing, the applicant inquired whether he could transfer the OTP to pending Plot Plan Case No. ("RPP") 200900487, which proposes one single-family residence on the subject property within the proposed boundaries of Parcel No. 2 of the PM 070971. The Land Divisions section head stated that there may be procedural issues related to noticing for such a transfer, but noted staff is not aware of anything to prevent such a transfer.
28. During the January 5, 2010 public hearing, the Hearing Officer continued the public hearing to February 2, 2010, to allow staff to research the procedure for separating OTP 200900003 from PM 070971, and allowing that OTP to be associated with RPP 200900487. The applicant agreed to the continuance.

FEBRUARY 2, 2010 PUBLIC HEARING

29. *SUMMARIZE EVENTS AT THE FEBRUARY 2, 2010 PUBLIC HEARING*
30. The Hearing Officer finds that the modified street right-of-way of 40 feet on Frances Avenue is acceptable due to title limitations.

31. Future development on the proposed parcels must comply with the Los Angeles County Low Impact Development, Green Building, and Drought-Tolerant Landscaping Ordinances, as applicable, prior to building permit issuance.
32. The Hearing Officer finds the proposed land division and the provisions for its design and improvement to be consistent with the goals and policies of the General Plan. The land division promotes the efficient use of land through a more concentrated pattern of urban development.
33. The proposed land division is compatible with surrounding land use patterns.
34. The site is physically suitable for the land division and density being proposed. The property is relatively level and has adequate building sites to be developed in accordance with the County grading ordinance, has access to a County-maintained street, will be served by public sewers, and will be provided with water supplies and distribution facilities to meet anticipated domestic and fire protection needs.
35. The design of the subdivision and the type of improvements proposed will not cause serious public health problems, since sewage disposal, storm drainage, fire protection, and geological and soils factors are addressed in the conditions of approval.
36. The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantial and unavoidable injury to fish or wildlife or their habitat. The subject property is not located in a Significant Ecological Area and does not contain any stream courses or high-value riparian habitat.
37. The design of the subdivision provides to the extent feasible, for future passive or natural heating or cooling opportunities therein.
38. The division of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map, since the design as set forth in the conditions of approval and shown on the tentative map, provide adequate protection for any such easements.
39. Pursuant to Article 3.5 of the Subdivision Map Act, the proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir.
40. The discharge of sewage from this land division into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (Commencing with Section 13000) of the California Water Code.
41. The housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the project was determined to be consistent with the General Plan.

42. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. Based on the Initial Study, a Negative Declaration has been prepared for this project.
43. After consideration of the attached Negative Declaration together with any comments received during the public review process, the Hearing Officer finds on the basis of the whole record before the Hearing Officer that there is no substantial evidence the project will have a significant effect on the environment, finds the Negative Declaration reflects the independent judgment and analysis of the Hearing Officer, and adopts the Negative Declaration.
44. The Hearing Officer finds that the project does not have "no effect" on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the Fish and Game Code.
45. Approval of this subdivision is conditioned on the subdivider's compliance with the attached conditions of approval.
46. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is the Los Angeles Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Land Divisions Section, Regional Planning.

THEREFORE, in view of the findings of fact and conclusions presented above, Tentative Parcel Map No. 070971 is approved subject to the attached conditions established by the Hearing Officer and recommended by the Los Angeles County Subdivision Committee.

DRAFT CONDITIONS:

1. The subdivider or successor in interest shall conform to the applicable requirements of Titles 21 and 22 of the Los Angeles County Code ("County Code"), including the area requirements of the R-1-7,500 (Single-Family Residential — 7,500 Square Feet Minimum Required Lot Area) Zone.
2. All future development on the proposed lots must comply with the Los Angeles County Green Building Ordinance, Low Impact Development Ordinance, and Drought-Tolerant Landscaping Ordinance, as applicable, prior to building permit issuance.
3. A final parcel map is required for this subdivision. A parcel map waiver is not allowed.
4. The subdivider or successor in interest shall plant at least one tree of a non-invasive species in the front yard of each parcel. The location and the species of said trees shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be approved by The Los Angeles County Department of Regional Planning ("Regional Planning"), and a bond shall be posted with the Los Angeles County Department of Public Works ("Public Works") or other verification shall be submitted to the satisfaction of Regional Planning to ensure the planting of the required trees.
5. Within three (3) days after approval, the subdivider or successor in interest shall remit processing fees (currently \$2,085.25) payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the California Public Resources Code and Section 711 of the Fish and Game Code to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. No project subject to this requirement is final, vested or operative until the fee is paid.
6. Pursuant to Chapter 22.72 of the County Code, the subdivider or his successor in interest shall pay a fee to the Los Angeles County Librarian ("Librarian") prior to issuance of any building permit, as this project's contribution to mitigating impacts on the library system in the West San Gabriel Valley Planning Area, in the amount required by Chapter 22.72 at the time of payment (currently \$800.00 per dwelling unit) and provide proof of payment to Regional Planning. The fee is subject to adjustment as provided for in applicable local and State law. The subdivider may contact the Librarian at (562) 940-8450 regarding payment of fees.

7. For the posting of any performance bonds for conditions herein, inspections related to the verification of improvement(s) installation and/or construction shall be conducted by Regional Planning. Upon request for a bond release, the subdivider or successor in interest shall pay the amount charged for bond release inspections, which shall be the amount equal to the recovery cost at the time of payment (currently \$150.00 per inspection).
8. The subdivider or successor in interest shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this approval, which is brought within the applicable time period of Government Code Section 66499.37 or any other applicable limitation period. The County shall promptly notify the subdivider of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the subdivider of any claim, action, or proceeding, or if the local agency fails to cooperate fully in the defense, the subdivider shall not thereafter be responsible to defend, indemnify, or hold harmless the local agency.
9. In the event that any claim, action, or proceeding as described in the condition above is filed against the County, the subdivider or successor in interest shall within ten days of the filing pay Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in Regional Planning's cooperation in the defense, including but not limited to depositions, testimony, and other assistance to the subdivider or subdivider's counsel. The subdivider shall pay the following supplemental deposits, from which the actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the subdivider shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to the completion of the litigation.
 - b. At the sole discretion of the subdivider, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost of the collection and duplication of records and other related documents will be paid by the subdivider according to County Code Section 2.170.010.

Except as expressly modified herein above, this approval is subject to all those conditions set forth in, and the attached reports recommended to the Los Angeles County Subdivision Committee, which consists of Public Works, Los Angeles County

**DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. PM070971 - (5)
TENTATIVE PARCEL MAP NO. 070971
DRAFT CONDITIONS**

**MAP DATE 4-13-09
Page 3 of 3**

Fire Department, Los Angeles County Department of Parks and Recreation, and the Los Angeles County Department of Public Health, in addition to Regional Planning.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
PARCEL MAP NO. 70971 (Rev.)

TENTATIVE MAP DATED 04-13-2009

The following report consisting of 9 pages are the recommendations of Public Works.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Details and notes shown on the tentative map are not necessarily approved. Any details or notes which may be inconsistent with requirements of ordinances, general conditions of approval, or Department policies must be specifically approved in other conditions, or ordinance requirements are modified to those shown on the tentative map upon approval by the Advisory agency.
2. Easements are tentatively required, subject to review by the Director of Public Works to determine the final locations and requirements.
3. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication for public streets, highways, access rights, building restriction rights, or other easements until after the final map is filed with the Registrar-Recorder/County Clerk's Office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.
4. In lieu of establishing the final specific locations of structures on each lot/parcel at this time, the owner, at the time of issuance of a grading or building permit, agrees to develop the property in conformance with the County Code and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Ordinance, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Underground of Utilities Ordinance, Water Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code, and Fire Code. Improvements and other requirements may be imposed pursuant to such codes and ordinances.
5. Adjust, relocate, and/or eliminate lot lines, lots, streets, easements, grading, geotechnical protective devices, and/or physical improvements to comply with ordinances, policies, and standards in effect at the date the County determined the application to be complete all to the satisfaction of Public Works.
6. All easements existing at the time of final map approval must be accounted for on the approved tentative map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location. If all easements have not been accounted for, submit a corrected tentative map to the Department of Regional Planning for approval.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
PARCEL MAP NO. 70971 (Rev.)

TENTATIVE MAP DATED 04-13-2009

7. Quitclaim or relocate easements running through proposed structures.
8. A final parcel map must be processed through the Director of Public Works prior to being filed with the Registrar-Recorder/County Clerk's Office.
9. Prior to submitting the parcel map to the Director of Public Works for examination pursuant to Section 66450 of the Government Code, obtain clearances from all affected Departments and Divisions, including a clearance from the Subdivision Mapping Section of the Land Development Division of Public Works for the following mapping items; mathematical accuracy; survey analysis; and correctness of certificates, signatures, etc.
10. If signatures of record title interests appear on the final map, a preliminary guarantee is needed. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office. If said signatures do not appear on the final map, a title report/guarantee is needed showing all fee owners and interest holders and this account must remain open until the final parcel map is filed with the Registrar-Recorder/County Clerk's Office.
11. Within 30 days of the approval date of this land use entitlement or at the time of first plan check submittal, the applicant shall deposit the sum of \$2,000 (Minor Land Divisions) or \$5,000 (Major Land Divisions) with Public Works to defray the cost of verifying conditions of approval for the purpose of issuing final map clearances. This deposit will cover the actual cost of reviewing conditions of approval for Conditional Use Permits, Tentative Tract and Parcel Maps, Vesting Tentative Tract and Parcel Maps, Oak Tree Permits, Specific Plans, General Plan Amendments, Zone Changes, CEQA Mitigation Monitoring Programs and Regulatory Permits from State and Federal Agencies (Fish and Game, USF&W, Army Corps, RWQCB, etc.) as they relate to the various plan check activities and improvement plan designs. In addition, this deposit will be used to conduct site field reviews and attend meetings requested by the applicant and/or his agents for the purpose of resolving technical issues on condition compliance as they relate to improvement plan design, engineering studies, highway alignment studies and tract/parcel map boundary, title and easement issues. When 80% of the deposit is expended, the applicant will be required to provide additional funds to restore the initial deposit. Remaining balances in the deposit account will be refunded upon final map recordation.

HW
Prepared by *JAC* John Chin
pm70971L -rev1.doc

Phone (626) 458-4918

Date 05-11-2009



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

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ALHAMBRA, CALIFORNIA 91803-1331
WWW.DPW.LACOUNTY.GOV

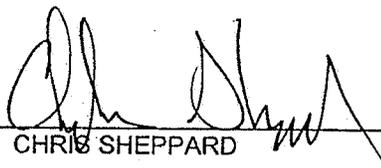
TRACT NO.: 70971

TENTATIVE MAP DATE: 4/13/09

STORM DRAIN AND HYDROLOGY SECTION CONDITIONS OF APPROVAL, PHONE: (626) 458-4921

Prior to Building Permit:

1. Prior to issuance of building permits, plans must be approved to: provide for the proper distribution of drainage and for contributory drainage from adjoining properties and eliminate the sheet overflow, ponding, and protect the lots from high velocity scouring action; comply with NPDES, SWMP, and SUSMP requirements.
2. Per County Code Section 12.84.460 comply with LID requirements and provide LID plan, if applicable, for Low Impact Development BMPs in accordance with the Low Impact Development Standards Manual which can be found at:
http://dpw.lacounty.gov/wmd/LA_County_LID_Manual.pdf

Name  Date 4/30/09 Phone (626) 458-4921
CHRIS SHEPPARD

County of Los Angeles Department of Public Works
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION
GEOLOGIC REVIEW SHEET
900 So. Fremont Ave., Alhambra, CA 91803
TEL. (626) 458-4925

DISTRIBUTION
___ Geologist
___ Soils Engineer
1 GMED File
1 Subdivision

TENTATIVE PARCEL MAP 70971
SUBDIVIDER Hales-Anderson Investment Properties
ENGINEER Jerry M. Crowley Engineering Services
GEOLOGIST ---
SOILS ENGINEER ---

TENTATIVE MAP DATED 4/13/09 (Revision)
LOCATION La Crescenta
GRADING BY SUBDIVIDER [N] (Y or N)
REPORT DATE ---
REPORT DATE ---

TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL FROM A GEOLOGIC STANDPOINT

THE FOLLOWING INFORMATION IS APPLICABLE TO THIS DIVISION OF LAND:

- The Final Map does *not* need to be reviewed by GMED.
- Geology and/or soils engineering reports may be required prior to approval of building or grading plans.
- The Soils Engineering review dated 4/22/09 is attached.

Reviewed by

Geir Mathisen

Date 4/28/09

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION

SOILS ENGINEERING REVIEW SHEET

Address: 900 S. Fremont Ave., Alhambra, CA 91803
Telephone: (626) 458-4925
Fax: (626) 458-4913

District Office: ---
PCA: LX001129
Sheet 1 of 1

Ungraded Site Lots

Tentative Parcel Map: 70971
Location: La Crescenta
Developer/Owner: Hales-Anderson Investment Properties
Engineer/Architect: Jerry M. Crowley Engineering Services
Soils Engineer: ---
Geologist: ---

DISTRIBUTION:
___ Drainage
___ Grading
___ Geo/Soils Central File
___ District Engineer
___ Geologist
___ Soils Engineer
___ Engineer/Architect

Review of:

Revised Tentative Map Dated by Regional Planning 4/13/09
Previous Review Sheet Dated 3/4/09

ACTION:

Tentative Map feasibility is recommended for approval.



Prepared by _____

Date 4/27/09

Please complete a Customer Service Survey at <http://dpw.lacounty.gov/go/gmedsurvey>.

NOTICE: Public safety, relative to geotechnical subsurface exploration, shall be provided in accordance with current codes for excavations, inclusive of the Los Angeles County Code, Chapter 11.48, and the State of California, Title 8, Construction Safety Orders.
P:\gmepub\Soils Review\Jeremy\PR 70971, La Crescenta, TPM-A_2.doc

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – GRADING
PARCEL MAP NO. 070971

Page 1/1

TENTATIVE MAP DATED 04-13-2009

1. Approval of this map pertaining to grading is recommended.

Name  Jason Flood Date 5/4/09 Phone (626) 458-4921
P:\dpub\SUBP\CHECK\Grading\Tentative Map Reviews\70971\rev1.doc

TENTATIVE MAP DATED 04-13-2009

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Permission is granted to allow the modified street right of way of 40 feet on Frances Avenue due to title limitations.
2. Install postal delivery receptacles in groups to serve two or more residential units.

 Prepared by Matthew Dubiel

pm70971r-rev1.doc

Phone (626) 458-4921

Date 04-27-2009

The subdivision shall conform to the design standards and policies of the Department of Public Works, in particular, but not limited to the following items:

1. Provide a sewer system maintained by Crescenta Valley Water District with appurtenant facilities to serve all parcels in the subdivision.
2. Submit a statement from Crescenta Valley Water District indicating that there is adequate sewer capacity in the existing sewer system, that financial arrangements have been made, and that the sewer system will be operated by Crescenta Valley Water District.


Prepared by Tony Khalkhali
Pm70971s-rev1.doc

Phone (626) 458-4921

Date 05-06-2009

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A water system maintained by Crescenta Valley Water District, with appurtenant facilities to serve all lots in the subdivision. The system shall include fire hydrants of the type and location (both on-site and off-site) as determined by the Los Angeles County Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.
2. There shall be filed with Public Works a statement from Crescenta Valley Water District indicating that there is adequate water capacity in the existing water system, that financial arrangements have been made, and that the water system will be operated by Crescenta Valley water District, and that under normal conditions, the system will meet the requirements for the subdivision.


Prepared by Lana Radle
pm70971w-rev1.doc

Phone (626) 458-4921

Date 05-07-2009



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision No: PM 70971 Map Date: April 13, 2009

C.U.P. _____ Vicinity: _____

- FIRE DEPARTMENT HOLD** on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881-2404.
- Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Fire Code, which requires all weather access. All weather access may require paving.
- Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.
- Where driveways extend further than 150 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.
- The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.
- Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.
- This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to final map clearance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).
- Provide Fire Department or City approved street signs and building access numbers prior to occupancy.
- Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.
- The final concept map, which has been submitted to this department for review, has fulfilled the conditions of approval recommended by this department for access only.
- These conditions must be secured by a C.U.P. and/or Covenant and Agreement approved by the County of Los Angeles Fire Department prior to final map clearance.
- The Fire Department has no additional requirements for this division of land.

Comments: On site access for each lot will be determined during the building permit process.

By Inspector: Juan C. Padilla / Nancy Rodeheffer Date June 12, 2009

Land Development Unit – Fire Prevention Division – (323) 890-4243, Fax (323) 890-9783



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNINCORPORATED

Subdivision No: PM 70971 Map Date: April 13, 2009

Revised Report _____

- The County Forester and Fire Warden is prohibited from setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted. However, water requirements may be necessary at the time of building permit issuance.
- The required fire flow for public fire hydrants at this location is 1250 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 1 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- The required fire flow for private on-site hydrants is _____ gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing _____ gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.
- Fire hydrant requirements are as follows:
- Install _____ public fire hydrant(s). Verify / Upgrade existing _____ public fire hydrant(s).
- Install _____ private on-site fire hydrant(s).
- All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall.
- Location: As per map on file with the office.
- Other location: _____
- All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. Vehicular access shall be provided and maintained serviceable throughout construction.
- The County of Los Angeles Fire Department is not setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted.
- Additional water system requirements will be required when this land is further subdivided and/or during the building permit process.
- Hydrants and fire flows are adequate to meet current Fire Department requirements.
- Fire hydrant upgrade is not necessary, if existing hydrant(s) meet(s) fire flow requirements. Submit original water availability form to our office.

Comments: Per Crescenta Valley Water Company, the Fire Flow Availability form dated June 4, 2009, hydrants and flows meet the current Fire Department requirements.

All hydrants shall be installed in conformance with Title 20, County of Los Angeles Government Code and County of Los Angeles Fire Code, or appropriate city regulations. This shall include minimum six-inch diameter mains. Arrangements to meet these requirements must be made with the water purveyor serving the area.

By Inspector Juan C. Padilla / Nancy Rodeheffer Date June 12, 2009

Land Development Unit – Fire Prevention Division – (323) 890-4243, Fax (323) 890-9783



**LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION**



PARK OBLIGATION REPORT

Tentative Map #	70971	DRP Map Date: 04/13/2009	SCM Date: 05/14/2009	Report Date: 05/06/2009
Park Planning Area #	38	LA CRESCENTE / MONTROSE / UNIVERSAL CITY		Map Type: REV. (REV RECD)

Total Units = Proposed Units + Exempt Units

Sections 21.24.340, 21.24.350, 21.28.120, 21.28.130, and 21.28.140, the County of Los Angeles Code, Title 21, Subdivision Ordinance provide that the County will determine whether the development's park obligation is to be met by:

- 1) the dedication of land for public or private park purpose or,
- 2) the payment of in-lieu fees or,
- 3) the provision of amenities or any combination of the above.

The specific determination of how the park obligation will be satisfied will be based on the conditions of approval by the advisory agency as recommended by the Department of Parks and Recreation.

Park land obligation in acres or in-lieu fees:

ACRES:	0.02
IN-LIEU FEES:	\$7,635

Conditions of the map approval:

The park obligation for this development will be met by:

The payment of \$7,635 in-lieu fees.

Trails:

No trails.

Comments:

***The In-Lieu Fee has been updated to \$7,635 from \$7,712 to reflect the fee schedule at the time Map 70971 was advertised for public hearing in September 2009

Advisory:

Advisory: the Representative Land Values (RLVs) in Los Angeles County Code (LACC) Section 21.28.140 are used to calculate park fees and are adjusted annually, based on changes in the Consumer Price Index. The new RLVs become effective July 1st of each year and may apply to this subdivision map if first advertised for hearing before either a hearing officer or the Regional Planning Commission on or after July 1st pursuant to LACC Section 21.28.140, subsection 3. Accordingly, the park fee in this report is subject to change depending upon when the subdivision is first advertised for public hearing.

Please contact Clement Lau at (213) 351-5120 or Sheela Mathai at (213) 351-5121, Department of Parks and Recreation, 510 South Vermont Avenue, Los Angeles, CA 90020 for further information or to schedule an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements, please contact the Trails Coordinator at (213) 351-5135.

By: James Barber
James Barber, Land Acquisition & Development Section

Supv-D 5th
August 18, 2009 16:45:38
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**LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION**



PARK OBLIGATION WORKSHEET

Tentative Map #	70971	DRP Map Date: 04/13/2009	SMC Date: 05/14/2009	Report Date: 05/06/2009
Park Planning Area #	38	LA CRESCENTE / MONTROSE / UNIVERSAL CITY		Map Type: REV. (REV RECD)

The formula for calculating the acreage obligation and or In-lieu fee is as follows:

(P)people x (0.003) Ratio x (U)nits = (X) acres obligation

(X) acres obligation x RLV/Acre = In-Lieu Base Fee

- Where: P = Estimate of number of People per dwelling unit according to the type of dwelling unit as determined by the 2000 U.S. Census*. Assume * people for detached single-family residences; Assume * people for attached single-family (townhouse) residences, two-family residences, and apartment houses containing fewer than five dwelling units; Assume * people for apartment houses containing five or more dwelling units; Assume * people for mobile homes.
- Ratio = The subdivision ordinance provides a ratio of 3.0 acres of park land for each 1,000 people generated by the development. This ratio is calculated as "0.0030" in the formula.
- U = Total approved number of Dwelling Units.
- X = Local park space obligation expressed in terms of acres.
- RLV/Acre = Representative Land Value per Acre by Park Planning Area.

Total Units = Proposed Units + Exempt Units

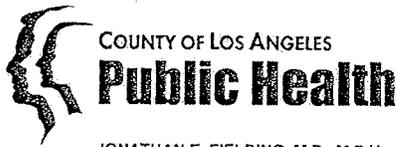
	People*	Ratio 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	2.85	0.0030	2	0.02
M.F. < 5 Units	2.38	0.0030	0	0.00
M.F. >= 5 Units	2.19	0.0030	0	0.00
Mobile Units	2.40	0.0030	0	0.00
Exempt Units			0	
Total Acre Obligation =				0.02

Park Planning Area = 38 LA CRESCENTE / MONTROSE / UNIVERSAL CITY

Ratio	Acre Obligation	RLV / Acre	In-Lieu Base Fee
@(0.0030)	0.02	\$381,765	\$7,635

Lot #	Provided Space	Provided Acres	Credit (%)	Acre Credit	Land
None					
Total Provided Acre Credit:				0.00	

Acre Obligation	Public Land Crdt.	Priv. Land Crdt.	Net Obligation	RLV / Acre	In-Lieu Fee Due
0.02	0.00	0.00	0.02	\$381,765	\$7,635



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

ALFONSO MEDINA, REHS
Director of Environmental Protection Bureau
5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5280 • FAX (626) 960-2740

www.publichealth.lacounty.gov



BOARD OF SUPERVISORS

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June 2, 2009

RFS No. 09-0013594

Parcel Map No. 070971

Vicinity: La Crescenta

The County of Los Angeles Department of Public Health has no objection to this subdivision and **Tentative Parcel Map 070971** is cleared for public hearing. The following conditions still apply and are in force:

1. Potable water will be supplied by the **Crescenta Valley Water District**, a public water system.
2. Sewage disposal will be provided through the public sewer and wastewater treatment facilities of the **Crescenta Valley Water District** as proposed.

If you have any questions or need additional information, please contact me at (626) 430-5262.

A handwritten signature in black ink, appearing to read "Ken Habaradas", written over a horizontal line.

Ken Habaradas, REHS
Bureau of Environmental Protection

Kress, Donald

From: MARK ANZELON [noleznam@sbcglobal.net]
Sent: Thursday, January 21, 2010 5:13 PM
To: Kress, Donald
Subject: I'd like to remove my name from the support on the proposed development at 2748 Frances Ave. LaCres.

Dear Mr. Kress, Regarding Project No. PM070971-5. Oak Tree Permit Case No. 200900003 for 2748 Frances Ave. LaCrescenta. On Dec. 30, 2009, I signed a support form for the development, of which, I since have learned much more information that I didn't originally have. I would like to recind my signature. I would like to support D .Patrick and Kristine Hartney at 2757 Frances Ave. LaCrescenta CA 91214, instead. I live at 2823 Frances. My name is Marcy L. Anzelon. Thank you.