

Hearing Officer Transmittal Checklist

Hearing Date 5/3/11
Agenda Item No. 2

Project Number: 02-281-(3)
Case(s): Oak Tree Permit 200900050
Planner: Travis Seawards

- Factual
- Property Location Map
- Staff Report
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statement(s)
- Environmental Documentation (ND / MND / EIR)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use Radius Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans

Reviewed By: 



Los Angeles County Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012
 Telephone (213) 974-6417

PROJECT NUMBER 02-281-(3)
OAK TREE PERMIT 200900050
ENVIRONMENTAL ASSESSMENT NO. IS02-281

PUBLIC HEARING DATE
 May 3rd, 2011

AGENDA ITEM
 2

RPC CONSENT DATE

CONTINUE TO

APPLICANT

Joseph Azoulay

OWNER

None

REPRESENTATIVE

None

PROJECT DESCRIPTION

The proposed project would authorize the removal of three (3) oak trees and the encroachment into the protected zone of nine (9) oak trees due to the construction of a 3,000 square foot single-family residence with an attached garage on a 5,998-square-foot property. A new septic system is proposed on the southeast corner of the property. Additional time extensions were granted, however, due to lengthy delays during review by the California Coastal Commission, the permit expired without use on July 1, 2009. This is a reissuance of a previous oak tree permit (OTP 02-281-(3)), as authorized by resolution of the Los Angeles County Board of Supervisors on September 22, 2009.

REQUIRED ENTITLEMENTS

Pursuant to Part 16 of Chapter 22.56 of the Los Angeles County Zoning and Planning Code, to authorize the removal of three (3) oak trees, and the encroachment into the protected zone of five (9) oak trees due to the construction of a 3,000 square foot single-family residence in the Malibu Zoned District.

LOCATION/ADDRESS

26247 Fairside Road, Malibu, CA 90265

SITE DESCRIPTION

The site plan depicts the subject property with the proposed 3,000 sq. ft. single-family residence in the middle of the property. The attached garage is located on the south of the residence and faces Fairside Road. The proposed septic tank to service the house is located on the southeast corner of the property. The proposed oak trees to be removed are identified as oaks #3, #6, and #7. Oaks #6 and #7 are located where the single-family residence is proposed, and oak #3 is located where the garage is proposed to be built. The nine (9) oaks that are proposed to be encroached upon are located on the northern, western, and southern parts of the subject property.

ACCESS

Driveway off of Fairside Road

ZONED DISTRICT

The Malibu

ASSESSORS PARCEL NUMBER

4457-007-006

COMMUNITY

Malibu Coastal Zone

SIZE

0.14 Acres

COMMUNITY STANDARDS DISTRICT

	EXISTING LAND USE	EXISTING ZONING
Project Site	Undeveloped, vacant lot	R-1-7,500 (Single-Family Residential, 7,500 sq. ft. lot minimum required)
North	Single-family residences	R-1-7,500 (Single-Family Residential, 7,500 sq. ft. lot minimum required)
East	Single-family residences	R-1-7,500 (Single-Family Residential, 7,500 sq. ft. lot minimum required)
South	Single-family residences	R-1-7,500 (Single-Family Residential, 7,500 sq. ft. lot minimum required)
West	Single-family residences and vacant lots	R-1-7,500 (Single-Family Residential, 7,500 sq. ft. lot minimum required)

GENERAL PLAN/COMMUNITY PLAN

6 (Residential I)

LAND USE DESIGNATION

MAXIMUM DENSITY

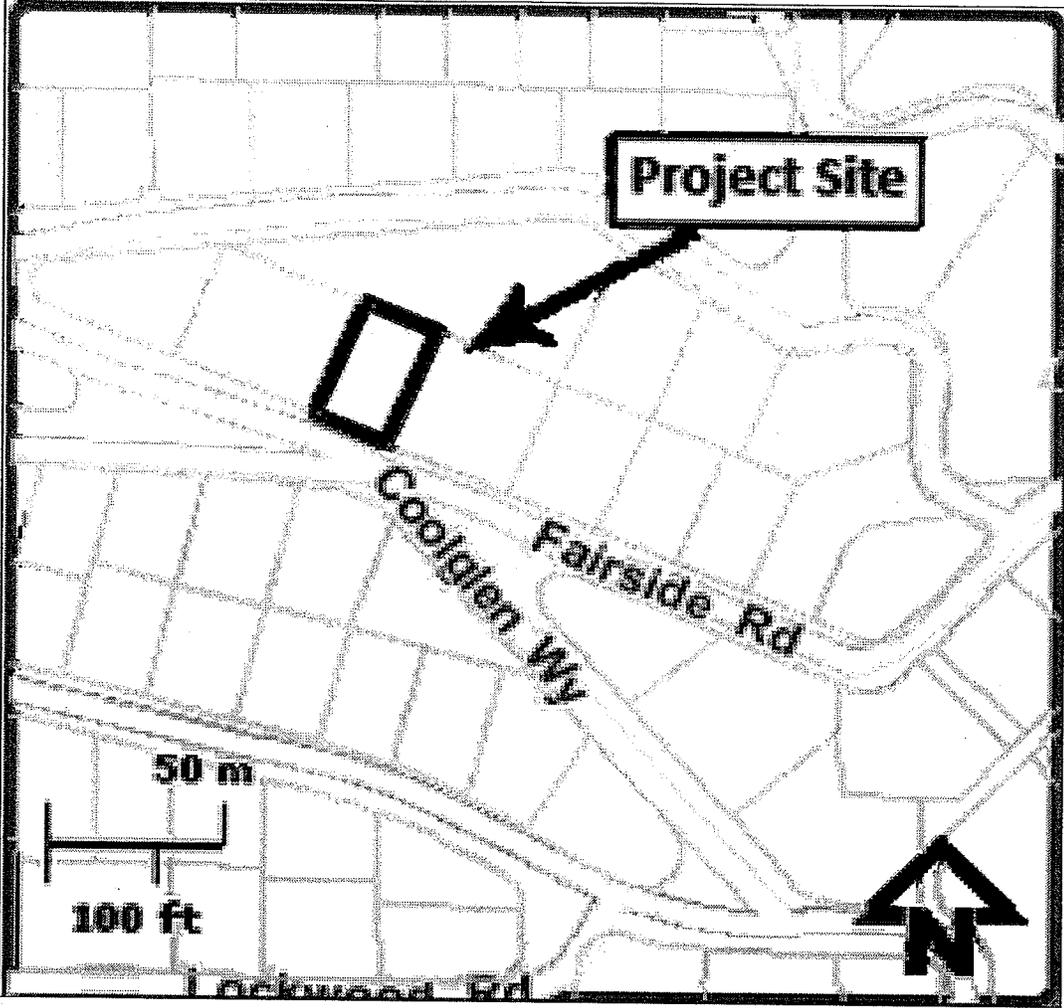
ENVIRONMENTAL DETERMINATION

Negative Declaration

RPC LAST MEETING ACTION SUMMARY

LAST RPC MEETING DATE	RPC ACTION	NEEDED FOR NEXT MEETING
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING/ABSENT

*(O) = Opponents (F) = In Favor





Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

March 21, 2011

TO: Alex Garcia
Hearing Officer

FROM: Travis Seawards
Regional Planning Assistant II
Zoning Permits West Section

SUBJECT: **PROJECT NO. 02-281-(3)**
OAK TREE PERMIT NO. 200900050
Public Hearing Date: May 3, 2011
Agenda Item No. 2

Agenda Item No. 2 is Oak Tree Permit No. 200900050. The applicant, Joseph Azoulay, seeks to authorize the removal of three (3) oak trees, and the encroachment into the protected zone of five (9) oak trees due to the construction of a 3,000 square foot single-family residence in the Malibu Zoned District. This is a reissuance of a previous oak tree permit (OTP 02-281-(3)), as authorized by resolution of the Los Angeles County Board of Supervisors on September 22, 2009 (attached).

The proposed project would authorize the removal of three (3) oak trees and the encroachment into the protected zone of nine (9) oak trees due to the construction of a 3,000 square foot single-family residence with an attached garage on a 5,998-square-foot property. A new septic system is proposed on the southeast corner of the property.

This project was originally recommended for approval by staff and approved by Hearing Officer on July 2, 2003. The permittee was given a two-year period in which to make use of the permit. A one-year time extension to this period was granted by a Hearing Officer on July 19, 2005. Additional time extensions were granted by a Hearing Officer on September 11, 2007 and July 1, 2008. Due to lengthy delays during review by the California Coastal Commission, the permit expired without use on July 1, 2009.

Because the project proposal is unaltered from its previous scope and there have been no changes to the applicable portions of the Los Angeles County Code in the time since this project was last reviewed by Regional Planning staff, staff concurs with the analysis and recommendation originally written in 2005 and attached hereto. The Los Angeles County Forester reviewed and approved the project in 2003 for OTP 02-281-(3). As the project scope and site conditions have not changed, the Los Angeles County Forester has agreed to the same conditions for approval of the project as outlined OTP 02-281-(3).

Due to the aforementioned factors, staff believes that the burden of proof for an oak tree permit has been met and therefore recommends that the Hearing Officer **APPROVE** Oak Tree Permit No. 200900050 with the attached findings and conditions.

Attachments

Draft Findings

Draft Conditions

County Forester Letter, dated 2/7/2003

Oak Tree Report, dated 10/10/02

Applicant's Burden of Proof

BOS Resolution of 9/22/09

Site photographs

3/22/11

MKK:TS

**STAFF ANALYSIS
PROJECT NUMBER 02-281-(3)
OAK TREE PERMIT CASE NUMBER 200900050**

PROJECT DESCRIPTION

The applicant requests authorization to remove three oak trees and encroach into the protected zone of nine oak trees in order to construct a single-family residence, garage, and driveway. The Arborist's Report identified 13 Coast Live Oak trees on the subject property. None of the oaks qualify as heritage oaks. According to the Arborist's Report, the proposed structure and driveway necessitates the removal of three oak trees. Nine oak trees will be encroached upon but are to be protected in place. The County Forester is requiring the permittee provide mitigation trees at a ratio of 2:1 for each tree removed, for a total of six mitigation oak trees. This is a reissuance of a previous oak tree permit (OTP 02-281-(3)), as authorized by resolution of the Los Angeles County Board of Supervisors on September 22, 2009.

ENTITLEMENT REQUEST

The applicant is requesting an oak tree permit to authorize the removal of three oak trees and the encroachment of nine oak trees during construction activities for a single-family residence, garage, and driveway. Sections 22.56.2060 and 22.56.2070 of the Los Angeles County Code require an oak tree permit for pruning of oak branches more than two inches in diameter and for the encroachment into the protected zone of any oak tree of more than 25 inches in circumference.

LOCATION

The subject property is located at 26247 Fairside Road, Malibu, in the Malibu Zoned District.

EXISTING ZONING

Subject Property

The subject property is located in an R-1-7,500 (Single-Family Residential – 7,500 sq. ft. minimum lot area required) Zone.

Surrounding Properties

Surrounding properties are zoned:

North: R-1-7,500

South: R-1-7,500

East: R-1-7,500

West: R-1-7,500

EXISTING LAND USES

Subject Property

The subject property is currently undeveloped and vacant.

Surrounding Properties

Surrounding land uses consist of:

North: Single-family residences and vacant land

South: Single-family residences and vacant land

East: Single-family residences and vacant land

West: Single-family residences and vacant land

SITE DESCRIPTION

General Description

The project site is currently undeveloped. The site plan depicts the proposed 3,000-square-foot single-family residence in the middle of the 0.14-acre subject property. The project proposes an attached garage on the south side of the single-family residence. The proposed septic tank to service the residence is located on the southeast corner of the subject property. The proposed oaks to be removed are identified as oaks #3, #6, and #7. Oaks #6 and #7 are located where the single-family residence is proposed, and oak #3 is located where the garage is proposed to be built. The rest of the nine oak trees on the subject property are located on the northern, western and southern parts of the property.

Arborist's Report

The Oak Tree Report, prepared by a certified arborist, dated October 10, 2002 and filed by the applicant, has been included as an attachment to this document. The subject Oak Tree Permit will allow the removal of three trees identified as Trees Number 3, 6, and 7 on the applicant's site plan and Oak Tree Report. The permit will also allow encroachment within the protected zone of nine trees identified as Trees Number 1, 2, 4, 5, 10, 11, 12 and 13. Tree Number 8 will not be impacted by the project.

ENVIRONMENTAL DETERMINATION

The Department of Regional Planning has determined that a Negative Declaration is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Section 22.56.2130 of the County Code, the community was appropriately notified of the public hearing.

PREVIOUS CASES/ZONING HISTORY

1. Plot Plan 49104: Approved a single-family residence on July 17, 2003.
2. OT 02-281: Approved an Oak Tree Permit on October 15, 2002.
3. IS 02-281: Initial Study for the Oak Tree Permit, approved October 15, 2002.

STAFF EVALUATION

General Plan Consistency

The project site is designated land use category 6 - Residential I in the Malibu Land Use Plan of the Los Angeles County General Plan. Residential areas are generally characterized by a grouping of housing units on gently sloping or flat terrain often within established rural communities. The Residential I land use category permits a maximum average residential density of one dwelling unit per acre.

As proposed, the subject property will have a residential density of 7.1 units per acre, which is beyond the average residential density for the area. However, the lot was legally created for residential use, and is surrounded by single-family residences.

Oak Tree Permit

The oak tree permit process was established to recognize oak trees as significant historical, aesthetic and ecological resources and to create favorable conditions for the preservation and propagation of this unique resource. It is the intent of the oak tree permit to maintain and enhance the general health, safety and welfare by assisting in counteracting the air pollution and in minimizing soil erosion and other related environmental damage. The oak tree permit is also intended to preserve and enhance property values by conserving and adding to the distinctive and unique aesthetic character of many areas of Los Angeles County in which oak trees are indigenous. An oak tree's protected zone is defined as that area within the dripline of an oak tree and extending from to a point at least five feet outside the dripline, or 15 feet from the trunks of a tree, whichever distance is greater. The stated objective of the oak tree permit is to preserve and maintain healthy oak trees in the development process.

According to the Arborist's Report, all of the oak trees on the property are in generally fair to average condition. The construction of a single-family residence and associated structures are permitted uses in the R-1 zone, where the subject property is located. However, due to the construction of the single-family residence, an oak tree permit is required to allow the removal of three oak trees and the encroachment into the protected zone of nine oak trees on the subject property.

This project was originally recommended for approval by staff and approved by Hearing Officer on July 2, 2003. The permittee was given a two-year period in which to make use of the permit. A one-year time extension to this period was granted by a Hearing Officer on July 19, 2005. Additional time extensions were granted by a Hearing Officer on September 11, 2007 and July 1, 2008. Due to lengthy delays during review by the California Coastal Commission, the permit expired without use on July 1, 2009. Because the project proposal is unaltered from its previous scope and there have been no changes to the applicable portions of the Los Angeles County Code in the time since this project was last reviewed by Regional Planning staff, staff concurs with the analysis and recommendation originally written in 2005 and attached hereto.

For two years after the removal and encroachment of the oak trees, the County Forester will monitor the subject property for compliance with the conditions of approval, including the planting of six mitigation trees on site within one year of the tree removals. The permittee is required to properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance. If the tree fails to survive with the required two-year maintenance period, a new two-year maintenance period will start with the new replacement trees. The permittee is also required to provide mitigation trees at a rate of 2:1 for any tree that dies as a result of the approved encroachments.

COUNTY DEPARTMENT COMMENTS & RECOMMENDATIONS

Los Angeles County Forester reviewed and approved the project in 2003 for Oak Tree Permit 02-281-(3). As the project scope and site conditions have not changed, the Los Angeles County Forester has agreed to the same conditions for approval of the project as outlined OTP 02-281-(3). The County Forester approves the removal of three oak trees and encroachment into the protected zone of nine oak trees. The main mitigation measure provides six mitigation oak trees within one year of the permitted oak tree removals.

OAK TREE PERMIT BURDEN OF PROOF

Pursuant to Los Angeles County Code Section 22.56.2100, in addition to the information required in the application by Section 22.56.2040, the applicant shall substantiate to the satisfaction of the Director the following facts:

1. That the proposed construction of the proposed use will be accomplished without endangering the health of the remaining trees subject to the part 16, if any, on the subject property; and,
2. That the removal or relocation of the oak trees proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated; and,
3. That in addition to the above facts, at least one of the following findings apply:
 - a. That the removal or relocation of the oak trees proposed is necessary as continued existence at present locations frustrates the planned improvement or proposed use of the subject property to such an extent that:
 - i. Alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or
 - ii. Placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized, or,
 - b. That the oak trees proposed for removal or relocation interferes with the utility services or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than removal of the trees, or,
 - c. That the condition of the oak trees proposed for removal with reference to seriously debilitating disease or danger of falling is such that it cannot be remedied through reasonable preservation procedures and practices;
4. That the removal of the oak trees proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure. For purposes of interpreting this section, it shall be specified that while relocation is not prohibited by this Part 16, it is a voluntarily alternate offering sufficient potential danger to the health of a tree as to require the same findings as removal.

The applicant's burden of proof statement is attached. Staff is of the opinion that the applicant has met the burden of proof.

PUBLIC COMMENTS

Staff has not received any comments related to the subject property.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of project number 02-281-(3), Oak Tree Permit Number 200900050, subject to the attached conditions.

SUGGESTED APPROVAL MOTION

I move that the public hearing be closed and that the Hearing Officer approves Oak Tree Permit Number 200900050, subject to the attached findings and conditions.

Prepared by Travis Seawards
Reviewed by Mi Kim, Acting Section Head, Zoning Permits West Section

Attachments:
Draft Findings
Draft Conditions
Applicant's burden of proof statement
Environmental documentation
Oak Tree Report
Site Photographs
Site Plan and Oak Tree Map

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES
REGARDING THE WAIVER OF
CERTAIN LAND USE APPLICATION FEES**

WHEREAS, under the Los Angeles County Zoning Code ("County Code"), the Department of Regional Planning ("Department") may grant only a single one-year extension to the life of an oak tree permit before it expires for lack of use; and

WHEREAS, until recently, the Department often granted multiple extensions for these permits notwithstanding the limitation in the County Code; and

WHEREAS, property owners in the Santa Monica Mountains Coastal Zone have been particularly affected by being disallowed from obtaining multiple extensions because they must receive a coastal development permit from the California Coastal Commission before they can use their oak tree permit; and

WHEREAS, as a result of the lengthy delays that property owners currently face during Coastal Commission and other regulatory agency review, it is difficult for a property owner of even one single-family parcel to finish the permitting process during the three year period, including the extension, that an oak tree permit typically lasts; and

WHEREAS, the Third Supervisorial District has recently been contacted by two property owners whose extension requests were recently denied. In both cases, the Department estimated that the actual cost of processing their oak tree permits was only \$858 since most of the relevant information had already been obtained and staff analysis had already been conducted. Nevertheless, both property owners were asked to pay the full \$5,546 oak tree permit fee; and

WHEREAS, requiring these property owners to pay the full permit fee despite the fact that the fee would exceed the actual cost to the Department of processing their permit places an unfair burden on these property owners; and

WHEREAS, the Board of Supervisors finds that it would be in the public interest for the County to remedy this situation by waiving the difference in permitting fees between the actual cost to the Department and the official fee set forth in the County Code; and

WHEREAS, the waiver of the aforementioned fee is authorized by County Code section 22.60.110.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Los Angeles that, for any oak tree permit application filed between July 1, 2009 and December 31, 2009 that replaces an expired or expiring oak tree permit, that does not change the scope of the proposed development, and that relates to an application for only one single-family new or existing home in the Santa Monica Mountains Coastal Zone, the Board of Supervisors shall waive the difference between the \$5,546 application fee set forth in the County Code and the actual cost to the Department of processing the oak tree permit application; and

NOW, FURTHER BE IT RESOLVED, that the Board of Supervisors direct the Department to publicize the fact that they no longer grant multiple extensions of oak tree permits so that property owners can anticipate and budget for any additional expenses that may be incurred for all new or replacement oak tree permits that are applied for on or after January 1, 2010.

The foregoing resolution was adopted on the 22nd day of September by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board also acts.



SACHI A. HAMAI, Executive Officer-
Clerk of the Board of Supervisors of
the County of Los Angeles

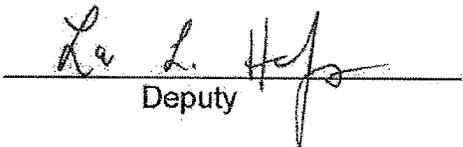
By


Deputy

APPROVED AS TO FORM:

ROBERT E. KALUNIAN
Acting County Counsel

By


Deputy

HEARING OFFICER'S FINDINGS AND ORDER:

FACTUAL SUMMARY:

The applicants request an oak tree permit to authorize the removal of three (3) oak trees and the encroachment into the protected zone of nine (9) oak trees due the construction of a 3,000 square foot single-family residence. The subject property is located at 26247 Fairside Road, Malibu, in the Malibu Zoned District of Los Angeles County.

PROCEEDINGS BEFORE THE HEARING OFFICER:

Findings:

1. The applicant, Josph Azoulay, requests an oak tree permit to authorize the removal of three (3) oak trees and the encroachment into the protected zone of nine (9) oak trees due to the construction of a single-family residence.
2. The oak tree permit is a reissuance of a previous oak tree permit (OTP 02-281-(3)), as authorized by resolution of the Los Angeles County Board of Supervisors on September 22, 2009 (attached).
3. The Oak Tree Report, dated October 10, 20002, was prepared by a certified arborist and identified thirteen (13) oak trees on the subject property. The oak trees are all Coast Live Oaks. None of the oaks qualify as heritage oaks. Three (3) oak trees are proposed for removal; nine (9) trees will be encroached upon and are to be protected in place.
4. The project is located at 26247 Fairside Rd., Malibu, in the Malibu Zoned District.
5. The subject property is 5,998 sq. ft. (approximately 0.14 acre) in size and located on steeply sloping topography.
6. Zoning on the subject property is R-1-7,500 (Single-Family Residential, 7,500 sq. ft. lot minimum required).
7. Surrounding properties are all zoned R-1-7,500.
8. The subject property is currently undeveloped and vacant.
9. Surrounding land uses consist of single-family residences to the north, south, and to the east, and single-family residences and vacant property to the west.
10. Previous zoning history on the subject property includes:
 - Plot Plan 49104: Approved a single-family residence on July 17, 2003.
 - OT 02-281: Approved an Oak Tree Permit on October 15, 2002.

- IS 02-281: Initial Study for the Oak Tree Permit, approved October 15, 2002.
11. The project site is designated 6 (Residential I) in the Malibu Land Use Plan of the Los Angeles County General Plan. Residential areas are generally characterized by a grouping of housing units on gently sloping or flat terrain often within established rural communities. The Residential I land use category permits a maximum average residential density of one dwelling unit per acre. As proposed, the subject property will have a residential density of 7.1 units per acre, which is beyond the residential density allowed by the land use designation. However, the lot was legally created for a residential use and is surrounded by other single-family residences.
 12. A previous oak tree permit (OT 02-281) approved identical removal of the same three (3) oak trees and encroachments into the protected zones of the same nine (9) oak trees for construction of the same project project. The permit was approved on July 2, 2001 and expired without use on July 1, 2009 due to delays at the Coastal Commission.
 13. The site plan depicts the subject property with the proposed 3,000 square-foot single-family residence in the middle of the property. The attached garage is located on the south of the residence and faces Fairside Road. The proposed septic tank to service the house is located on the southeast corner of the property. The proposed oaks to be removed are identified as oaks #3, #6, and #7. Oaks #6 and #7 are located where the single-family residence is proposed, and oak #3 is located where the garage is proposed to be built. The nine (9) oaks that are proposed to be encroached upon are located on the northern, western, and southern parts of the subject property.
 14. The Oak Tree Report was prepared by a certified arborist and dated October 10, 2002. The subject Oak Tree Permit will allow the removal of three (3) oak trees identified as Oak Trees Number 3, 6, and 7 on the applicant's site plan and Oak Tree Report. The permit will also allow encroachment within the protected zone of nine (9) oak trees identified as Oak Trees Number 1, 2, 4, 5, 9, 10, 11, 12, and 13. Oak Tree Number 8 will not be impacted by the project.
 15. As conditions on the site has not changed, it has been determined that a Negative Declaration, as adopted in 2003, is the appropriate environmental documentation pursuant to California Environmental Quality Act (CEQA) reporting requirements.
 16. The County Forester recommended approval of the removal of three (3) oak trees and the encroachment into the protected zone of nine (9) oak trees. The County Forester is of the opinion that the Oak Tree Report, prepared by a certified arborist on October 10, 2002 accurately addresses the impacts to the oak resources on the site. As the conditions on the site are the same, the County Forester has no additional recommendations or conditions beyond their 2003 letter (enclosed).
 17. The applicant shall mitigate or pay the ISA value for each oak tree removal into the Oak Tree Special Fund, as described in the conditions for approval.

18. The construction of a single-family residence and associated structures are permitted uses in the R-1 Zone where the subject property is located. Due to the construction of the single-family residence, an oak tree permit is required by the Los Angeles County Code, Title 22, Section 22.56.2060, to allow the removal of three (3) oak trees and encroachment into the protected zone of nine (9) oak trees.
19. The three (3) trees proposed for removal fall within the footprint of the project. According to the Arborist's report, dated October 10, 2002, all oak trees on the property are in generally fair to average condition. The applicant, in a letter dated February 1, 2011, confirms that the oak trees on the subject property are in the same condition as the Arborists 2002 report.
20. For two years, the County Forester will monitor the subject property for compliance with the conditions of approval.
21. The proposed use as conditioned is consistent with zoning, the General Plan, and surrounding land uses.
22. In its letter dated June 23, 2005, the Department of Public Works indicated that review of the drainage, Standard Urban Stormwater Mitigation Plan, and grading shall be conducted during the project's grading or building plan check stage by its Building and Safety Division.
23. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- A. The proposed construction of the proposed use will be accomplished without endangering the health of the trees on the subject property; and
- B. The encroachments proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated; and
- C. Absent the encroachment permitted by the attached conditions, the placement of the subject oak tree precludes the reasonable and efficient use of the property for a purpose otherwise authorized. The work approved is not contrary to or in substantial conflict with the intent and purpose of the oak tree permit procedure.
- D. That the encroachment upon the oak trees proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for conditional use permits as set forth in

Section 22.56.2100, Title 22 (Zoning Ordinance), of the Los Angeles County Code.

HEARING OFFICER ACTION:

1. The Hearing Officer finds that a Negative Declaration is the appropriate environmental documentation pursuant to California Environmental Quality Act (CEQA) reporting requirements.
2. In view of the findings of fact presented above, Oak Tree Permit No. 200900050 is **APPROVED** subject to the filing of the attached conditions.

Encl.: Conditions

CC: Zoning Enforcement; County Forester

MKK:TS
04/12/2011

1. This grant authorizes the removal of three (3) oak trees and encroachment into the protected zone of nine (9) oak trees in order to construct a single-family residence and associated structures, subject to the following conditions:
 - a. This permit **SHALL NOT** be effective until the permittee has filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and until all required monies have been paid pursuant to Condition No. 7.
 - b. This permit **SHALL NOT** be effective until a coastal development permit is approved by the California Coastal Commission for the proposed construction and demolition.
 - c. The permittee shall strictly comply with all conditions and requirements contained in the County of Los Angeles Forester and Fire Warden, Forestry Division letter dated February 7, 2003 (attached hereto), to the satisfaction of said Division, except as otherwise required by said Division, with the exception of planting mitigation trees for the oak tree removals. In addition, should any oak tree die as a result of an approved encroachment, requiring the planting of mitigation trees, an acorn from a locally indigenous species shall also be planted at the same time as and within the watering zone of each mitigation tree.
 - d. The permittee shall agree to suspend construction in the vicinity of a cultural resource encountered during ground-disturbing activities at the site, and leave the resource in place until a qualified archaeologist can examine them and determine appropriate mitigation measures.
 - e. The permittee shall obtain detailed seismic analyses for evaluation and mitigation of potential earthquake-induced landslide hazards, conforming to the requirements of the State of California Division of Mines and Geology Special Publication 117, at the grading/building plan stages.
 - f. Prior to the issuance of any building construction permit, feasibility of installing a private sewage disposal system shall be demonstrated in accordance with the guidelines established by the Department of Health Services and other applicable laws.
 - g. At the time of construction when a public sewer, intended to serve any property or premises, is available within 200 feet of any structure or drainage located on the property, all plumbing and waste water system, on such property or premises shall be connected to such public sewer.
 - h. Prior to issuance of any building construction permit, availability of an adequate sustainable supply of potable water from an approved source shall be demonstrated in conformance with standards established by the Department of Health Services and other pertinent regulatory agencies.

- i. Prior to construction of any structures in the public right-of-way, the permittee shall obtain an encroachment permit from the Department of Public Works.
 - j. The permittee shall pay the ISA value of removed trees into the Oak Forest Fund.
 - k. If any construction activities of the project take place between March 1 and August 31, a project biologist acceptable to the County shall assess on-site vegetation to be removed and vegetation within 300 feet of project activities to determine the presence of active passerine bird nests. The surveys shall begin thirty (3) days and continue on a weekly basis with the last survey conducted no more than three days prior to project commencement. Active nests shall be provided with a minimum buffer of 300 feet from construction activities until nests become inactive.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity using this grant.
3. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and until all required fees have been paid pursuant to the attached County Forester's letter.
4. The permittee 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 permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of 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 the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which 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 permittee 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 completion of the litigation.

- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein. The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.
6. This grant shall expire unless used within two (2) years from the date of approval. A one-year time extension may be requested in writing and with payment of the applicable fee prior to the expiration date.
7. The Permittee shall deposit with the County of Los Angeles Fire Department a sum of \$300 to compensate the County Forester \$100 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of approval. This fund provides for one initial inspection of temporary protective fencing and two (2) subsequent inspections.
- If any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning and/or the County of Los Angeles Fire Department for all additional enforcement efforts to bring the subject property into compliance.
8. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
9. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.

Attachment:

County Forester Letter, dated 02/7/2003
Oak Tree Report, dated 02/22/2002

MKK:TS
02/17/2011

(323) 890-4330

February 7, 2003

Kevin Johnson, Regional Planning Assistant II
Department of Regional Planning
Zoning Permits Section
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Johnson:

OAK TREE PERMIT #02-281 -- (SINGLE-FAMILY RESIDENCE)

We have reviewed "Request for Oak Tree Permit #02-281." This project is located at 26247 Fairside Road in an unincorporated area of Malibu. The report is complete as to the location, size, condition and species of the Oak tree on the site. The term "Oak Tree Report" refers to the document on file by Kay Greeley, the consulting arborist, dated October 10, 2002.

We recommend the following as conditions of approval:

OAK TREE PERMIT REQUIREMENTS:

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant.

Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.

Kevin Johnson, Regional Planning Assistant II

February 7, 2003

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2. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department a sum of \$300. Such fees shall be used to compensate the County Forester \$100 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of approval.

The above fees provide for one (1) initial inspection and two (2) bi-annual inspections until the conditions of approval have been met.

The Director of Regional Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

3. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the Forestry Division of the County of Los Angeles Fire Department, stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Regional Planning and the County Forester any failure to fully comply with the conditions of the grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.
4. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining Oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Conditional Use Permit.
5. The permittee shall install temporary fencing, not less than four feet in height to protect all remaining Oak trees on site as necessary. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the County Forester.

Specifically, the fencing shall be installed approximately five (5) feet outside of the drip line of the proposed construction as necessary to protect the remaining trees.

6. Copies of the Oak Tree Report, Oak tree map and conditions of approval shall be kept on the project site and available for review.

All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map and conditions of approval.

PERMITTED OAK TREE REMOVAL AND ENCROACHMENT:

7. This grant allows the removal of three (3) trees of the Oak genus Quercus agrifolia identified as Tree Numbers 3, 6, and 7 on the applicant's site plan and Oak Tree Report.
8. This grant allows encroachment within the protected zones of nine (9) trees of the Oak genus identified as Tree Numbers 1, 2, 4, 5, 9, 10, 11, 12 and 13 on the applicant's site plan map and Oak Tree Report. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.
9. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two inches in diameter or less in accordance with the guidelines published by the National Arborist Association. Copies of these guidelines are available from the Forestry Division of the County of Los Angeles Fire Department. In no case shall more than 20% of the tree canopy of any one tree be removed.
10. Except as otherwise expressly authorized by this grant, the remaining Oak trees shall be maintained in accordance with the principles set forth in the publication, Oak Trees: Care and Maintenance, prepared by the Forestry Division of the County of Los Angeles Fire Department, a copy of which is enclosed with these conditions.

MITIGATION TREES:

11. The permittee shall provide mitigation trees of the Oak genus Quercus agrifolia at a rate of two 2:1 trees for each tree removal for a total of six (6) mitigation trees.

The permittee shall also provide mitigation trees of the Oak genus at a rate of two (2) trees for any tree that dies as a result the approved encroachments.

12. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one inch or more in diameter one foot above the base. Free form trees with multiple stems are permissible; the combined diameter of the two largest stems of such trees shall measure a minimum of one inch in diameter one foot above the base.

13. Mitigation trees shall consist of indigenous varieties of *Quercus agrifolia* grown from a local seed source.
14. Mitigation trees shall be planted within one year of the permitted Oak tree removals. Additional mitigation trees shall be planted within one year of the death of any tree, which results from its permitted encroachment. Mitigation trees shall be planted either on site or at an off-site location approved by the County Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
15. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The two-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.
16. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

NON-PERMITTED ACTIONS AND VIOLATIONS:

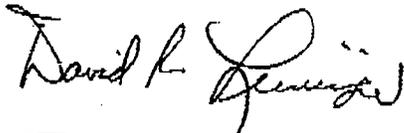
17. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited. If there are any deviations in the trees to be removed or encroached upon, the applicant will be required to file a new Oak Tree Report and pay all associated fees. All physical work being performed around the Oak trees will not be permitted until the new review and conditions of approval are complete. Additionally, these requirements will also be implemented if it is found that the information provided by the applicant is inaccurate (i.e., maps, missing trees, etc.).
18. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."

Kevin Johnson, Regional Planning Assistant II
February 7, 2003
Page 5

19. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.
20. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.
21. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any Oak tree. No temporary structures shall be placed within the protected zone of any Oak tree.
22. Violations of the conditions of this grant shall result in immediate work stoppage or in a notice of correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.
23. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the Forestry Division of the County of Los Angeles Fire Department for all enforcement efforts necessary to bring the subject property into compliance.

If you have any additional questions this office at (323) 890-4330.

Very truly yours,



DAVID R. LEININGER, CHIEF, FORESTRY DIVISION
PREVENTION BUREAU

DRL:lc

Enclosure

bc: Yocum-E/R
Takeshita/Malibu
Oak Notebook
Oak #104
Chron
(OTP #02-281.B52)

COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING
320 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012

NEGATIVE DECLARATION

PROJECT NUMBER No. OTP 02-281

1. DESCRIPTION:

An application for an Oak Tree permit to authorize the removal of three (3) oak trees, and the encroachment upon nine (9) oak trees. There are a total of thirteen (13) oak trees on the site. The project will include the construction of a 3,000 SF single-family dwelling unit with attached garage and terraces. Oak trees #3, #6, and #7 are within the proposed footprint and will be removed. Oak trees #1, #2, #4, #5, #9, #10, #11, #12, and #13 will be encroached upon to accommodate the proposed driveway and house. Oak tree #8 and two (2) additional oak trees that are immediately to the North of the site (off property), will not be impacted.

2. LOCATION:

26247 Fairside Road, Malibu, California 90265

3. PROPONENT:

Johnny Azoulay
4625 N. Saloma Ave.
Sherman Oaks, CA 91355

4. FINDINGS OF NO SIGNIFICANT EFFECT:

BASED ON THE INITIAL STUDY, IT HAS BEEN DETERMINED THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

5. LOCATION AND CUSTODIAN OF RECORD OF PROCEEDINGS:

THE LOCATION AND CUSTODIAN OF THE RECORD OF PROCEEDINGS ON WHICH ADOPTION OF THIS NEGATIVE DECLARATION IS BASED IS: DEPARTMENT OF REGIONAL PLANNING, 320 WEST TEMPLE STREET, LOS ANGELES, CA 90012

PREPARED BY: Impact Analysis Section, Department of Regional Planning *LH*

DATE: February 5, 2003



*** INITIAL STUDY ***

COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING

GENERAL INFORMATION

I.A. Map Date: October 16, 2002 Staff Member: Lindsey Herana
Thomas Guide: 628 C-3 USGS Quad: Malibu Beach
Location: 26247 Fairside Road, Malibu, California 90265

Description of Project: An application for an Oak Tree Permit to authorize the removal of three (3) oak trees, and the encroachment upon nine (9) oak trees. There are a total of thirteen (13) oak trees on the site. The project will include the construction of a ±3,000SF single-family dwelling unit with attached garage and terraces. Oak trees #3, #6, and #7 are within the proposed footprint and will be removed. Oak trees #1, #2, #4, #5, #9, #10, #11, #12, and #13 will be encroached upon to accommodate the proposed driveway and house. Oak tree #8 and two (2) additional oak trees that are immediately to the North of the site (off property), will not be impacted.

Gross Acres: 5,998 SF

Environmental Setting: The proposed project site is currently vacant, and contains steeply sloping topography, and thirteen (13) oak trees. Surrounding land uses within 500 feet of the site consist of residential lots and single family residential units to the North, South, East and West. Fairside Way is immediately adjacent along the Southern boundary of the site. Corral Canyon Environmentally Sensitive Habitat Area is less than 1/4 mile North of the project site. The project site is also less than 1/2 mile North of Dry Canyon drainage course, and approximately 1/2 mile South of Corral Canyon drainage course.

Zoning: R-1-7,500

General Plan: Non-urban

Community/Area wide Plan: Residential I [Malibu Local Coastal Plan]

Major projects in area:

PROJECT NUMBER

DESCRIPTION & STATUS

CUP 87-473

Caretaker Mobile Home (Approved 3/21/87)

OTP 93-160

One Encroachment/New Home (Approved 1/26/94)

NOTE: For EIRs, above projects are not sufficient for cumulative analysis.

REVIEWING AGENCIES

Responsible Agencies

- None
- Regional Water Quality Control Board
 - Los Angeles Region
 - Lahontan Region
- Coastal Commission
- Army Corps of Engineers

Trustee Agencies

- None
- State Fish and Game

State Parks

Special Reviewing Agencies

- None
- Santa Monica Mountains Conservancy
- National Parks
- National Forest
- Edwards Air Force Base
- Resource Conservation District of Santa Monica Mtns. Area
- CSU Fullerton

Regional Significance

- None
- SCAG Criteria
- Air Quality
- Water Resources

County Reviewing Agencies

- Subdivision Committee
- DPW: Drainage and Grading, Watershed Management, Geotechnical and Materials Engineering
- DHS - Environmental Health
- Fire Department

IMPACT ANALYSIS MATRIX		ANALYSIS SUMMARY (See individual pages for details)			
			Less than Significant Impact/No Impact		
			Less than Significant Impact with Project Mitigation		
			Potentially Significant Impact		
CATEGORY	FACTOR	Pg			Potential Concern
HAZARDS	1. Geotechnical	5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	2. Flood	6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	3. Fire	7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	4. Noise	8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
RESOURCES	1. Water Quality	9	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Septic System
	2. Air Quality	10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	3. Biota	11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Oak Woodland
	4. Cultural Resources	12	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	5. Mineral Resources	13	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	6. Agriculture Resources	14	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	7. Visual Qualities	15	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
SERVICES	1. Traffic/Access	16	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	2. Sewage Disposal	17	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	3. Education	18	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	4. Fire/Sheriff	19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	5. Utilities	20	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
OTHER	1. General	21	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	2. Environmental Safety	22	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	3. Land Use	23	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	4. Pop/Hous./Emp./Rec.	24	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	5. Mandatory Findings	25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Septic System, Biota

DEVELOPMENT MONITORING SYSTEM (DMS)

As required by the Los Angeles County General Plan, DMS* shall be employed in the Initial Study phase of the environmental review procedure as prescribed by state law.

- Development Policy Map Designation: Non-urban Hillside
- Yes No Is the project located in the Antelope Valley, East San Gabriel Valley, Malibu/Santa Monica Mountains or Santa Clarita Valley planning area?
- Yes No Is the project at urban density and located within, or proposes a plan amendment to, an urban expansion designation?

If both of the above questions are answered "yes", the project is subject to a County DMS analysis.

Check if DMS printout generated (attached)

Date of printout: _____

Check if DMS overview worksheet completed (attached)
EIRs and/or staff reports shall utilize the most current DMS information available.

Environmental Finding:

FINAL DETERMINATION: On the basis of this Initial Study, the Department of Regional Planning finds that this project qualifies for the following environmental document:

NEGATIVE DECLARATION, inasmuch as the proposed project will not have a significant effect on the environment.

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was determined that this project will not exceed the established threshold criteria for any environmental/service factor and, as a result, will not have a significant effect on the physical environment.

MITIGATED NEGATIVE DECLARATION, in as much as the changes required for the project will reduce impacts to insignificant levels (see attached discussion and/or conditions).

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was originally determined that the proposed project may exceed established threshold criteria. The applicant has agreed to modification of the project so that it can now be determined that the project will not have a significant effect on the physical environment. The modification to mitigate this impact(s) is identified on the Project Changes/Conditions Form included as part of this Initial Study.

ENVIRONMENTAL IMPACT REPORT*, inasmuch as there is substantial evidence that the project may have a significant impact due to factors listed above as "significant".

At least one factor has been adequately analyzed in an earlier document pursuant to legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets (see attached Form DRP/LA 101). The EIR is required to analyze only the factors not previously addressed.

Reviewed by: Lindsey Herana Date: January 28, 2003
Lindsey Herana

Approved by: Dayle Kent Date: 28 JANUARY 2003
Dayle Kent

Determination appealed - see attached sheet.

*NOTE: Findings for Environmental Impact Reports will be prepared as a separate document following the public hearing on the project.

HAZARDS - 1. Geotechnical

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is the project located in an active or potentially active fault zone, Seismic Hazards Zone, or Alquist-Priolo Earthquake Fault Zone? <i>The project site is approximately 2 miles North of Malibu Coast Fault. (L.A. County General Plan Safety Element – Fault Rupture Hazards and Historic Seismicity Map) The project is within a potential seismically induced landslide area. (State of CA, Seismic Hazard Zone Map, Malibu Beach quadrangle)</i>
b.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the project site located in an area containing a major landslide(s)? <i>The project site is within an area of bedrock landslides (5 – 100 acres). (L.A. County General Plan Safety Element – Landslide Inventory Map)</i>
c.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an area having high slope instability?
d.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site subject to high subsidence, high groundwater level, liquefaction, or hydrocompaction?
e.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the proposed project considered a sensitive use (school, hospital, public assembly site) located in close proximity to a significant geotechnical hazard?
f.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project entail substantial grading and/or alteration of topography including slopes of over 25%? <i>ISQ indicates that ±150 cubic yards of grading will occur.</i>
g.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project be located on expansive soil, as defined in Table 18-1-B of Uniform Building Code (1994), creating substantial risks to life or property?
h.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other factors? <i>The project site is within a hillside boundary. (L.A. County General Plan Safety Element – Landslide Inventory Map)</i>

STANDARD CODE REQUIREMENTS

- Building Ordinance No. 2225 – Sections 308B, 309, 310, and 311 and Chapters 29 and 70
- MITIGATION MEASURES OTHER CONSIDERATIONS
- Lot Size Project Design Approval of Geotechnical Report by DPW

DPW letter dated 1/21/03 is on file. Please see attached conditions.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, geotechnical factors?

- Potentially significant
- Less than significant with project mitigation
- Less than significant/No Impact

HAZARDS - 2. Flood

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|-------------------------------------|--|
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the major drainage course, as identified on USGS quad sheets by a dashed line, located on the project site?
<i>The project site is less than 1/2 mile North of Dry Canyon drainage course, and approximately 1/2 mile South of Corral Canyon drainage course. (USGS Malibu Beach, California quad sheet)</i> |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site located within or does it contain a floodway, floodplain, or designated flood hazard zone?
<i>The project site is immediately East of and elevated above a 100 year flood area. (L.A. County General Plan Safety Element - Flood and Inundation Hazards Map)</i> |
| c. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site located in or subject to high mudflow conditions? |
| d. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Could the project contribute or be subject to high erosion and debris deposition from run-off? |
| e. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project substantially alter the existing drainage pattern of the site or area? |
| f. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Other factors (e.g., dam failure)?
<i>The project site is within a hillside boundary. (L.A. County General Plan Safety Element - Landslide Inventory Map)</i> |

STANDARD CODE REQUIREMENTS

Building Ordinance No. 2225 - Section 308A Ordinance No. 12,114 (Floodways)

Approval of Drainage Concept by DPW

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size Project Design

DPW letter dated 1/21/03 is on file.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **flood (hydrological)** factors?

HAZARDS - 3. Fire

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|---|
| a. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the project site located in a Very High Fire Hazard Severity Zone (Fire Zone 4)?
<i>The project site is within Fire Zone 4. (L.A. County General Plan Safety Element - Wildland and Urban Fire Hazards Map)</i> |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site in a high fire hazard area and served by inadequate access due to lengths, width, surface materials, turnarounds or grade? |
| c. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Does the project site have more than 75 dwelling units on a single access in a high fire hazard area? |
| d. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site located in an area having inadequate water and pressure to meet fire flow standards? |
| e. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project located in close proximity to potential dangerous fire hazard conditions/uses (such as refineries, flammables, explosives manufacturing)? |
| f. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Does the proposed use constitute a potentially dangerous fire hazard? |
| g. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors? |

STANDARD CODE REQUIREMENTS

- Water Ordinance No. 7834
 Fire Ordinance No. 2947
 Fire Prevention Guide No.46
 Fuel Modification/Landscape Plan

MITIGATION MEASURES

OTHER CONSIDERATIONS

- Project Design
 Compatible Use

Fire Department letter dated 1/14/03 is on file.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by fire hazard factors?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

HAZARDS - 4. Noise

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|---|
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site located near a high noise source (airports, railroads, freeways, industry)? |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the proposed use considered sensitive (school, hospital, senior citizen facility) or are there other sensitive uses in close proximity? |
| c. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Could the project substantially increase ambient noise levels including those associated with special equipment (such as amplified sound systems) or parking areas associated with the project? |
| d. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project? |
| e. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors? |

STANDARD CODE REQUIREMENTS

- Noise Ordinance No. 11,778 Building Ordinance No. 2225--Chapter 35

- MITIGATION MEASURES OTHER CONSIDERATIONS

- Lot Size Project Design Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by noise?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 1. Water Quality

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an area having known water quality problems and proposing the use of individual water wells?
b.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Will the proposed project require the use of a private sewage disposal system? <i>ISQ indicates that a private septic system will be used</i> <i>The property will be served by the Las Virgenes Municipal Sewer District.</i>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If the answer is yes, is the project site located in an area having known septic tank limitations due to high groundwater or other geotechnical limitations or is the project proposing on-site systems located in close proximity to a drainage course? <i>The project site is within the Santa Monica Mountains area.</i>
c.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Could the project's associated construction activities significantly impact the quality of groundwater and/or storm water runoff to the storm water conveyance system and/or receiving water bodies? <i>The project is subject to NPDES requirement.</i>
d.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Could the project's post-development activities potentially degrade the quality of storm water runoff and/or could post-development non-storm water discharges contribute potential pollutants to the storm water conveyance system and/or receiving bodies? <i>The project is subject to NPDES requirement.</i>
e.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors? <i>Any on-site septic system that is not a minimum of fifty (50) feet outside of the oak canopy will be found inconsistent with policy. (Malibu Land Use Plan)</i>

STANDARD CODE REQUIREMENTS

- | | |
|--|---|
| <input type="checkbox"/> Industrial Waste Permit | <input type="checkbox"/> Health Code - Ordinance No.7583, Chapter 5 |
| <input type="checkbox"/> Plumbing Code - Ordinance No.2269 | <input checked="" type="checkbox"/> NPDES Permit CAS614001 Compliance (DPW) |

MITIGATION MEASURES

- Lot Size Project Design Compatible Use

OTHER CONSIDERATIONS

DPW letter dated 1/21/03 is on file.

DHS - Environmental Health letter dated 12/18/02 is on file. Please see attached conditions.

Septic system leach field or seepage pit should be placed down slope of oak trees (NW part of property).

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by, water quality problems?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 2. Air Quality

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the proposed project exceed the State's criteria for regional significance (generally (a) 500 dwelling units for residential users or (b) 40 gross acres, 650,000 square feet of floor area or 1,000 employees for non-residential uses)?
b.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the proposal considered a sensitive use (schools, hospitals, parks) and located near a freeway or heavy industrial use?
c.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project increase local emissions to a significant extent due to increased traffic congestion or use of a parking structure or exceed AQMD thresholds of potential significance per Screening Tables of the CEQA Air Quality Handbook?
d.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project generate or is the site in close proximity to sources that create obnoxious odors, dust, and/or hazardous emissions?
e.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project conflict with or obstruct implementation of the applicable air quality plan?
f.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?
g.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emission which exceed quantitative thresholds for ozone precursors)?
h.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

Health and Safety Code - Section 40506

MITIGATION MEASURES

Project Design Air Quality Report

OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by, air quality?

Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 3. Biota

SETTING/IMPACTS

Yes No Maybe

- a. Yes No Maybe
 Is the project site located within Significant Ecological Area (SEA), SEA Buffer, or coastal Sensitive Environmental Resource (ESHA, etc.), or is the site relatively undisturbed and natural?
The project site is less than 1/4 mile South of Corral Canyon Environmentally Sensitive Habitat Area. (Sensitive Environmental Resource Areas Map)

- b. Yes No Maybe
 Will grading, fire clearance, or flood related improvements remove substantial natural habitat areas?
ISQ indicates that ±150 cubic yards of grading will occur.

- c. Yes No Maybe
 Is a major drainage course, as identified on USGS quad sheets by a blue dashed line, located on the project site?
The project site is less than 1/2 mile North of Dry Canyon drainage course, and approximately 1/2 mile South of Corral Canyon drainage course. (USGS Malibu Beach, California quad sheet)

- d. Yes No Maybe
 Does the project site contain a major riparian or other sensitive habitat (e.g. coastal sage scrub, oak woodland, sycamore riparian, woodland, wetland, etc.)?
The project site contains oak woodland.

- e. Yes No Maybe
 Does the project site contain oak or other unique native trees (specify kinds of trees)?
OTR indicates that there are thirteen (13) oak trees on the site.

- f. Yes No Maybe
 Is the project site habitat for any known sensitive species (federal or state listed endangered, etc.)?

- g. Yes No Maybe
 Other factors (e.g., wildlife corridor, adjacent open space linkage)?

- | | |
|--|---|
| <input type="checkbox"/> MITIGATION MEASURES | <input type="checkbox"/> OTHER CONSIDERATIONS |
| <input type="checkbox"/> Lot Size | <input type="checkbox"/> ERB/SEATAC Review |
| <input type="checkbox"/> Project Design | <input checked="" type="checkbox"/> Oak Tree Permit |

Applicant shall pay ISA value of removed trees into Oak Forest Fund.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on biotic resources?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

RESOURCES - 4. Archaeological/Historical/Paleontological

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is the project site in or near an area containing known archaeological resources or containing features (drainage course, spring, knoll, rock outcroppings, or oak trees) that indicate potential archaeological sensitivity? <i>The project site is less than 1/2 mile North of Dry Canyon drainage course, and approximately 1/2 mile South of Corral Canyon drainage course. (USGS Malibu Beach, California quad sheet) OTR indicates that there are thirteen (13) oak trees on the site.</i>
b.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project site contain rock formations indicating potential paleontological resources?
c.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project site contain known historic structures or sites?
d.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project cause a substantial adverse change in the significance of a historical or archaeological resource as defined in 15064.5?
e.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
f.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

Phase I Archaeology Report

A Phase I Archaeological Survey completed on January 10, 2003 by Compass Rose is on file.

Please see attached conditions.

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on archaeological, historical, or paleontological resources?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

RESOURCES - 5. Mineral Resources

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|---|
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project result in the loss of availability of a locally important mineral resource discovery site delineated on a local general plan, specific plan or other land use plan? |
| c. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors? |
-
-
-

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on mineral resources?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

RESOURCES - 6. Agriculture Resources

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?
b.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?
c.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project involve other changes in the existing environment that due to their location or nature, could result in conversion of Farmland, to non-agricultural use?
d.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on agriculture resources?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

RESOURCES - 7. Visual Qualities

SETTING/IMPACTS

	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site substantially visible from or will it obstruct views along a scenic highway (as shown on the Scenic Highway Element), or is it located within a scenic corridor or will it otherwise impact the viewshed?
b.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project substantially visible from or will it obstruct views from a regional riding or hiking trail?
c.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project site located in an undeveloped or undisturbed area that contains unique aesthetic features?
d.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the proposed use out-of-character in comparison to adjacent uses because of height, bulk, or other features?
e.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is the project likely to create substantial sun shadow, light or glare problems?
f.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other factors (e.g., grading or landform alteration)? <i>ISO indicates that ±150 cubic yards of grading will occur.</i>

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

Visual Report

Compatible Use

Surrounding land uses are residential lots, and single-family residential units. (500' Land Use Map)

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on scenic qualities?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

SERVICES - 1. Traffic/Access

SETTING/IMPACTS

- | | Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|---|
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Does the project contain 25 dwelling units, or more and is it located in an area with known congestion problems (roadway or intersections)? |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Will the project result in any hazardous traffic conditions? |
| c. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Will the project result in parking problems with a subsequent impact on traffic conditions? |
| d. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Will inadequate access during an emergency (other than fire hazards) result in problems for emergency vehicles or residents/employees in the area? |
| e. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Will the congestion management program (CMP) Transportation Impact Analysis thresholds of 50 peak hour vehicles added by project traffic to a CMP highway system intersection or 150 peak hour trips added by project traffic to a mainline freeway link be exceeded? |
| f. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project conflict with adopted policies, plans, or program supporting alternative transportation (e.g., bus, turnouts, bicycle racks)? |
| g. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors? |

MITIGATION MEASURES

OTHER CONSIDERATIONS

Project Design Traffic Report

Consultation with Traffic & Lighting Division

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on traffic/access factors?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

SERVICES - 2. Sewage Disposal

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	If served by a community sewage system, could the project create capacity problems at the treatment plant? <i>N/A - ISQ indicates that private septic tanks will serve the project.</i>
b.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create capacity problems in the sewer lines serving the project site? <i>N/A</i>
c.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

- Sanitary Sewers and Industrial Waste – Ordinance No. 6130
- Plumbing Code – Ordinance No. 2269

MITIGATION MEASURES

OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to sewage disposal facilities?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

SERVICES - 3. Education

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create capacity problems at the district level? <i>ISQ indicates that the Santa Monica/Malibu School District will serve the property.</i>
b.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create capacity problems at individual schools that will serve the project site?
c.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create student transportation problems?
d.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create substantial library impacts due to increased population and demand?
e.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

MITIGATION MEASURES

OTHER CONSIDERATIONS

Site Dedication Government Code Section 65995 Library Facilities Mitigation Fee

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to educational facilities/services?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

SERVICES - 4. Fire/Sheriff Services

SETTING/IMPACTS

	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project create staffing or response time problems at the fire station or sheriff's substation serving the project site? <i>ISQ indicates that the nearest fire station is approximately 10 miles away.</i>
b.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are there any special fire or law enforcement problems associated with the project or the general area?
c.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors? _____ _____ _____

MITIGATION MEASURES

OTHER CONSIDERATIONS

Fire Mitigation Fee

The project site is within the Malibu Local Coastal Plan.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to fire/sheriff services?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

SERVICES - 5. Utilities/Other Services

SETTING/IMPACTS

- | | <input type="checkbox"/> Yes | No | Maybe | |
|----|-------------------------------------|-------------------------------------|--------------------------|--|
| a. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site in an area known to have an inadequate public water supply to meet domestic needs or to have an inadequate ground water supply and proposes water wells? |
| b. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the project site in an area known to have an inadequate water supply and/or pressure to meet fire fighting needs? |
| c. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Could the project create problems with providing utility services, such as electricity, gas, or propane? |
| d. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Are there any other known service problem areas (e.g., solid waste)? |
| e. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services or facilities (e.g., fire protection, police protection, schools, parks, roads)? |
| f. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Other factors? |

STANDARD CODE REQUIREMENTS

Plumbing Code – Ordinance No. 2269

Water Code – Ordinance No. 7834

MITIGATION MEASURES

Lot Size

Project Design

OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to utilities services?

Potentially significant

Less than significant with project mitigation Less than significant/No impact

OTHER FACTORS - 1. General

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project result in an inefficient use of energy resources? :
b.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project result in a major change in the patterns, scale, or character of the general area or community?
c.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the project result in a significant reduction in the amount of agricultural land?
d.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

STANDARD CODE REQUIREMENTS

State Administrative Code, Title 24, Part 5, T-20 (Energy Conservation)

MITIGATION MEASURES

OTHER CONSIDERATIONS

Lot Size

Project Design

Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to any of the above factors?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

OTHER FACTORS - 2. Environmental Safety

SETTING/IMPACTS

	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are any hazardous materials used, transported, produced, handled, or stored on-site?
b.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are any pressurized tanks to be used or any hazardous wastes stored on-site?
c.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Are any residential units, schools, or hospitals located within 500 feet and potentially adversely affected?
d.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Have there been previous uses that indicate residual soil toxicity of the site?
e.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project create a significant hazard to the public or the environment involving the accidental release of hazardous materials into the environment?
f.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
g.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or environment?
h.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project result in a safety hazard for people in a project area located within an airport land use plan, within two miles of a public or public use airport, or within the vicinity of a private airstrip?
i.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
j.	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

MITIGATION MEASURES
 Toxic Clean-up Plan

OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact relative to public safety?

Potentially Significant Less than significant with project mitigation Less than significant/No impact

OTHER FACTORS - 3. Land Use

SETTING/IMPACTS

	Yes	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Can the project be found to be inconsistent with the plan designation(s) of the subject property?
b.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Can the project be found to be inconsistent with the zoning designation of the subject property?
c.				Can the project be found to be inconsistent with the following applicable land use criteria:
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hillside Management Criteria?
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEA Conformance Criteria?
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other?
d.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project physically divide an established community?
e.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

MITIGATION MEASURES

OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to land use factors?

Potentially significant

Less than significant with project mitigation

Less than significant/No impact

OTHER FACTORS - 4. Population/Housing/Employment/Recreation

SETTING/IMPACTS

	No	Maybe	
a.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project cumulatively exceed official regional or local population projections?
b.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project induce substantial direct or indirect growth in an area (e.g., through projects in an undeveloped area or extension of major infrastructure)?
c.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project displace existing housing, especially affordable housing?
d.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project result in substantial job/housing imbalance or substantial increase in Vehicle Miles Traveled (VMT)?
e.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Could the project require new or expanded recreational facilities for future residents?
f.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?
g.	<input type="checkbox"/>	<input type="checkbox"/>	Other factors?

MITIGATION MEASURES

OTHER CONSIDERATIONS

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to population, housing, employment, or recreational factors?

- Potentially significant Less than significant with project mitigation Less than significant/No impact

MANDATORY FINDINGS OF SIGNIFICANCE

Based on this Initial Study, the following findings are made:

	Yes	No	Maybe	
a.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?
<hr/>				
				<i>Septic System, Biota</i>
b.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the project have possible environmental effects that are individually limited but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.
c.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Will the environmental effects of the project cause substantial adverse effects on human beings, either directly or indirectly?

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the environment?

Potentially significant
 Less than significant with project mitigation
 Less than significant/No impact

OAK TREE REMOVAL PERMIT – BURDEN OF PROOF

26247 FAIRSIDE ROAD
MALIBU, CA 90272

LOS ANGELES COUNTY PROJECT NUMBER: OTP 02-281 (3)

AT PRESENT, OAK TREE CANOPIES OVERLIE THE ENTIRE SITE.

IT IS NOT POSSIBLE TO DEVELOP THE SITE FOR ITS APPROVED USE (SINGLE FAMILY RESIDENCE) WITHOUT REMOVING AND/OR ENCROACHING ON THE PROTECTED ZONES OF THE EXISTING OAK TREES ON THE SITE.

THE PROPOSED REMOVAL OF THE OAK TREES INDICATED WILL NOT BE CONTRARY TO OR IN SUBSTANTIAL COFLICT WITH THE INTERESTS OF THE INTENT AND PURPOSE OF THE OAK TREE PERMIT PROCEDURE:

THE GARAGE AND RESIDENCE HAVE BEEN SITED TO MINIMIZE THE NUMBER OF TREES TO BE REMOVED, AND PRUNING OF THE CANOPIES OF REMAINING TREES WILL BE UNDERTAKEN JUDICIOUSLY.

ALL DUE CARE HAS BEEN TAKEN IN PLANNING THE SITE SUCH THAT PROPOSED DEVELOPMENT WILL BE ACCOMPLISHED WITHOUT ENDANGERING THE HEALTH OF OAK TREES REMAINING:

THE PROPOSED REMOVAL OF THE OAK TREES INDICATED WILL NOT RESULT IN SOIL EROSION THROUGH DIVERSION OR INCREASED FLOW OF SURFACE WATERS WHICH CANNOT BE SATISFACTORILY MITIGATED:

THE DRIVE APPROACH TO THE GARAGE WILL BE CREATED WITH A PERMEABLE "GRASS-CRETE" TYPE OF PAVING MATERIAL TO MINIMIZE IMPACT ON THE EXISTING PATTERNS OF WATER DISTRIBUTION TO ADJACENT OAKS AND WILL NOT CREATE SIGNIFICANT SHEET FLOW ON SITE.

THE MAJORITY OF THE STRUCTURE WILL BE CONSTRUCTED ON RAISED PILE FOUNDATIONS TO MINIMIZE IMPACT ON THE ROOT SYSTEMS OF REMAINING OAK TREES, AND TO MAINTAIN TO THE EXTENT POSSIBLE THE EXISTING DRAINAGE PATTERNS OF THE SITE.

Seawards, Travis

From: Child, Mark
Sent: Tuesday, January 11, 2011 7:19 AM
To: Romo, William
Cc: Seawards, Travis
Subject: RE: OTP 02-281 26247 Fairside Rd
Attachments: image001.gif

Thanks Bill.

Mark Child, AICP
Zoning Permits North Section
213-974-6443

From: Romo, William [<mailto:WRomo@fire.lacounty.gov>]
Sent: Tuesday, January 11, 2011 7:17 AM
To: Child, Mark
Subject: RE: OTP 02-281 26247 Fairside Rd

Mark – if nothing has changed I am ok with using the same conditions - Bill

From: Child, Mark [<mailto:mchild@planning.lacounty.gov>]
Sent: Monday, January 10, 2011 4:00 PM
To: Romo, William
Subject: OTP 02-281 26247 Fairside Rd

Hi Bill,

I think I asked you some time ago if you would be okay with us reissuing this permit using your original letter? The OTP expired because of delays at the coast commission, but the project is unchanged. The address of the property is 26247 Fairside Rd. APN 4457007006. I apologize if you have already responded. The file has been on my desk for a long time and it got buried. The owner just called and reminded me that this is still pending. We are hoping to issue a new permit under ROAK200900050 using all the same conditions.

Thanks,
Mark

Mark Child, AICP
Supervising Regional Planner
Zoning Permits North Section
Department of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012
<http://planning.lacounty.gov>
213-974-6443

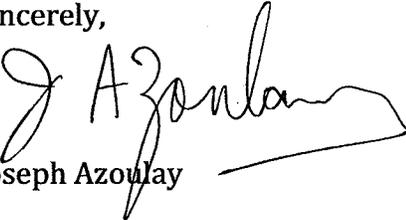
February 1, 2011

Travis Seaward
Regional Planning Assistant
Los Angeles County Department of Regional Planning

Dear Mr. Seawards:

This letter is to certify that the conditions on our site located at 26247 Fairside Road in Malibu are the same as the Arborist's Report dated October 22, 2002. No changes or alterations have been made to the site or to any oak trees on the site.

Sincerely,

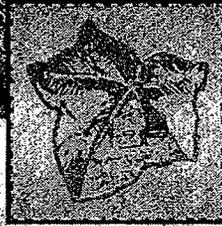

Joseph Azoulay

Contact information:

(310) 924-4378

johnnyazoulay@aol.com

FEB - 3 2011



Oak Tree Report

Site:

*Vacant Land
Tract 7959, Lot 92
Malibu, California*

Prepared for:

*Mr. Johnny Azoulay
4652 North Saloma Avenue
Sherman Oaks, California 91355*

Prepared by:

*Kay J. Greeley, I.S.A.
Certified Arborist WC-1140
284 Valley Gate Road
Simi Valley, California 93065
(805) 577-8432*

Date:

October 10, 2002

RW REFERENCE COPY

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Oak Tree Report

*Vacant Land
Tract 7959, Lot 92
Malibu, California*

INTRODUCTION

This Oak Tree Report was prepared at the request of Mr. Johnny Azoulay. Mr. Azoulay proposes to construct a single-family residence on the currently vacant lot designated as Lot 92 in Tract 7959, in the Malibu Bowl area, an unincorporated area within the County of Los Angeles. There are fifteen (15) native oak trees that are at least eight inches (8") in diameter at a distance of four and one-half feet (4-1/2') above natural grade within the immediate vicinity of the project limits. The purpose of this Oak Tree Report is to address the present health of the subject oak trees and to assess how the proposed project might impact them. The report also provides recommended mitigation measures should construction proceed as proposed, as well as recommended care techniques.

This report was prepared in accordance with Oak Tree Ordinance 88-0157 as amended by the County of Los Angeles, relating to the conservation of oak trees. Oak trees within the County of Los Angeles are recognized as significant historical, aesthetic and valuable ecological resources. It is the intent of the Oak Tree Permit to preserve and maintain healthy oak trees in the development process. Unless allowed by an Oak Tree Permit, a person shall not cut, destroy, remove, relocate, inflict damage or encroach into the protected zone of any tree of the oak genus that is at least eight inches (8") in diameter.

SCOPE OF WORK

The scope of work included a full ground field observation of the cultural and physical conditions of fifteen (15) oak trees, including several trees that are not on, but are adjacent to the subject property. Pertinent data was recorded in August 2002 and is provided on the Field Evaluation Forms in Appendix A. Photographs for reference and record purposes are included in Appendix B. An Oak Tree Location Map is included in Appendix C. This map is shown on plans provided to this office by the project architect, Richard Price Welsh, AIA. All information provided by the preparer is certified to be true and correct as of the dates of the field observations.

TREE CHARACTERISTICS AND SITE CONDITIONS

As shown on the Oak Tree Location Map in Appendix C, the subject oak trees are located either within public right-of-way or on private properties. The subject site slopes rather steeply down to the north from Coolglen Way. There are the remains of fairly limited previous development on the site, which is otherwise in a fairly natural condition. Poison oak (*Toxicodendron diversiloba*) is prevalent throughout most of the site. Other oak trees are located outside of the subject property within the vicinity, but at a distance greater than the inventoried trees. If protection of the fifteen subject trees is addressed, then the adjacent trees would be completely protected as well.

A metal tag stamped with the tag number shown on the Oak Tree Location Map was nailed to the north side of each of the subject trees. The tags are numbered sequentially 1 through 13. The remaining two (2) trees are designated as "OP-1" and "OP-2" on the Oak Tree Location Map contained in Appendix C. These two trees are "off-property" to the north and could not be directly accessed without trespassing. As noted above, there are other oak trees in the vicinity, but they are off-property and well away from construction. Since they cannot be subjected to any direct construction impacts, they are therefore not further discussed within this report.

All fifteen trees are of the species *Quercus agrifolia*, commonly referred to as Coast Live Oak. Each of the trees appears to have grown naturally on the site. Detailed information with respect to diameter, number of trunks, height, canopy dimensions, form, crown class, age class, and pruning history is provided for each of the subject trees on the Field Evaluation Forms in Appendix A.

TREE HEALTH

The condition of the trees is generally fair to average in every respect. Specific details are provided for each tree on the Field Evaluation Forms in Appendix A. These details include foliage color, presence of epicormics and/or twig dieback, foliage density, leaf size, annual shoot growth, woundwood development and vigor. There were no signs of significant pests or diseases.

The Field Evaluation Forms in Appendix A also provide a detailed notation with respect to any structural defects that were observed with respect to the root crown, trunk, scaffolds, and/or branches. Both the presence and severity of such defects are noted.

The current overall health and appearance ratings of the trees are provided in the following table:

Tree Number	Health	Appearance
1	C	B
2	C	B
3	C	C

Tree Number	Health	Appearance
4	C	C
5	C	C
6	C	C
7	C	C
8	C	C
9	C	C
10	C	C
11	C	C
12	C	C
13	C	C
OP-1	C	C
OP-2	C	C

IMPACT ANALYSIS AND SPECIFIC RECOMMENDATIONS

As indicated on the Oak Tree Location Map contained in Appendix C, a single-family residence is proposed for construction on the subject site. The proposed structure and driveway would result in the removal of three (3) oak trees (Tree Numbers 3, 6 and 7), as well as encroachment within the protected zone of eight (8) oak trees (Tree Numbers 1, 2, 4, 5, 9, 10, 11, 12, and 13.) Three (3) trees would not be impacted by the project (Tree Numbers 8, OP-1 and OP-2). Specific individual impacts are as follows:

Tree Number 1 – As designed, grading for the driveway would encroach within the protected zone of this tree. If the height of the retaining wall on the westerly side of the driveway was to be increased, this encroachment could be avoided entirely. The project architect will revise the plans to eliminate this impact. No pruning is required.

Tree Number 2 – As designed, grading for the driveway encroaches up to the trunk of this tree. The proposed retaining wall should be extended southerly to reduce this impact to the extent feasible. This impact cannot be avoided, as there is no other practical access into the site. As designated on the plan, the use of pervious paving material for the driveway will serve to mitigate this impact to a significant degree, especially if compaction can be limited. The canopy of this tree will need to be raised on the easterly side to allow access into the site.

Tree Number 3 – As shown, this tree would be removed since it falls within the proposed footprint. The canopy of this tree will need to be raised on the easterly side to allow construction of the residence.

Tree Number 4 – As shown, the house would encroach within approximately ten feet (10') of the trunk of this tree. Root impacts will be limited, as the house will be constructed with a raised foundation supported on piles. No pruning is required.

Tree Number 5 – As shown, the house would encroach within approximately fourteen feet (14') of the trunk of this tree. Root impacts will be limited, as the house will be constructed with a raised foundation supported on piles. Only minimal pruning, if any, will be required to raise the canopy to allow for construction of the residence.

Tree Number 6 – As shown, this tree would be removed since it falls within the proposed footprint.

Tree Number 7 – As shown, this tree would be removed since it falls within the proposed footprint.

Tree Number 8 – All work would be performed outside of the protected zone of this tree.

Tree Number 9 – As shown, the house would encroach within approximately five feet (5') of the trunk of this tree. Root impacts will be limited, as the house will be constructed with a raised foundation supported on piles. The canopy of this tree will need to be raised on the easterly side to allow construction of the residence.

Tree Number 10 – As shown, the house would encroach within approximately seven feet (7') of the trunk of this tree. Root impacts will be limited, as the house will be constructed with a raised foundation supported on piles. No pruning is required.

Tree Number 11 – As shown, the house would encroach within approximately six feet (6') of the trunk of this tree. Root impacts will be limited, as the house will be constructed with a raised foundation supported on piles. The canopy of this tree may need to be raised somewhat on the southerly side to allow construction of the residence.

Tree Number 12 – As shown, the house would encroach within approximately thirteen feet (13') of the trunk of this tree. Root impacts will be limited, as the house will be constructed with a raised foundation supported on piles. The canopy of this tree may need to be raised somewhat on the southerly side to allow construction of the residence.

Tree Number 13 – As shown, the house would encroach within approximately twenty feet (20') of the trunk of this tree. Root impacts will be limited, as the house will be constructed with a raised foundation supported on piles. The canopy of this tree may need to be raised somewhat on the southerly side to allow construction of the residence.

As described in the Field Evaluation Forms contained in Appendix A, there are a number of safety concerns noted with respect to the subject trees. Given the nature of the site and the configuration of the trees, they should all be considered to be potentially hazardous. Regardless of the construction program, the following actions should be implemented:

1. Each tree to remain on the site should receive a complete canopy inspection by a qualified tree worker to locate any potential structural defects or decay that cannot be observed from the ground.
2. A complete crown cleaning should be performed on each tree to remain to decrease hazards by falling and/or decayed branches.
3. Any fill soil that has accumulated around the root crown of any tree should be removed to restore natural grade, to reduce the possibility of infestation by root-rotting diseases.
4. Each tree should be inspected on an annual basis to insure that any additional safety hazards that arise are dealt with properly and promptly, given the proximity of these trees to the proposed residence.

If the above specific recommendations and the following general recommendations are followed, the trees to be preserved should remain an asset to the site for many years to come. All work will need to be performed very carefully to insure that the root zones are impacted as little as possible. All materials will need to be stockpiled well away from the trunk of any oak tree. Any spoils should be removed immediately.

GENERAL RECOMMENDATIONS

The following general recommendations should be followed to establish and maintain a healthy cultural environment for oak trees. Procedures are also provided for various construction activities. Specific questions should always be referred to the oak tree consultant.

WORK WITHIN THE PROTECTED ZONE

The protected zone is an area surrounding a tree, usually defined by local ordinance. It typically includes all area within the dripline of the tree, plus five feet beyond the dripline. This distance must generally be no less than fifteen feet from the trunk. Given the high sensitivity of oak trees, great care must be taken when work is conducted within the protected zone. Specifically:

Observation – All work conducted within the protected zone of an oak tree should be performed within the presence of a qualified oak tree consultant. Usually this work will also require a permit from the local government. This will help to insure that work is performed in a manner that will not harm a tree.

Notice – Forty-eight hours notice should be provided to the oak tree consultant prior to the planned start of work. This notification must usually be provided to the local government also. The notice will insure that the project receives the highest possible scheduling priority and avoid delays.

Hand Tools – All work should be accomplished with the use of hand tools only. Except under special circumstances, tractors, backhoes and other vehicles cannot be operated

in a manner that will preserve major tree roots, minimize soil compaction, and insure the safety of both the vehicle operator and the tree.

Certification – All work conducted within the protected zone should be certified by a qualified oak tree consultant. For work performed under a permit, this may be a requirement of the local government.

WORK OUTSIDE OF THE PROTECTED ZONE

To protect trees within the vicinity of major construction, trees should be temporarily fenced at the edge of the protected zone prior to the beginning of construction operations on a site. The fence should be constructed of chain link material, a minimum of five feet in height. The oak tree consultant should be contacted to develop a fencing plan, generally required by local ordinance. The fence may be removed at the completion of the construction upon approval by the local government.

PLANTING WITHIN THE PROTECTED ZONE

Planting within the protected zone of an oak tree is discouraged. Ideally, the leaf litter from the tree should be allowed to collect beneath the tree, creating a natural mulch and fertilizer. If planting is necessary or the natural leaf litter is removed, the following should be considered:

Plant Material – Only drought tolerant plantings should be utilized. All plantings should be compatible with native oak trees. A good reference for compatible plant material is Compatible Plantings Under and Around Oaks by the California Oak Foundation.

Irrigation – No spray-type irrigation systems should be used within the protected zone. It is important that sprinkler systems do not throw water against the trunk of an oak tree. A continuously wet soil condition near the root crown, the area where the tree trunk meets the ground, favors the growth of predatory disease organisms. The two most prominent organisms in Southern California are Avocado Root Rot (*Phytophthora cinnamomi*) and Oak Root Fungus (*Armillaria mellea*). As an absolute minimum, all irrigation should be at least fifteen feet from the trunk.

Resistant Varieties – Avoid plants that are susceptible to either Avocado Root Rot or Oak Root Fungus. Oak trees are particularly susceptible to these diseases in developed areas. Avoiding other plants susceptible to these diseases will also help to keep the diseases in a dormant state. Consult publications by the University of California Cooperative Extension for plant lists.

Mulch – Place a three-inch thick layer of organic mulch throughout the protected zone of each tree. Aesthetically pleasing options include crushed walnut hulls and shredded bark. These mulches are beneficial when the natural leaf litter is not available, minimizing evaporation and providing weed control.

TREE MAINTENANCE AND PRUNING OPERATIONS

Most oak trees require very little pruning, with the exception of periodic deadwooding. However, if a tree has a major defect, the employment of proper pruning practices may be more desirable than the uncontrolled damage that could otherwise occur. Always consult qualified professionals for advice.

Ornamental or Aesthetic Pruning – Removal of live tissue for the purpose of altering the appearance of an oak tree is not desirable and is generally not allowed under local ordinances. Activities such as thinning out, heading up, or other similar practices contribute to the onset of insect and disease attacks.

Deadwooding – Removal of dead tissue, regardless of size, may usually be performed without a permit. All pruning should follow standards endorsed by the International Society of Arboriculture.

Other Pruning Operations – Branches that are considered to be unsafe due to decay, cavities, cracks, physical imbalance, fire damage, disease, or insects should be referred to a qualified oak tree consultant for inspection, especially if the branches exceed two inches in diameter. A permit is generally required to remove such branches. A brief written report will be prepared by the oak tree consultant to provide the basis for the request.

Cavities and Hollows – Cavities and hollows should be kept free of loose debris. Some contain decayed wood; these should generally be referred to a qualified arborist for treatment. Concrete or other materials should not be used to seal or fill in cavities or hollows. These materials create a haven for diseases and insects over time. Openings may be covered with screening to prevent debris build-up.

Wound Seal – Pruning wounds should generally not be sealed with any type of compound. Over time, these materials crack and create entry points for disease and insects. A proper pruning cut will heal naturally over a short period of time.

WATERING AND FERTILIZATION

Winter rains should be sufficient to provide the water needed for oak trees in natural areas. Oak trees in landscaped areas will usually receive enough water from adjacent plantings. If you suspect that your tree is in need of supplemental water, contact a qualified oak tree consultant for advice.

Watering – If supplemental water is required, use a water probe, such as a "Ross Root Feeder" to apply the water. Alternatively, a low volume soaker hose could be utilized. Apply the water at various locations, just outside the dripline of the tree. A total of fifteen to twenty hours of low volume application should suffice. Repeat this watering cycle every one to two months as needed. Water should generally not be applied in the summer, as most oak trees are dormant and cannot accept the water.

Fertilization – Fertilizer can be applied along with the water. A total of 0.75 pound of actual nitrogen per inch of trunk diameter per year is a basic rule-of-thumb. However, ask your local certified nurseryman for a specific recommendation and follow the manufacturer's directions carefully. Over-fertilization can be deadly.

Aeration – Ventilation of the root system can be very beneficial in areas where soil has been compacted. Hand dig holes six inches in diameter to a depth of two feet. Do not cut any roots in excess of one inch in diameter. Dig the holes two feet on center, in concentric circles around the trunk, throughout the dripline. If possible, add holes outside of the dripline. Fill the holes with an organic matter. If oak leaf litter is not available, a mixture such as fifty percent "Kellogg's Nitrohumus" and fifty percent nitroized redwood shavings will be beneficial. This organic matter will be decomposed, producing a year-round source of fertilizer for the oak tree.

DISEASES AND INSECTS

Effective pest control starts with observation by the homeowner. Changes, such as abnormal leaf drop, oozing sap, and discolored or dying leaves indicate that something has changed and expert inspection is required. Homeowners should be very careful when using pesticides around an oak tree. Herbicides should never be utilized within one hundred feet of an oak tree, unless applied by a certified pesticide applicator. Misuse of these compounds can lead to the death of beneficial organisms or even to the death of the tree.

GRADE CHANGES

Any change to the grade at the root crown of an oak tree can have a negative impact. As little as six inches can lead to the death of the tree. Drainage patterns should be maintained to prevent water from flowing and ponding at the base of a tree. If fill soil exists, use a shovel to remove the excess soil. The flare at the root crown should just be visible.

INSPECTION

Oak trees should be inspected on a periodic basis by a qualified oak tree consultant. The inspection basis should be determined by the relative hazard value of the tree. For example, trees surrounding a high-use business should be inspected on a quarterly basis, whereas trees located within a low-use open space might only require bi-annual inspection. It is the responsibility of the property owner to establish and implement an appropriate inspection schedule upon the recommendation provided by the oak tree consultant.

WARRANTY

The trees discussed herein were generally reviewed for physical, biological, functional, and aesthetic conditions. This examination was conducted in accordance with presently accepted industry procedures: an at-grade, macro-visual observation only. No extensive microbiological, soil/root excavation, upper crown examination, nor internal tree investigation was conducted and therefore, the reportings herein reflect the overall visual appearance of the trees on the date reviewed. No warranty is implied as to the

potential failure, health or demise of any part or the whole of any tree described in this report.

Clients are advised that should physical or biological concerns be evidenced for any specimen within this report, prudent further investigation, detailed analysis or remedial action may be required.

As living organisms, plants continually exhibit growth and response to environmental changes that influence the development, health and vigor of the specimen. These influences may not be externally visible and may be present or develop over various time periods depending on the site conditions.

It is recommended that due to the general nature of plant development and continued environmental and physical influences on vegetation at a specific site, regular monitoring by a qualified arborist is scheduled.

Locations of property lines or exact tree locations, site amenities, structures or easements are assumed to be as illustrated on any enclosed maps. They are a composite of information provided by the client, records of fact and/or on-site field review. No investigation was made to verify these conditions.

This report represents the independent opinion of the preparer and was conducted per the client's scope of request. The report is therefore limited to the extent described herein.

APPENDIX A - FIELD EVALUATION FORMS

FIELD EVALUATION FORM

Owner: _____ public private unknown other
 Site/Address: _____ Thomas Guide: Page 628 Coordinate: C3
 Date: Aug 19, 2002 Inspector: DB Date of last inspection: ? not previously inspected

TREE CHARACTERISTICS

Tree #: 1 Species: *Quercus agrifolia* *Quercus lobata* other
 # of trunks: 2 dbh (inches): 16, 15 Height (feet): 22

Compass direction	N	NE	E	SE	S	SW	W	NW
Drip line (feet)	18	18	17	22	24	20	22	25
Clearance to canopy	10	12	9	7	12	6	5	10

Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed
 Crown class: dominant co-dominant intermediate suppressed
 Age class: young semi-mature mature over-mature/senescent Live crown ratio (conifers only): _____ %
 Pruning history: crown cleaned excessively thinned topped crown raised pollarded crown reduced
 flush cuts cabled/braced none multiple pruning events Approximate dates: _____ unknown
 Special Value: specimen heritage/historic wildlife unusual street tree screen shade
 indigenous protected by government agency

TREE HEALTH

Foliage color: normal chlorotic necrotic
 Woundwood development: excellent average poor none
 epicormics? Y N Twig Dieback? Y N
 Foliage density: normal sparse
 Vigor class: excellent average fair poor
 Leaf size: normal small
 Growth obstructions: stakes wire/ties signs
 cables curb/pavement guards
 other _____
 Annual shoot growth: excellent average poor
 Major pests/diseases: _____

SITE CONDITIONS

Site character: residence commercial industrial park open space natural woodland/forest
 Landscape type: parkway raised bed container mound lawn shrub border wind break
 Irrigation: none adequate inadequate excessive trunk wetted Pavement lifted? Y N
 Recent site disturbance? Y N construction soil disturbance grade change line clearing site clearing
 % drip line paved: 0% 10-25% 25-50% 50-75% 75-100%
 % drip line w/ fill soil: 0% 10-25% 25-50% 50-75% 75-100%
 % drip line grade lowered: 0% 10-25% 25-50% 50-75% 75-100%
 Soil problems: drainage shallow compacted droughty saline alkaline acidic small volume
 disease center history of failure clay expansive slope 35 aspect N
 Obstructions: lights signage line-of-sight view overhead lines underground utilities traffic
 adjacent vegetation other _____
 Exposure to wind: single tree below canopy above canopy recently exposed windward canopy edge
 area prone to windthrow
 Prevailing wind direction: N Occurrence of snow/ice storms: never seldom regularly

FIELD EVALUATION FORM

Owner: _____ public private unknown other _____
 Site/Address: _____ Thomas Guide: Page: _____ Coordinate: _____
 Date: Aug 18, 2002 Inspector: OG Date of last inspection: _____ not previously inspected

TREE CHARACTERISTICS

Tree #: 2 Species: *Quercus agrifolia* *Quercus lobata* other _____
 # of trunks: 1 dbH (inches): 24 Height (feet): 35

Compass direction	N	NE	E	SE	S	SW	W	NW
Dripline (feet)	<u>20</u>	<u>18</u>	<u>24</u>	<u>29</u>	<u>33</u>	<u>36</u>	<u>33</u>	<u>29</u>
Clearance to canopy	<u>3</u>	<u>12</u>	<u>5</u>	<u>3</u>	<u>6</u>	<u>0</u>	<u>1</u>	<u>15</u>

Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed
 Crown class: dominant co-dominant intermediate suppressed
 Age class: young semi-mature mature over-mature/senescent Live crown ratio (conifers only): _____ %
 Pruning history: crown cleaned excessively thinned topped crown raised pollarded crown reduced
 flush cuts cabled/braced none multiple pruning events Approximate dates: _____
 Special Value: specimen heritage/historic wildlife unusual street tree screen shade
 indigenous protected by government agency

TREE HEALTH

Foliage color: normal chlorotic necrotic
 Epicormics? Y N Twig Dieback? Y N
 Foliage density: normal sparse
 Leaf size: normal small
 Annual shoot growth: excellent average poor
 Major pests/diseases: _____
 Woundwood development: excellent average poor none
 Vigor class: excellent average fair poor
 Growth obstructions: stakes wire/ties signs
 cables curb/pavement guards
 other _____

SITE CONDITIONS

Site character: residence commercial industrial park open space natural woodland/forest
 Landscape type: parkway raised bed container mound lawn shrub border wind break
 Irrigation: none adequate inadequate excessive trunk wetted Pavement lifted? Y N
 Recent site disturbance? Y N construction soil disturbance grade change line clearing site clearing
 % dripline paved: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline w/ fill soil: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline grade lowered: 0% 10-25% 25-50% 50-75% 75-100%
 Soil problems: drainage shallow compacted droughty saline alkaline acidic small volume
 disease center history of failure clay expansive slope 30 aspect N
 Obstructions: lights signage line-of-sight view overhead lines underground utilities traffic
 adjacent vegetation other _____
 Exposure to wind: single tree below canopy above canopy recently exposed windward canopy edge
 area prone to windthrow
 Prevailing wind direction: N Occurrence of snow/ice storms: never seldom regularly

FIELD EVALUATION FORM

Owner: _____ public private unknown other

Site/Address: _____ Thomas Guide: Page _____ Coordinate _____

Date: Aug 18 2002 Inspector: DG Date of last inspection: _____ not previously inspected

TREE CHARACTERISTICS

Tree #: 3 Species: *Quercus agrifolia* *Quercus lobata* other _____
 # of trunks: 2 dbH (inches): 28.21 Height (feet): 42

Compass direction	N	NE	E	SE	S	SW	W	NW
Dripline (feet)	<u>21</u>	<u>20</u>	<u>28</u>	<u>26</u>	<u>26</u>	<u>22</u>	<u>35</u>	<u>17</u>
Clearance to canopy	<u>30</u>	<u>15</u>	<u>0</u>	<u>12</u>	<u>6</u>	<u>6</u>	<u>4</u>	<u>15</u>

Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed
 Crown class: dominant co-dominant intermediate suppressed

Age class: young semi-mature mature over-mature/senescent Live crown ratio (conifers only): _____ %

Pruning history: crown cleaned excessively thinned topped crown raised pollarded crown reduced
 flush cuts cabled/braced none multiple pruning events Approximate dates: _____ unknown

Special Value: specimen heritage/historic wildlife unusual street tree screen shade
 indigenous protected by government agency

TREE HEALTH

Foliage color: normal chlorotic necrotic
 epicormics: Y N Twig Dieback? Y N
 Foliage density: normal sparse
 leaf size: normal small
 Annual shoot growth: excellent average poor
 Major pests/diseases: _____

Woundwood development: excellent average poor none
 Vigor class: excellent average fair poor
 Growth obstructions: stakes wire/ties signs
 cables curb/pavement guards
 other _____

SITE CONDITIONS

Site character: residence commercial industrial park open space natural woodland/forest
 Landscape type: parkway raised bed container mound lawn shrub border wind break
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 Recent site disturbance? Y N construction soil disturbance grade change line clearing site clearing
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 % dripline w/ fill soil: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline grade lowered: 0% 10-25% 25-50% 50-75% 75-100%
 Soil problems: drainage shadow compacted droughty saline alkaline acidic small volume
 disease center history of failure clay expansive slope 3% aspect N
 Obstructions: lights signage line of sight view overhead lines underground utilities traffic
 adjacent vegetation other _____
 Exposure to wind: single tree below canopy above canopy recently exposed windward canopy edge
 area prone to windthrow
 Prevailing wind direction: N Occurrence of snow/ice storms: never seldom regularly

FIELD EVALUATION FORM

Owner: _____ public private unknown other _____
 Ref/Address: _____ Thomas Guide: Page _____ Coordinate: _____
 Date: Aug 13, 2002 Inspector: De Date of last inspection: _____ not previously inspected

TREE CHARACTERISTICS

Tree #: 4 Species: *Quercus agrifolia* *Quercus lobata* other _____
 of trunks: 1 dbH (inches): 15 Height (feet): 20

Compass direction	N	NE	E	SE	S	SW	W	NW
Dripline (feet)	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>17</u>	<u>22</u>	<u>31</u>	<u>0</u>
Clearance to canopy	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>9</u>	<u>15</u>	<u>20</u>	<u>-</u>

Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed
 crown class: dominant co-dominant intermediate suppressed
 Age class: young semi-mature mature over-mature/senescent Live crown ratio (conifers only): _____ %
 Pruning history: crown cleaned excessively thinned topped crown raised pollarded crown reduced
 flush cuts cabled/braced none multiple pruning events Approximate dates: _____
 Special Value: specimen heritage/historic wildlife unusual street tree screen shade unknown
 indigenous protected by government agency

TREE HEALTH

Diage color: normal chlorotic necrotic
 epicormics? Y Twig Dieback? Y
 Foliage density: normal sparse
 Leaf size: normal small
 Annual shoot growth: excellent average poor
 Major pests/diseases: _____
 Woundwood development: excellent average poor none
 Vigor class: excellent average fair poor
 Growth obstructions: stakes wire/ties signs
 cables curb/pavement guards
 other _____

SITE CONDITIONS

Site character: residence commercial industrial park open space natural woodland/forest
 Landscape type: parkway raised bed container mound lawn shrub border wind break
 Irrigation: none adequate inadequate excessive trunk wetted Pavement lifted? Y
 Recent site disturbance? Y construction soil disturbance grade change line clearing site clearing
 % dripline paved: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline w/til soil: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline grade lowered: 0% 10-25% 25-50% 50-75% 75-100%
 Soil problems: drainage shallow compacted droughty saline alkaline acidic small volume
 disease center history of failure clay expansive slope 30 aspect N
 Obstructions: lights signage line-of-sight view overhead lines underground utilities traffic
 adjacent vegetation other _____
 Exposure to wind: single tree below canopy above canopy recently exposed windward canopy edge
 area prone to windthrow
 Prevailing wind direction: N Occurrence of snow/ice storms: never seldom regularly

FIELD EVALUATION FORM

Owner: _____ public private unknown other _____
 Site/Address: _____ Thomas Guide: Page: _____ Coordinate: _____
 Date: Aug. 18, 2002 Inspector: DC Date of last inspection: _____ not previously inspected

TREE CHARACTERISTICS

Tree #: 5 Species: *Quercus agrifolia* *Quercus lobata* other _____
 of trunks: 1 dbH (inches): 23 Height (feet): 40

Compass direction	N	NE	E	SE	S	SW	W	NW
Dripline (feet)	23	12	11	13	25	35	26	24
Clearance to canopy	25	35	30	15	12	4	15	15

Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed
 crown class: dominant co-dominant intermediate suppressed
 Age class: young semi-mature mature over-mature/senescent Live crown ratio (conifers only): _____ %
 Pruning history: crown cleaned excessively thinned topped crown raised pollarded crown reduced
 flush cuts cabled/braced none multiple pruning events Approximate dates: _____ unknown
 Special Value: specimen heritage/historic wildlife unusual street tree screen shade
 indigenous protected by government agency

TREE HEALTH

Leaf color: normal chlorotic necrotic
 epicormics? N Twig Dieback? Y
 Foliage density: normal sparse
 Leaf size: normal small
 Annual shoot growth: excellent average poor
 Major pests/diseases: _____
 Woundwood development: excellent average poor none
 Vigor class: excellent average fair poor
 Growth obstructions: stakes wire/ties signs
 cables curb/pavement guards
 other _____

SITE CONDITIONS

Site character: residence commercial industrial park open space natural woodland/forest
 Landscape type: parkway raised bed container mound lawn shrub border wind break
 Irrigation: none adequate inadequate excessive trunk wetted Pavement lifted? Y
 Recent site disturbance? Y N construction soil disturbance grade change line clearing site clearing
 % dripline paved: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline w/ fill soil: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline grade lowered: 0% 10-25% 25-50% 50-75% 75-100%
 Soil problems: drainage shallow compacted droughty saline alkaline acidic small volume
 disease center history of failure clay expansive slope 30 aspect NE
 Obstructions: lights signage line-of-sight view overhead lines underground utilities traffic
 adjacent vegetation other _____
 Exposure to wind: single tree below canopy above canopy recently exposed windward, canopy edge
 area prone to windthrow
 Prevailing wind direction: N Occurrence of snow/ice storms: never seldom regularly

FIELD EVALUATION FORM

Owner: _____ public private unknown other _____
 Site/Address: _____ Thomas Guide: Page _____ Coordinate: _____
 Date: Aug 13, 2002 Inspector: DG Date of last inspection: _____ not previously inspected

TREE CHARACTERISTICS

Tree #: 6 Species: *Quercus agrifolia* *Quercus lobata* other _____
 of trunks: 2 dbh (inches): 30, 19 Height (feet): 45

Compass direction:	N	NE	E	SE	S	SW	W	NW
Drip line (feet)	19	21	21	29	26	26	21	30
Clearance to canopy	18	18	9	15	16	18	15	25

Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed
 Crown class: dominant co-dominant intermediate suppressed
 Age class: young semi-mature mature over-mature/senescent Live crown ratio (conifers only): _____ %
 Pruning history: crown cleaned excessively thinned topped crown raised pollarded crown reduced
 flush cuts cabled/braced none multiple pruning events Approximate dates: _____
 Special Value: specimen heritage/historic wildlife unusual street tree screen shade unknown
 indigenous protected by government agency

TREE HEALTH

Foliage color: normal chlorotic necrotic
 Lenticels: Y N Twig Dieback? Y N
 Foliage density: normal sparse
 Leaf size: normal small
 Annual shoot growth: excellent average poor
 Major pests/diseases: _____
 Woundwood development: excellent average poor none
 Vigor class: excellent average fair poor
 Growth obstructions: stakes wire/ties signs
 cables curb/pavement guards
 other _____

SITE CONDITIONS

Site character: residence commercial industrial park open space natural woodland/forest
 Landscape type: parkway raised bed container mound lawn shrub border wind break
 Irrigation: none adequate inadequate excessive trunk wetted Pavement lifted? Y N
 Recent site disturbance? Y N construction soil disturbance grade change line clearing site clearing
 % drip line paved: 0% 10-25% 25-50% 50-75% 75-100%
 % drip line w/ fill soil: 0% 10-25% 25-50% 50-75% 75-100%
 % drip line grade lowered: 0% 10-25% 25-50% 50-75% 75-100%
 Soil problems: drainage shallow compacted droughty saline alkaline acidic small volume
 disease center history of failure clay expansive slope 25 aspect N
 Obstructions: lights signage line-of-sight view overhead lines underground utilities traffic
 Adjacent vegetation: other _____
 Exposure to wind: single tree below canopy above canopy recently exposed windward, canopy edge
 Area prone to windthrow: _____
 Prevailing wind direction: N Occurrence of snow/ice storms: never seldom regularly

FIELD EVALUATION FORM

Owner: _____ public private unknown other _____
 Site/Address: _____ Thomas Guide: Page: _____ Coordinate: _____
 Date: Aug 18, 2007 Inspector: DB Date of last inspection: _____ not previously inspected

TREE CHARACTERISTICS

Tree #: 1 Species: *Quercus agrifolia* *Quercus lobata* other _____
 # of trunks: 1 dbh (inches): 70 Height (feet): 75

Compass direction	N	NE	E	SE	S	SW	W	NW
Drip-line (feet)	<u>26</u>	<u>29</u>	<u>28</u>	<u>30</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Clearance to canopy	<u>15</u>	<u>10</u>	<u>4</u>	<u>5</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed
 crown class: dominant co-dominant intermediate suppressed
 Age class: young semi-mature mature over-mature/senescent Live crown ratio (conifers only): _____ %
 Pruning history: crown cleaned excessively thinned topped crown raised pollarded crown reduced
 flush cuts cabled/braced none multiple pruning events Approximate dates: _____
 Special Value: specimen heritage/historic wildlife unusual street tree screen shade unknown
 Indigenous protected by government agency

TREE HEALTH

Foliage color: normal chlorotic necrotic
 epicormics? Y N Twig Dieback? Y N
 Foliage density: normal sparse
 Leaf size: normal small
 Annual shoot growth: excellent average poor
 Major pests/diseases: _____
 Woundwood development: excellent average poor none
 Vigor class: excellent average fair poor
 Growth obstructions: stakes wires/ties signs
 cables curb/pavement guards
 other _____

SITE CONDITIONS

Site character: residence commercial industrial park open space natural woodland/forest
 Landscape type: parkway raised bed container mound lawn shrub border wind break
 Irrigation: none adequate inadequate excessive trunk wetted Pavement lifted? Y N
 Recent site disturbance? Y N construction soil disturbance grade change line clearing site clearing
 % drip-line paved: 0% 10-25% 25-50% 50-75% 75-100%
 % drip-line w/ fill soil: 0% 10-25% 25-50% 50-75% 75-100%
 % drip-line grade lowered: 0% 10-25% 25-50% 50-75% 75-100%
 Soil problems: drainage shallow compacted droughty saline alkaline acidic small volume
 disease center history of failure clay expansive slope 25 aspect N
 Obstructions: lights signage line-of-sight view overhead lines underground utilities traffic
 Adjacent vegetation: other _____
 Exposure to wind: single tree below canopy above canopy recently exposed windward canopy edge
 Area prone to windthrow: _____
 Prevailing wind direction: N Occurrence of snow/ice storms: never seldom regularly

FIELD EVALUATION FORM

Owner: _____ public private unknown other
 Site/Address: _____ Thomas Guide: Page _____ Coordinate _____
 Date: Aug 18, 2002 Inspector: DC Date of last inspection: _____ not previously inspected

TREE CHARACTERISTICS

Tree #: 0 Species: *Quercus agrifolia* *Quercus lobata* other _____
 of trunks: 1 dbh (inches): 14 Height (feet): 28

Compass direction	N	NE	E	SE	S	SW	W	NW
Dripline (feet)	<u>24</u>	<u>12</u>	<u>12</u>	<u>10</u>	<u>12</u>	<u>8</u>	<u>23</u>	<u>25</u>
Clearance to canopy	<u>2.5</u>	<u>10</u>	<u>3</u>	<u>4</u>	<u>4</u>	<u>6</u>	<u>15</u>	<u>15</u>

Form: generally symmetric minor asymmetry major asymmetry stump sprout snag-headed
 crown class: dominant co-dominant intermediate suppressed
 age class: young semi-mature mature over-mature/senescent Live crown ratio (conifers only): _____ %
 Pruning history: crown cleaned excessively thinned topped crown raised pollarded crown reduced
 bush cuts cabled/braced none multiple pruning events Approximate dates: _____ unknown
 Special Value: specimen heritage/historic wildlife unusual street tree screen shade
 indigenous protected by government agency

TREE HEALTH

Canopy color: normal chlorotic necrotic
 Scramics? Y N Twig Dieback? Y N
 Foliage density: normal sparse
 Leaf size: normal small
 Annual shoot growth: excellent average poor
 Major pests/diseases: Scale
 Woundwood development: excellent average poor none
 Vigor class: excellent average fair poor
 Growth obstructions: stakes wireties signs
 cables curb/pavement guards
 other _____

SITE CONDITIONS

Site character: residence commercial industrial park open space natural woodland/forest
 Landscape type: parkway raised bed container mound lawn shrub border wind break
 Irrigation: none adequate inadequate excessive trunk wetted Pavement lifted? Y N
 Recent site disturbance? Y N construction soil disturbance grade change fire clearing site clearing
 % dripline paved: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline w/ fill soil: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline grade lowered: 0% 10-25% 25-50% 50-75% 75-100%
 Soil problems: drainage shallow compacted droughty saline alkaline acidic small volume
 disease center history of failure clay expansive slope 10 aspect N
 Obstructions: lights signage line-of-sight view overhead lines underground utilities traffic
 Adjacent vegetation: other _____
 Exposure to wind: single tree below canopy above canopy recently exposed windward canopy edge
 area prone to windthrow
 Prevailing wind direction: N Occurrence of snow/ice storms: never seldom regularly

FIELD EVALUATION FORM

Owner: _____ public private unknown other _____

#/Address: _____ Thomas Guide Page _____ Coordinate _____

Date: Aug 18, 2002 Inspector: DL Date of last inspection: _____ not previously inspected

TREE CHARACTERISTICS

Tree #: 9 Species: *Quercus agrifolia* *Quercus lobata* other _____
 of trunks: 1 dbH (inches): 8 Height (feet): 30

Compass direction	N	NE	E	SE	S	SW	W	NW
Drip line (feet)	8	6	6	7	11	11	10	9
Clearance to canopy	20	8	16	10	10	9	10	18

Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed
 crown class: dominant co-dominant intermediate suppressed
 Age class: young semi-mature mature over-mature/senescent Live crown ratio (conifers only): _____ %
 Pruning history: crown cleaned excessively thinned topped crown raised pollarded crown reduced
 flush cuts cabled/braced none multiple pruning events Approximate dates: _____ unknown
 Special Value: specimen heritage/historic wildlife unusual street tree screen shade
 indigenous protected by government agency

TREE HEALTH

Foliage color: normal chlorotic necrotic
 epicormics? Y N Twig Dieback? Y N
 Foliage density: normal sparse
 Leaf size: normal small
 Annual shoot growth: excellent average poor
 Major pests/diseases: _____
 Woundwood development: excellent average poor none
 Vigor class: excellent average fair poor
 Growth obstructions: stakes wire/ties signs
 cables curb/pavement guards
 other _____

SITE CONDITIONS

Site character: residence commercial industrial park open space natural woodland/forest
 Landscape type: parkway raised bed container mound lawn shrub border wind break
 Irrigation: none adequate inadequate excessive trunk wetted Pavement lifted? Y N
 Recent site disturbance? Y N construction soil disturbance grade change line clearing site clearing
 % drip line paved: 0% 10-25% 25-50% 50-75% 75-100%
 % drip line w/ fill soil: 0% 10-25% 25-50% 50-75% 75-100%
 % drip line grade lowered: 0% 10-25% 25-50% 50-75% 75-100%
 Soil problems: drainage shallow compacted droughty saline alkaline acidic small volume
 disease center history of failure clay expansive slope 7/1 aspect N
 Obstructions: lights signage line-of-sight view overhead lines underground utilities traffic
 adjacent vegetation other _____
 Exposure to wind: single tree below canopy above canopy recently exposed windward, canopy edge
 area prone to windthrow
 Prevailing wind direction: N Occurrence of snow/ice storms: never seldom regularly

FIELD EVALUATION FORM

Owner: _____ public private unknown other _____
 Site/Address: _____ Thomas Guide: Page _____ Coordinate _____
 Date: Aug 18, 2002 Inspector: DC Date of last inspection: _____ not previously inspected

TREE CHARACTERISTICS

Tree #: 10 Species: *Quercus agrifolia* *Quercus lobata* other _____
 of trunks: 1 dbH (inches): 16 Height (feet): 15

Compass direction	N	NE	E	SE	S	SW	W	NW
Drip line (feet)	0	0	0	0	0	21	27	22
Clearance to canopy	-	-	-	-	-	18	18	15

Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed
 Crown class: dominant co-dominant intermediate suppressed
 Age class: young semi-mature mature over-mature/senescent Live crown ratio (conifers only): _____ %
 Pruning history: crown cleaned excessively thinned topped crown raised pollarded crown reduced
 Flush cuts: cabled/braced none multiple pruning events Approximate dates: _____
 Special Value: specimen heritage/historic wildlife unusual street tree screen shade unknown
 indigenous protected by government agency

TREE HEALTH

Foliage color: normal chlorotic necrotic
 Woundwood development: excellent average poor none
 Picormics? Y N Twig Dieback? Y N
 Vigor class: excellent average fair poor
 Foliage density: normal sparse
 Growth obstructions: stakes wire/ties signs cables curb/pavement guards other _____
 Leaf size: normal small
 Annual shoot growth: excellent average poor
 Major pests/diseases: _____

SITE CONDITIONS

Site character: residence commercial industrial park open space natural woodland/forest
 Landscape type: parkway raised bed container mound lawn shrub border wind break
 Irrigation: none adequate inadequate excessive trunk wetted Pavement tiled? Y N
 Recent site disturbance? Y N construction soil disturbance grade change line clearing site clearing
 % drip line paved: 0% 10-25% 25-50% 50-75% 75-100%
 % drip line w/tilt soil: 0% 10-25% 25-50% 50-75% 75-100%
 % drip line grade lowered: 0% 10-25% 25-50% 50-75% 75-100%
 Soil problems: drainage shallow compacted droughty saline alkaline acidic small volume
 disease center history of failure clay expansive slope 2.5 aspect N
 Obstructions: lights signage line-of-sight view overhead lines underground utilities traffic
 adjacent vegetation other _____
 Exposure to wind: single tree below canopy above canopy recently exposed windward canopy edge
 area prone to windthrow
 Prevailing wind direction: N Occurrence of snow/ice storms: never seldom regularly

FIELD EVALUATION FORM

Owner: _____ public private unknown other _____
 Site/Address: _____ Thomas Guide: Page: _____ Coordinate: _____
 Date: Aug 13, 2002 Inspector: DC Date of last inspection: _____ not previously inspected

TREE CHARACTERISTICS

Tree #: 11 Species: *Quercus agrifolia* *Quercus lobata* other _____
 # of trunks: 1 dbH (inches): 19 Height (feet): 70

Compass direction	N	NE	E	SE	S	SW	W	NW
Dripline (feet)	20	18	14	14	17	22	24	29
Clearance to canopy	25	15	20	10	10	12	10	18

Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed
 Crown class: dominant co-dominant intermediate suppressed
 Age class: young semi-mature mature over-mature/senescent Live crown ratio (conifers only): _____ %
 Pruning history: crown cleaned excessively thinned topped crown raised pollarded crown reduced
 flush cuts cabled/braced none multiple pruning events Approximate dates: _____ unknown
 Special Value: specimen heritage/historic wildlife unusual street tree screen shade
 indigenous protected by government agency

TREE HEALTH

Foliage color: normal chlorotic necrotic
 Epiconomics? Y N Twig Dieback? Y N
 Foliage density: normal sparse
 Leaf size: normal small
 Annual shoot growth: excellent average poor
 Major pests/diseases: _____
 Woundwood development: excellent average poor none
 Vigor class: excellent average fair poor
 Growth obstructions: stakes wire/ties signs
 cables curb/pavement guards
 other _____

SITE CONDITIONS

Site character: residence commercial industrial park open space natural woodland/forest
 Landscape type: parkway raised bed container mound lawn shrub border wind break
 Irrigation: none adequate inadequate excessive trunk wetted Pavement lifted? Y N
 Recent site disturbance? Y N construction soil disturbance grade change line clearing site clearing
 % dripline paved: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline w/fill soil: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline grade lowered: 0% 10-25% 25-50% 50-75% 75-100%
 Soil problems: drainage shallow compacted droughty saline alkaline acidic small volume
 disease center history of failure clay expansive slope 30 aspect NW
 Obstructions: lights signage line-of-sight view overhead lines underground utilities traffic
 Adjacent vegetation: other _____
 Exposure to wind: single tree below canopy above canopy recently exposed windward canopy edge
 area prone to windthrow
 Prevailing wind direction: N Occurrence of snow/ice storms: never seldom regularly

FIELD EVALUATION FORM

Owner: _____ public private unknown other _____
 Site/Address: _____ Thomas Guide: Page _____ Coordinate: _____
 Date: Aug 18, 2002 Inspector: OB Date of last inspection: _____ not previously inspected

TREE CHARACTERISTICS

Tree #: 12 Species: *Quercus agrifolia* *Quercus lobata* other _____
 of trunks: 1 dbH (inches): 13 Height (feet): 25

Compass direction	N	NE	E	SE	S	SW	W	NW
Dripline (feet)	5	14	21	26	26	22	4	8
Clearance to canopy	12	10	7	1	6	10	8	15

Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed
 Crown class: dominant co-dominant intermediate suppressed
 Age class: young semi-mature mature over-mature/senescent Live crown ratio (conifers only): _____ %
 Pruning history: crown cleaned excessively thinned topped crown raised pollarded crown reduced
 flush cuts cabled/braced none multiple pruning events Approximate dates: _____ unknown
 Special Value: specimen heritage/historic wildlife unusual street tree screen shade
 indigenous protected by government agency

TREE HEALTH

Foliage color: normal chlorotic necrotic
 Epicormics? Y N Twig Dieback? Y N
 Foliage density: normal sparse
 Leaf size: normal small
 Annual shoot growth: excellent average poor
 Major pests/diseases: _____
 Woundwood development: excellent average poor none
 Vigor class: excellent average fair poor
 Growth obstructions: stakes wire/ties signs
 cables curb/pavement guards
 other _____

SITE CONDITIONS

Site character: residence commercial industrial park open space natural woodland/forest
 Landscape type: parkway raised bed container mound lawn shrub border wind break
 Irrigation: none adequate inadequate excessive trunk wetted Pavement lifted? Y N
 Recent site disturbance? Y N construction soil disturbance grade change line clearing site clearing
 % dripline paved: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline w/ fill soil: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline grade lowered: 0% 10-25% 25-50% 50-75% 75-100%
 Soil problems: drainage shallow compacted droughty saline alkaline acidic small volume
 disease center history of failure clay expansive slope 35 aspect NW
 Obstructions: lights signage line-of-sight view overhead lines underground utilities traffic
 adjacent vegetation other _____
 Exposure to wind: single tree below canopy above canopy recently exposed windward canopy edge
 area prone to windthrow
 Prevailing wind direction: N Occurrence of snow/ice storms: never seldom regularly

FIELD EVALUATION FORM

where: _____ public private unknown other _____
 Site/Address: _____ Thomas Guide: Page _____ Coordinate: _____
 Date: Aug 11 2002 Inspector: DLN Date of last inspection: _____ not previously inspected

TREE CHARACTERISTICS

Tree #: 13 Species: *Quercus agrifolia* *Quercus lobata* other _____
 # of trunks: _____ dbh (inches): 10 Height (feet): 15

Compass direction	N	NE	E	SE	S	SW	W	NW
Dripline (feet)	5	3	4	10	19	17	7	4
Clearance to canopy	12	9	4	3	6	8	12	12

Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed
 Crown class: dominant co-dominant intermediate suppressed
 Age class: young semi-mature mature over-mature/senescent Live crown ratio (conifers only): _____ %
 Pruning history: crown cleaned excessively thinned topped crown raised pollarded crown reduced
 Flush cuts: cabled/braced none multiple pruning events Approximate dates: _____ unknown
 Special Value: specimen heritage/historic wildlife unusual street tree screen shade
 indigenous protected by government agency

TREE HEALTH

Foliage color: normal chlorotic necrotic
 epicormics? Y N Twig Dieback? Y N
 Foliage density: normal sparse
 Leaf size: normal small
 Annual shoot growth: excellent average poor
 Major pests/diseases: _____
 Woundwood development: excellent average poor none
 Vigor class: excellent average fair poor
 Growth obstructions: stakes wire/ties signs
 cables curb/pavement guards
 other _____

SITE CONDITIONS

Site character: residence commercial industrial park open space natural woodland/forest
 Landscape type: parkway raised bed container mound lawn shrub border wind break
 Irrigation: none adequate inadequate excessive trunk wilted Pavement lifted? Y N
 Recent site disturbance? Y N construction soil disturbance grade change line clearing site clearing
 % dripline paved: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline w/ fill soil: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline grade lowered: 0% 10-25% 25-50% 50-75% 75-100%
 Soil problems: drainage shallow compacted droughty saline alkaline acidic small volume
 disease center history of failure clay expansive slope NE aspect
 Obstructions: lights signage line of sight view overhead lines underground utilities traffic
 Adjacent vegetation other _____
 Exposure to wind: single tree below canopy above canopy recently exposed windward canopy edge
 Area prone to windthrow _____
 Prevailing wind direction: N Occurrence of snow/ice storms: never seldom regularly

FIELD EVALUATION FORM

Owner: _____
 Site/Address: _____
 Date: Aug 18, 2002 Inspector: AG Date of last inspection: _____
 Thomas Guide: Page: _____ Coordinate: _____
 public private unknown other
 not previously inspected

TREE CHARACTERISTICS

Tree #: DP-1 Species: *Quercus agrifolia* *Quercus lobata* other
 of trunks: 1 dbH (inches): 22 Height (feet): 32

Compass direction	N	NE	E	SE	S	SW	W	NW
Drip line (feet)	15	8	8	16	16	10	22	18
Clearance to canopy	15	18	20	22	16	20	15	15

Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed
 Crown class: dominant co-dominant intermediate suppressed
 Age class: young semi-mature mature over-mature/senescent Live crown ratio (conifers only): _____ %
 Pruning history: crown cleaned excessively thinned topped crown raised pollarded crown reduced
 flush cuts cabled/braced none multiple pruning events Approximate dates: _____
 Special Value: specimen heritage/historic wildlife unusual street tree screen shade unknown
 indigenous protected by government agency

TREE HEALTH

Canopy color: normal chlorotic necrotic
 Scorching? Twig Dieback?
 Canopy density: normal sparse
 Leaf size: normal small
 Annual shoot growth: excellent average poor
 Susceptible to pests/diseases: _____
 Woundwood development: excellent average poor none
 Vigor class: excellent average fair poor
 Growth obstructions: stakes wire/ties signs
 cables curb/pavement guards
 other

SITE CONDITIONS

Site character: residence commercial industrial park open space natural woodland/forest
 Landscape type: parkway raised bed container mound lawn shrub border wind break
 Irrigation: none adequate inadequate excessive trunk wetted Pavement lifted?
 Recent site disturbance? Y N construction soil disturbance grade change line clearing site clearing
 Drip line paved: 0% 10-25% 25-50% 50-75% 75-100%
 Drip line w/ fill soil: 0% 10-25% 25-50% 50-75% 75-100%
 Drip line grade lowered: 0% 10-25% 25-50% 50-75% 75-100%
 Soil problems: drainage shallow compacted droughty saline alkaline acidic small volume
 Disease center: history of failure clay expansive slope 10 aspect NW
 Obstructions: lights signage line-of-sight view overhead lines underground utilities traffic
 Adjacent vegetation: other _____
 Exposure to wind: single tree below canopy above canopy recently exposed windward, canopy edge
 Area prone to windthrow: _____
 Prevailing wind direction: N Occurrence of snow/ice storms: never seldom regularly

FIELD EVALUATION FORM

Owner: _____ public private unknown other _____
 Site/Address: _____ Thomas Guide: Page: _____ Coordinate: _____
 Date: Aug 14, 2002 Inspector: OG Date of last inspection: _____ not previously inspected

TREE CHARACTERISTICS

Tree #: DP-2 Species: *Quercus agrifolia* *Quercus lobata* other _____
 # of trunks: 1 dbh (inches): 32 Height (feet): 45

Compass direction	N	NE	E	SE	S	SW	W	NW
Dripline (feet)	13	15	15	20	12	12	15	15
Clearance to canopy	10	15	22	10	15	20	15	15

Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed
 Crown class: dominant co-dominant intermediate suppressed
 Age class: young semi-mature mature over-mature/senescent Live crown ratio (conifers only): _____ %
 Pruning history: crown cleaned excessively thinned topped crown raised pollarded crown reduced
 flush cuts cabled/braced none multiple pruning events Approximate dates: _____ unknown
 Special Value: specimen heritage/historic wildlife unusual street tree screen shade
 indigenous protected by government agency

TREE HEALTH

Foliage color: normal chlorotic necrotic
 Epicormics? N Twig Dieback? Y
 Foliage density: normal sparse
 Leaf size: normal small
 Annual shoot growth: excellent average poor
 Major pests/diseases: _____

Woundwood development: excellent average poor none
 Vigor class: excellent average fair poor
 Growth obstructions: stakes wire/ties signs
 cables curb/pavement guards
 other _____

SITE CONDITIONS

Site character: residence commercial industrial park open space natural woodland/forest
 Landscape type: parkway raised bed container mound lawn shrub border wind break
 Irrigation: none adequate inadequate excessive trunk wetted Pavement lifted? Y N
 Recent site disturbance? Y N construction soil disturbance grade change line clearing site clearing
 % dripline paved: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline w/ fill soil: 0% 10-25% 25-50% 50-75% 75-100%
 % dripline grade lowered: 0% 10-25% 25-50% 50-75% 75-100%

Soil problems: drainage shallow compacted droughty saline alkaline acidic small volume
 disease center history of failure clay expansive slope 20 aspect N
 Obstructions: lights signage line-of-sight view overhead lines underground utilities traffic
 adjacent vegetation other _____

Exposure to wind: single tree below canopy above canopy recently exposed windward canopy edge
 area prone to windthrow

Prevailing wind direction: N Occurrence of snow/ice storms: never seldom regularly

OCTOBER 11, 2002

KAY J. GREELEY, ISA

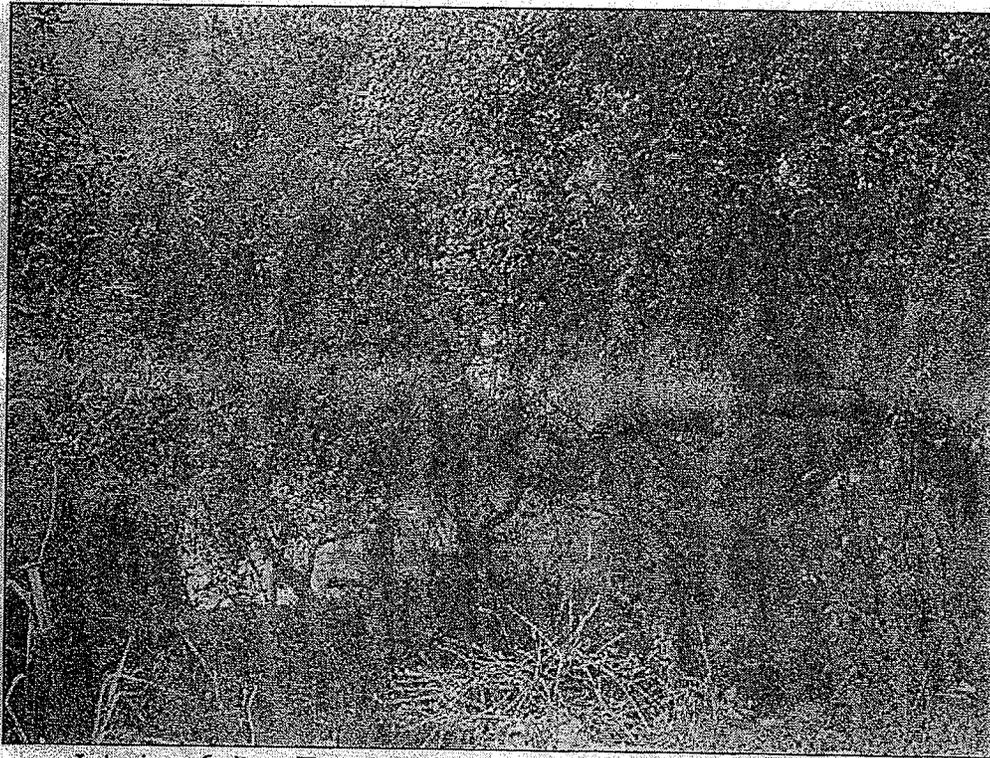
APPENDIX B - PHOTOGRAPHS



Front of site - Tree Number 1 (left), Tree Number 2 (right)



Interior of site - Tree Number 3 (right)



Interior of site - Tree Numbers 4 and 5 in center (left to right)



Interior of site - Tree Numbers 5, 4, 6, 7 and 3 (left to right)

Kay J. Greeley

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Civil Engineer 37396 • Landscape Architect 4035 • Certified Arborist WC-1140

Fax: (805) 577-8433

October 26, 2002

Mr. Johnny Azoulay
4652 North Saloma Avenue
Sherman Oaks, California 91355

**Subject: Oak Tree Report – Supplement #1
Tract 7959, Lot 92 – Malibu, California**

Dear Mr. Azoulay:

The following information is supplemental to the original Oak Tree Report of October 10, 2002 for the subject project. All information should be considered collectively.

As requested by Mr. Richard Welsh, AIA, I evaluated a potential layout for the septic system associated with the proposed residence to be constructed at Lot 92, Tract 7959, Malibu, California. The layout is as shown on the attached site plan. Per that plan, the septic tank would be installed within the driveway. Depending upon results of percolation tests, the seepage pit could be located at the northerly end of the lot in one of two locations, designated as Alternate Location A and Alternate Location B. In addition, pipe will need to run between the residence and the different components of the system.

In my opinion, the proposed layouts provide the best alternatives for the required septic design. As long as the excavation protocol contained in the original Oak Tree Report is followed, significant adverse impacts to the oak trees throughout the site should be minimized to the extent feasible.

Please do not hesitate to contact me should there be additional questions.

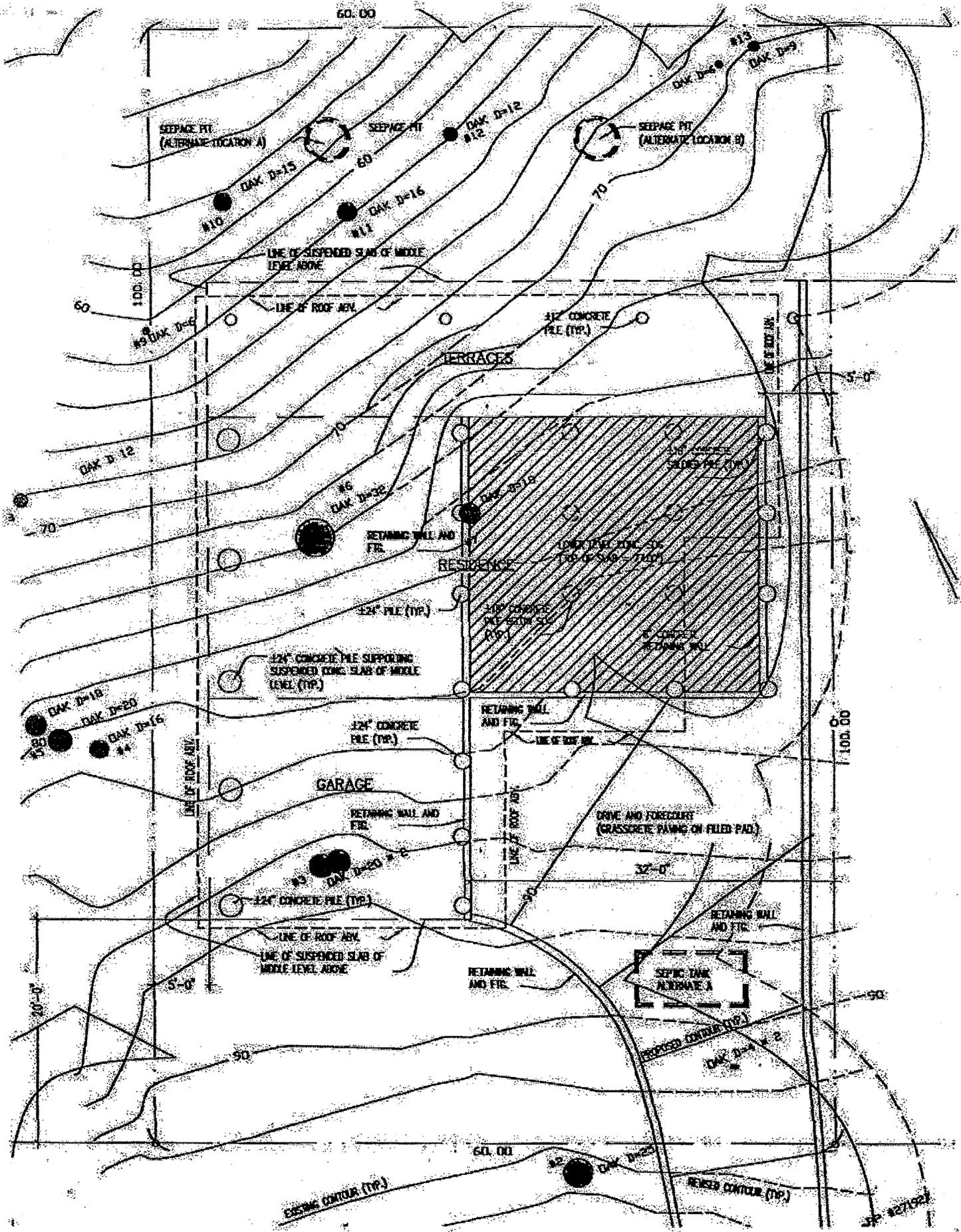
Sincerely,



KAY J. GREELEY

kay@greeley@earthlink.net

Enclosure



28-4271927

Kay J. Greeley

284 Valley Gate Road • Simi Valley, California 93065 • (805) 577-8432

Civil Engineer 37396 • Landscape Architect 4035 • Certified Arborist WC-1140

Fax (805) 577-8433

November 21, 2002

Richard Price Welsh, Architect
4214 Alcove Avenue
Studio City, California 91604

Subject: Azoulay Residence – OTP 02-281

Dear Mr. Welsh:

As requested by your facsimile to me of November 4, 2002, I developed a valuation for the three (3) oak trees proposed for removal under the subject Oak Tree Permit. My analysis is as follows:

A present value for each tree was determined using the Guide for Plant Appraisal, Ninth Edition, 2000, as published by the International Society of Arboriculture. Landscape plantings, especially trees, provide architectural, engineering, aesthetic, and climatic control benefits. As a result of these quality-of-life benefits, trees contribute to the monetary value of real property. The Guide For Plant Appraisal establishes procedures and formulae that may be used to determine a reasonable appraised monetary value for plant material. Such monetary values are be used for diverse purposes, such as damage settlements, insurance claims and contributions to property values.

Since the subject trees are larger in diameter than the largest trees commonly sold, the Trunk Formula Method from the Guide for Plant Appraisal was used to establish a value for the trees.

The Trunk Formula Method determines the Appraised Value of a tree by calculating the tree's **Basic Value** and then adjusting that Value depending on the tree's **Species**, **Condition** and **Location Ratings**. The **Basic Value** of a tree is the sum of the cost of transplanting the largest normally available tree of the same species and the increase in value due to the larger size of the tree being appraised compared to the size of the replacement tree. The rating factors for the subject trees are as follows:

- **Species** – The Coast Live Oak is an indigenous, native species that is tolerant of the site's environment and climate. Therefore, the Species Rating for each tree is 100%.
- **Condition** - The current condition of the subject trees was evaluated using the criteria in Table 1. The condition is evaluated for the individual trees in Table 2. Factors were determined for various aspects of tree health as listed in Table 1 and summarized as shown.
- **Location** – The Location rating considers the Site of the property or landscape, the plant's unique functional and aesthetic Contribution to the landscape and the Placement of that plant within the landscape. The Location rating is the average of the factors determined for these three considerations.

Raw 11/22/02 RFW

The Site rating relates to the relative market value of the area where it is located and the general appearance of the property. The subject site is relatively overgrown and the terrain is quite steep, having no level pad areas. It contains the remains of a past development. It is not considered a view lot. Since the practical uses of the site are quite limited, the Site rating is deemed to be in the very low category at 40%.

The Contribution rating relates to the functional and aesthetic contributions of the plant. Since the subject trees are native and protected by law, yet contained within an overgrown woodland, the Contribution rating is deemed to be 75%.

Finally, the Placement rating relates to how the exact location of the plant relates to the plant's potential effectiveness towards providing functional and aesthetic attributes. As each of these trees is contained in a dense slope planting, the individual effectiveness of each tree is reduced. Therefore, the Placement rating is deemed to be 50%.

The Location rating is determined by averaging the three ratings discussed above and is calculated to be 55%.

Detailed calculations for the value of each tree using the *Trunk Formula Method* are provided in Table 3. As shown, the final appraised value of the trees is \$34,500.00. Based upon statements that you made to me in our discussion of this matter, this value approaches to the full market value of the site. This suggests that the final appraised value of the trees using the *Trunk Formula Method* should be adjusted downward in proportion to the contribution of the trees to the appraised value of the property. Such an assessment is best determined by a licensed real estate appraiser, but would likely be in the range of a deduction of approximately two thirds, for a total appraised value of \$11,500.00 for the three trees.

All of the statements of fact in this appraisal are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. Please do not hesitate to contact me should you have any questions or need further assistance.

Sincerely,



KAY J. GREELEY

kaygreeley@sarthlink.net

Attachments: Tables 1 through 3

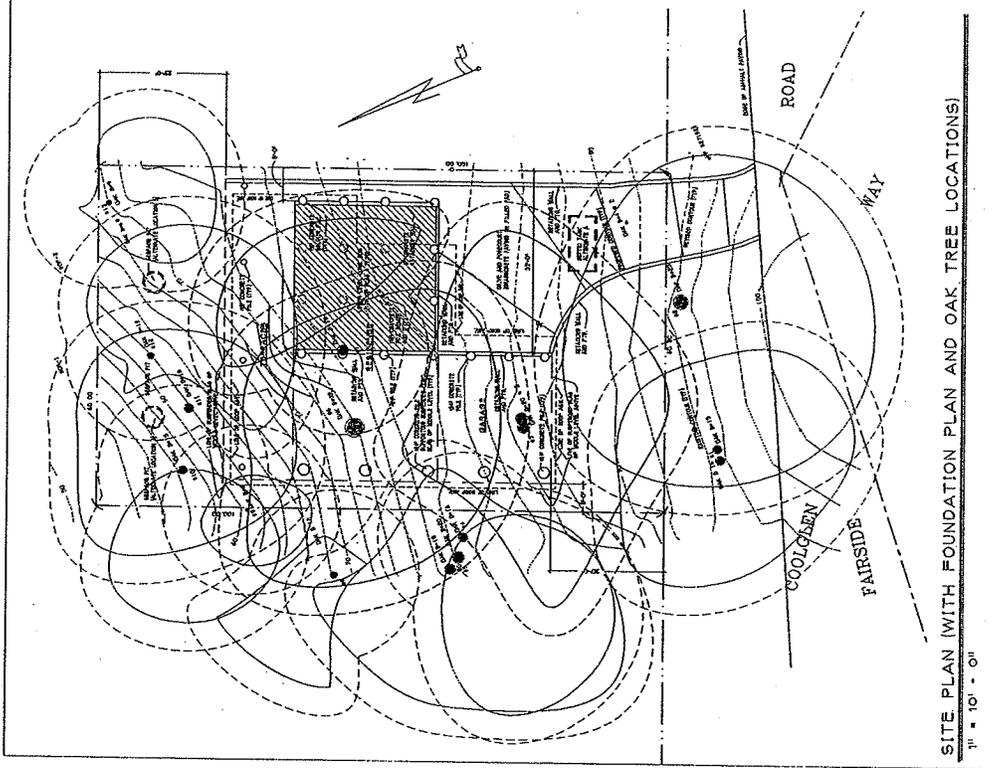
C. Johnny Azoulay

**TABLE 1
GUIDE TO JUDGING PLANT CONDITION**

SCORING SYSTEM			
Condition	Points		
<i>No apparent problems</i>	4		
<i>Minor problems</i>	3		
<i>Major problems</i>	2		
<i>Extreme problems</i>	1		
CONDITION FACTORS		POINTS	
		Structure	Health
			Subtotal
Factor 1: Roots	4	4	8
Root anchorage			
Collar flare/soundness			
Mechanical injury			
Girdling/kinked roots			
Compaction/waterlogged roots			
Toxic gases/chemical symptoms			
Presence of insects or disease			
Mushrooms			
Factor 2: Trunk	4	4	8
Sound bark and wood			
Cavities			
Mechanical or fire injury			
Cracks (frost or other)			
Swollen or sunken areas			
Presence of insects or diseases			
Conks			
Factor 3: Scaffold Branches	4	4	8
Strong attachments			
Smaller diameter than trunk where attached			
Vertical branch distribution			
Free of included bark			
Free of decay and cavities			
Well-pruned			
Well-proportioned/proper taper			
Wound closure			
Deadwood or fire injury			
Insects or disease			
Factor 4: Small Branches and Twigs		4	4
Vigor of current shoots (compare previous growth)			
Well-distributed through canopy			
Appearance of buds (color, shape, size for the species)			
Presence of insects or disease			
Presence of weak or dead twigs			
Factor 5: Foliage		4	4
Size of foliage/buds			
Coloration of foliage			
Nutrient status			
Herbicide, chemical, pollution injury			
Wilted or dead leaves			
Dry buds			
Presence of insects or disease			
Total subtotal points assess for the five Factors			32
Divide subtotal points by 32 (total points possible) and multiply by 100 to obtain the Condition Rating			100%

**TABLE 2
CONDITION EVALUATION**

Tree Number	Roots		Trunk		Scaffold Branches		Small Branches and Twigs	Foliage and/or Buds	Points	Condition
	Structure	Health	Structure	Health	Structure	Health				
3	3	2	2	2	3	3	3	3	21	66%
6	2	3	3	4	3	3	3	3	24	75%
7	4	4	4	4	4	4	3	3	30	94%



SITE PLAN (WITH FOUNDATION PLAN AND OAK TREE LOCATIONS)

1/4" = 10' - 0"

ADDRESS: 26247 Fireside Rd.

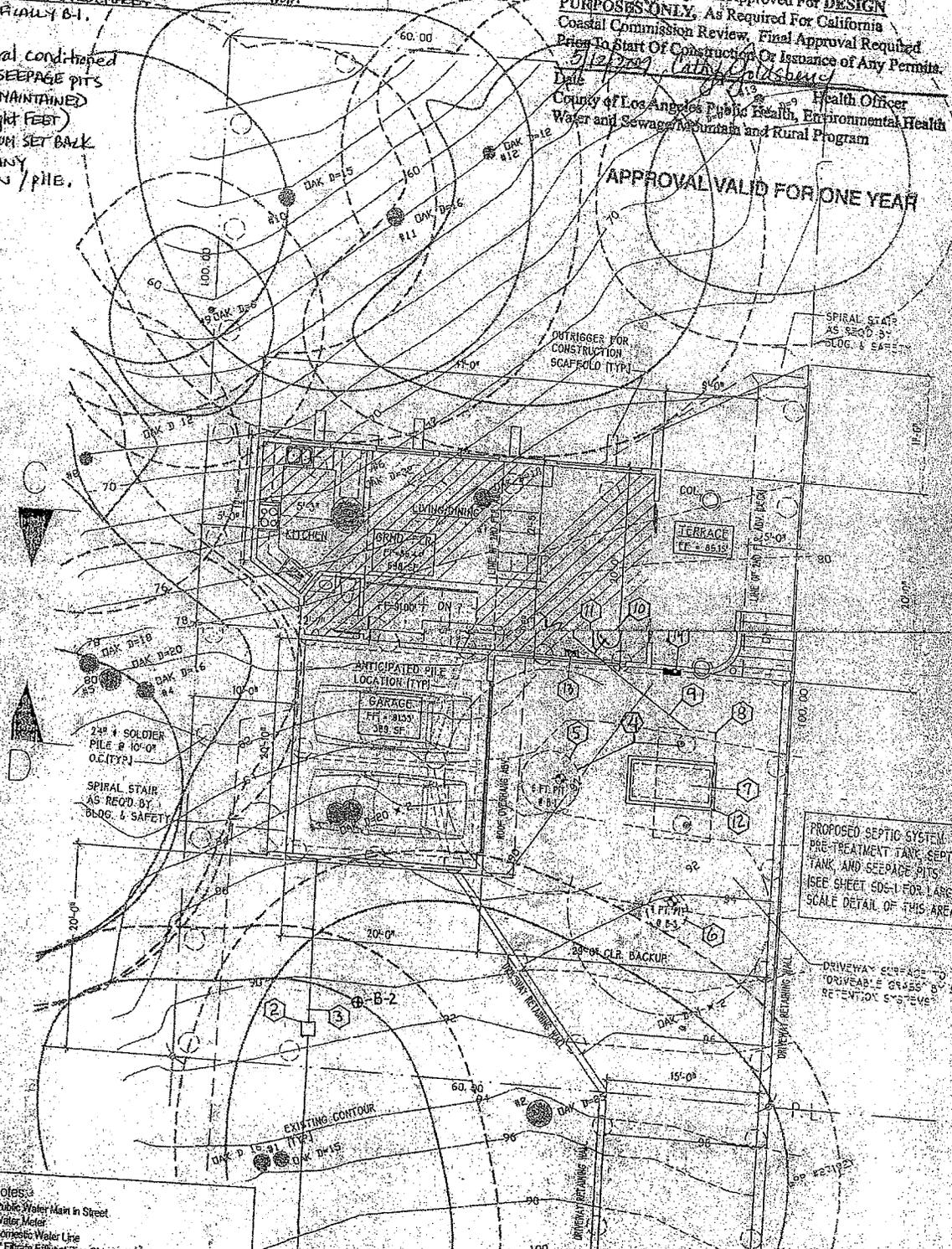
- NEW REMODEL
- STORM DAMAGE BURN-OUT
- SYSTEM FAILURE / ADDITION
- NO. BEDROOMS / F. U. 1 (One) bedroom
- SEPTIC TANK SIZE 1500 Gallon Jensen Traffic rated tank w/ Advantex AX-20 model 3a Treatment pod in traffic rated vault with Traffic rated
- PRESENT: (1) 6' X 22' BI w/ 15' Cap depth below finish driveway grade. (B-1)
- FEATURE: (1) 4' X 23' BI w/ 15' Cap depth below driveway finish grade. (B-3)
- SYSTEM ADDITION N/A
- PERC. RATE / SOIL CAT. B-1 = 3,856 gal/day/ft B-3 = 7,474 gal/day/ft

SPECIAL NOTES / REQUIREMENTS
VARIANCE GRANTED BY KAHEM RAZAVI,
CHIEF MECHANICAL & PLUMBING INSPECTOR - LA CO DEPT. PUBLIC WORKS
FROM SET BACK REQUIREMENT IN TABLE K-1 FROM BUILDING OR STRUCTURES
SPECIALLY B-1.

Sewage Disposal System Approved For **DESIGN PURPOSES ONLY**, As Required For California Coastal Commission Review. Final Approval Required Prior To Start Of Construction Or Issuance Of Any Permits.
 Date: 5/12/2009 LARRY GOLDSBERG
 Health Officer
 County of Los Angeles Public Health, Environmental Health
 Water and Sewage Mountain and Rural Program

Approval conditioned ON: SEEPAGE PITS TO BE MAINTAINED 8' (EIGHT FEET) MINIMUM SET BACK FROM ANY CAISSON / PILE.

APPROVAL VALID FOR ONE YEAR



PROPOSED SEPTIC SYSTEM PRE-TREATMENT TANK, SEPTIC TANK, AND SEEPAGE PITS. SEE SHEET SDS-1 FOR LARGE SCALE DETAIL OF THIS AREA.

DRIVEWAY ESCAPE TO "OROVABLE CROSS" BY RETENTION SYSTEMS

- System Notes:**
1. Public Water Main in Street
 2. Water Meter
 3. Domestic Water Line
 4. 2" Private Ejector Pipe Sloped 1/4" Inch Per Ft
 5. Private Seepage Pit 6' Dia X 22' BI with 15' Cap Depth Below Finish Driveway Grade
 6. Private Seepage Pit 4' Dia X 23' BI with 15' Cap Depth Below Driveway Finish Grade
 7. Advantex AX-20 Pod
 8. 1500 Gallon Jensen Precast Commercial Traffic Rated Septic Tank
 9. 4" Private Sewer Line Sloped 1/4" Inch per Ft
 10. Private Sewer Ejector Pump Station
 11. 2" Inch Force Main From Pump Station to House Sewer Line
 12. CDR Systems Traffic Rated V-Box Vault Model A62-4899-48
 13. Sewer Ejector Pump Control Panel & Alarms

26247 Fireside Road Malibu

North
Scale: 1" = 10'

On-site Wastewater Treatment & Disposal System Designed by:
Barton Sluiter
 Barton Sluiter, R.E.H.S.
 Cal Reg# 3140 Exp 12/31/2009
 Date: 5/12/09

ROA

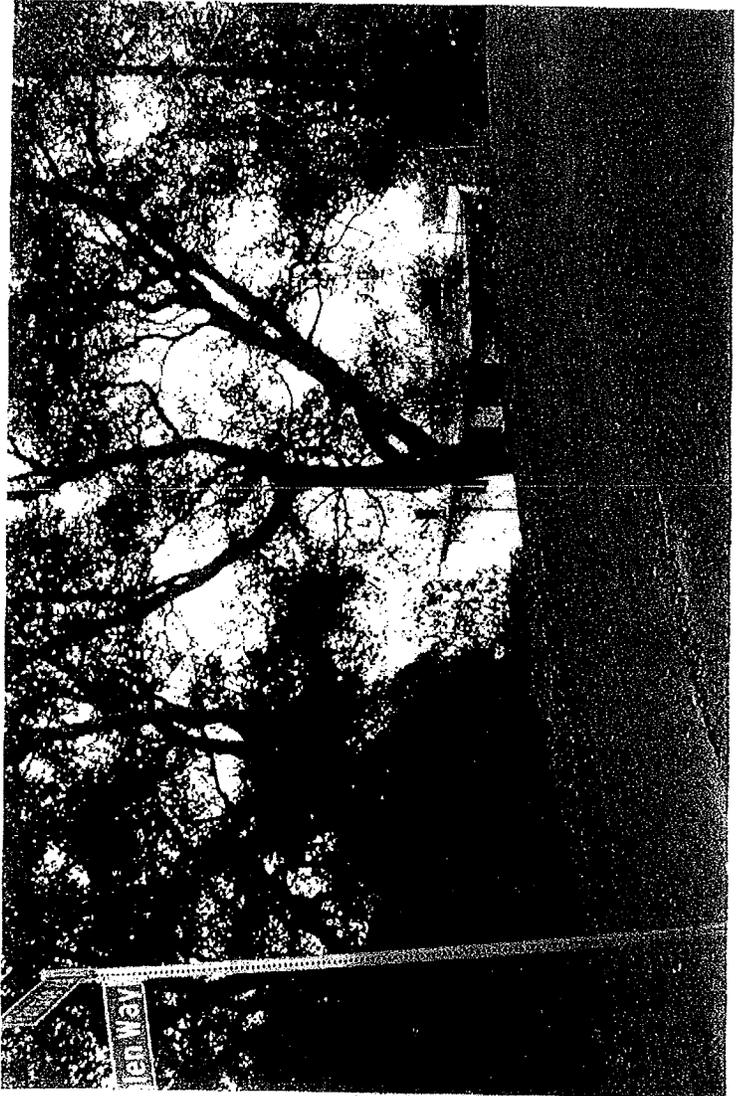


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26247 FAIRSIDE ROAD
MALIBU, CA 90272
LA REGIONAL PLANNING
PROJECT NUMBER 02-251



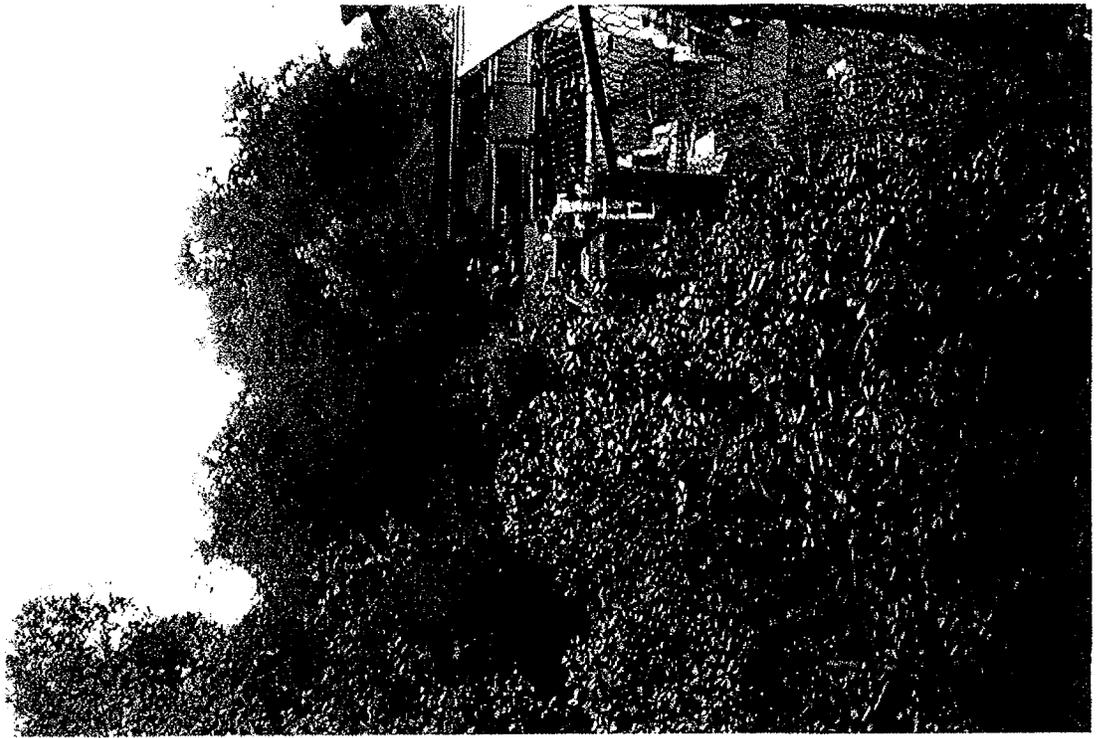
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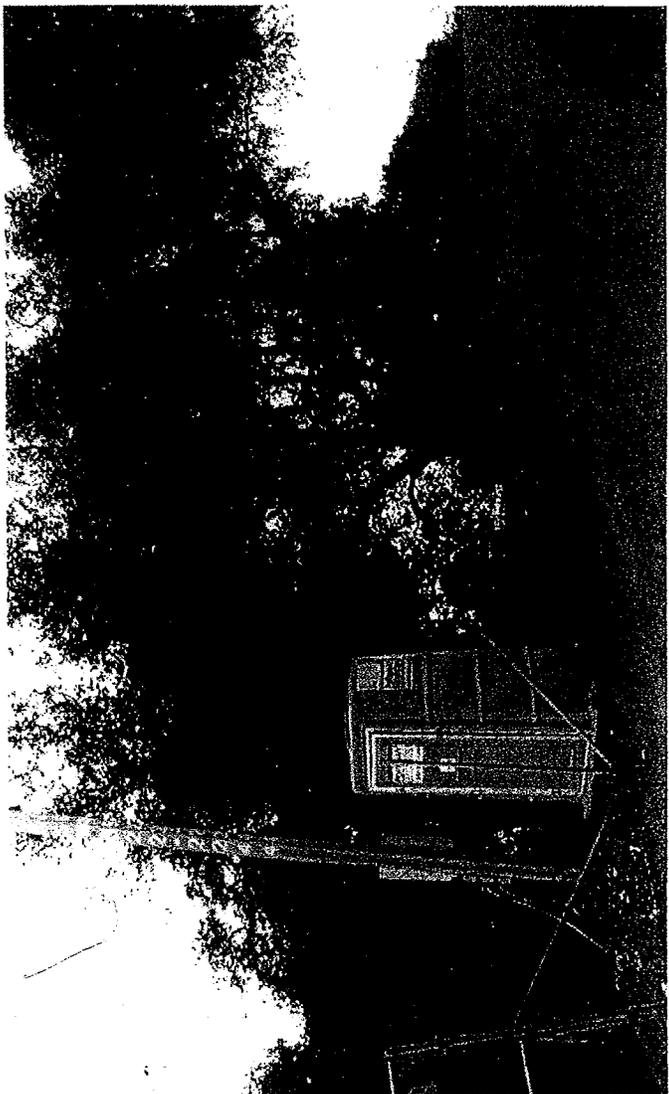
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ten Way

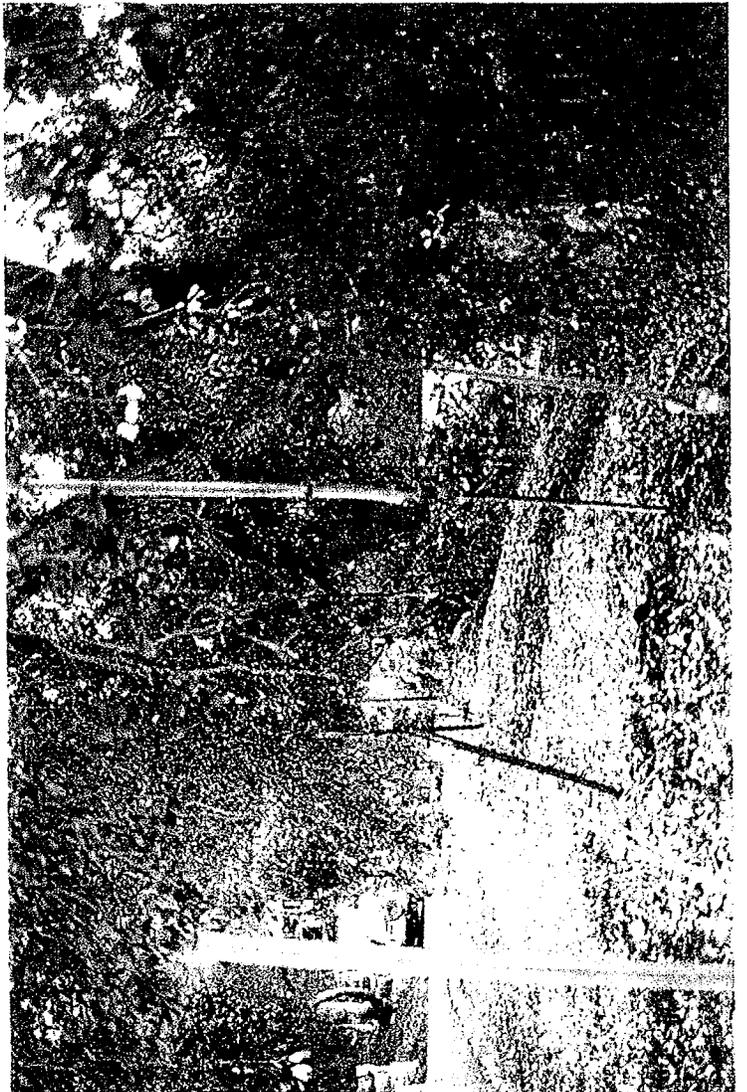
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⑤



④





⑦ ↗

26247 FAIRSIDE RD.
MALIBU, CA 90272
LA REGIONAL PLAN '6

↙ ⑧



↙ ⑨





Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

James E. Hartl, AICP
Director of Planning

July 2, 2003

PREVIOUS CASE

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Johnny Azoulay
4625 N. Saloma
Sherman Oaks, CA 91355

RE: OAK TREE PERMIT CASE NO. 02-281-(3)
To authorize removal of three oak trees and encroachment into the protected zone of nine other oak trees in order to construct a single-family residence.

Dear Applicant:

PLEASE NOTE: This document contains the Hearing Officer's findings and order and conditions relating to **APPROVAL** of the above referenced case. **CAREFULLY REVIEW EACH CONDITION.**

Condition 3 requires that the permittee must file an affidavit accepting the conditions before this grant becomes effective. **USE THE ENCLOSED AFFIDAVIT FOR THIS PURPOSE.**

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Hearing Officer's decision to the Regional Planning Commission at the office of the commission's secretary, Room 170, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Contact the commission's secretary for the amount of the appeal fee at (213) 974-6409. The appeal must be postmarked or delivered in person within 15 days after this notice is received by the applicant. The Hearing Officer's decision may also be called up for review by the Regional Planning Commission during the appeal period.

For further information on appeal procedures or any other matter pertaining to this approval, please contact the Zoning Permits Section II at (213) 974-6435.

HEARING OFFICER'S FINDINGS AND ORDER:

REQUEST: The applicant is requesting an Oak Tree Permit to authorize removal of three oak trees and encroachment into the protected zone of nine oak trees in order to construct a single-family residence.

FACTUAL SUMMARY:

July 1, 2003 Public Hearing

A duly noticed public hearing was held on July 1, 2003. The applicant, his architect and his arborist were sworn in and testified in favor of the project. The arborist asked staff to clarify whether the applicant will be required to plant mitigation trees and pay the ISA value of the removed trees into the Oak Forest Special Fund. Staff replied that the applicant will only be required to pay the ISA value of the removed trees.

Two neighboring residents were sworn in and testified in opposition to the project. They submitted a petition by 15 nearby residents opposing the subject oak tree permit. They were concerned with the proposed design of the single-family residence, encroachments on oak trees that were located on their property, the probable encroachment into another tree, the impacts of full sun exposure on the trees currently under the canopy of the trees to be removed and other potential additional impacts during the construction phase. They also testified that the proposed encroachments were insufficient to establish appropriate fire clearance. They felt that a minimum of six oak trees would be required for removal in order to accommodate the proposed single-family residence.

The Forester's representative explained that typically they reviewed the oak tree reports submitted and verify the information in the reports through a site inspection. Based on the site inspection, the Foresters make recommendations. Most of the time, the kind of encroachments into the trees' protected zone are not specific. He further testified that the Foresters work with the local jurisdiction's fire station to figure out the best way to provide an average of 16' fire clearance in order to preserve the oak resources.

The Forester's representative testified a recent inspection on the property indicated that some holes had been dug without permission under some oak trees.

The applicant's arborist testified that she had spoken with the local fire chief and he indicated that the 16' clearance for the fire truck would not be required for the subject property.

The Hearing Officer asked the applicant's representatives to respond to the opponents' assertions that the subject single-family residence, with the proposed magnitude, cannot be constructed without damaging additional oak trees.

The arborist testified that she has worked on similar projects in the area, including Topanga and Malibu. She stated that she would often require the contractors and owners on these properties to change their methods so as to be sensitive to oak tree resources on the property. If any potential additional impacts arise, she would contact the Foresters and

work with them to come up with an appropriate solution prior to continuing work.

There being no further testimony, the Hearing Officer closed the public hearing and approved the oak tree permit subject to the conditions recommended by staff.

Findings

1. The applicant is requesting authorization to remove three oak trees and encroach into the protected zone of nine oak trees in order to construct a single-family residence.
2. The Arborist's report identified thirteen (13) oak trees on the subject property. The oaks are all Coast Live Oaks. None of the oaks qualify as heritage oaks. Three oak trees are proposed for removal; nine trees will be encroached upon and are to be protected in place.
3. The project is located at 26247 Fairside Rd., Malibu in the Malibu Zoned District.
4. The subject property is 5998 sq. ft. (approximately 0.14 acre) in size and located on steeply sloping topography.
5. Zoning on the subject property is R-1-7,500 (Single-Family Residential, 7,500 sq. ft. lot minimum required).
6. Surrounding properties are all zoned R-1-7,500.
7. The subject property is currently undeveloped and vacant.
8. Surrounding land uses consist of single-family residences to the north and to the east and vacant property to the south and to the west.
9. There are no previous zoning cases noted on the property.
10. The project site is classified as Residential I in the Malibu Land Use Plan of the Los Angeles County General Plan. Residential areas are generally characterized by a grouping of housing units on gently sloping or flat terrain often within established rural communities. The Residential I land use category permits a maximum average residential density of one dwelling unit per acre. As proposed, the subject property will have a residential density of 7.1 units per acre, which is beyond the average residential density for the area. However, the lot was legally created from residential use and surrounded by single-family residences.
11. The site plan depicts the subject property with the proposed 3,000+ sq. ft. single-family residence in the middle of the property with the garage attached and just south of the single-family residence. The proposed septic tank to service the house

is on the southeast corner of the property. The proposed oaks to be removed are identified as oaks #3, #6, and #7. Oaks #6 and #7 are located where the single-family residence is proposed to be built and oak #3 is located where the garage is proposed to be built. The rest of the nine oak trees on the property are located on the northern, western, and southern parts of the property.

12. The Oak Tree Report was prepared by a certified arborist and dated October 10, 2002. The subject Oak Tree Permit will allow the removal of three (3) trees identified as Trees Number 3, 6, and 7 on the applicant's site plan and Oak Tree Report. The permit will also allow encroachment within the protected zone of nine (9) trees identified as Trees Number 1, 2, 4, 5, 9, 10, 11, 12, and 13. Tree Number 8 will not be impacted by the project.
13. It has been determined that a Negative Declaration is the appropriate environmental documentation for this project pursuant to CEQA reporting requirements.
14. The County Forester recommended approval of the removal of three (3) oak trees and the encroachment into the protected zone of nine (9) oak trees. The applicant shall pay the ISA value for each oak tree remove into the Oak Forest Special Fund.
15. Staff received one letter from a nearby homeowner concerned with the appropriateness of removing native oaks to construct on a small lot. Opposition testimony was given by two neighbors who also submitted 15 letters of opposition from nearby residents.
16. The construction of a single-family residence and structures associated with single-family residences are permitted uses in the R-1 zone where the subject property is located. Due to the construction of the single-family residence, an oak tree permit was required by the Zoning Ordinance to allow the removal of three (3) oak trees and encroachment into the protected zone of nine (9) oak trees.
17. The two trees proposed for removal fall within the footprint of the project. According to the Arborist's report, all the oak trees on the property are in generally fair to average condition.
18. For two years, the County Forester will monitor the subject property for compliance with the conditions of approval.
19. The proposed use as conditioned is consistent with the zoning, general plan and surrounding land uses.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use is consistent with the adopted General Plan for the area;
- B. The proposed construction of the proposed use will be accomplished without endangering the health of the remaining trees subject to Part 16, Title 22 of the Los Angeles County Code, if any, on the subject property;
- C. The removal or relocation of the oak trees proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated;
- D. In addition to the above facts, the removal or relocation of the oak trees proposed is necessary as continued existence at present locations frustrates the planned improvement or proposed use of the subject property to such an extent that:
 - i. Alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or
 - ii. Placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized.
- E. The removal of the oak trees proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure. For purposes of interpreting this section, it shall be specified that while relocation is not prohibited by Part 16, Title 22 of the Los Angeles County Code, it is a voluntary alternate offering sufficient potential danger to the health of a tree as to require the same findings as removal.

AND THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a conditional use permit as set forth in Sections 22.56.2100, Title 22, of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

1. The Hearing Officer has considered the Negative Declaration together with any comments received during the public review process, finds on the basis on the whole record before the Hearing Officer that there is no substantial evidence the project will have a significant effect on the environment, finds that the Negative Declaration reflects the independent judgment and analysis of the Hearing Officer, and adopts the Negative Declaration.

2. In view of the findings of fact presented above, Oak Tree Permit Case No. 02-281-(3) is **APPROVED**, subject to the attached conditions.

BY:  DATE: 7/2/03
ANDY MALAKATES, HEARING OFFICER
Department of Regional Planning
County of Los Angeles

Attachments: Conditions
Affidavit

- c: Each Commissioner, Zoning Enforcement, Building and Safety

1. This grant authorizes the removal of three (3) oak trees and encroachment into the protected zone of nine (9) oak trees in order to construct a single-family residence and associated structures, subject to the following conditions:
 - a. The permittee shall comply with all conditions and requirements contained in the County Forester's letter dated February 7, 2003 (attached hereto) with the exception of planting mitigation trees for the oak tree removals;
 - b. The permittee shall agree to suspend construction in the vicinity of a cultural resource encountered during ground-disturbing activities at the site, and leave the resource in place until a qualified archaeologist can examine them and determine appropriate mitigation measures;
 - c. The permittee shall obtain detailed seismic analyses for evaluation and mitigation of potential earthquake-induced landslide hazards, conforming to the requirements of the State of California Division of Mines and Geology Special Publication 117, at the grading/building plan stages;
 - d. Prior to the issuance of any building construction permit, feasibility of installing a private sewage disposal system shall be demonstrated in accordance with the guidelines established by the Department of Health Services and other applicable laws;
 - e. At the time of construction when a public sewer, intended to serve any property or premises, is available within 200 feet of any structure or drainage located on the property, all plumbing and waste water drainage system, on such property or premises shall be connected to such public sewer;
 - f. Prior to issuance of any building construction permit, availability of an adequate sustainable supply of potable water from an approved source shall be demonstrated in conformance with standards established by the Department of Health Services and other pertinent regulatory agencies;
 - g. Prior to construction of any structures in the public right-of-way, the permittee shall obtain an encroachment permit from the Department of Public Works;
 - h. The permittee shall pay the ISA value of removed trees into Oak Forest Fund; and
 - i. If any construction activities of the project take place between March 1 and August 31, a project biologist acceptable to the County shall assess on-site vegetation to be removed and vegetation within 300 feet of project activities to determine the presence of active passerine bird nests. The surveys shall begin thirty (30) days and continue on a weekly basis with the last survey conducted no more than three days prior to project commencement. Active nests shall be provided with a minimum buffer of 300 feet from construction activities until nests become inactive.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.

3. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and until all required fees have been paid pursuant to the attached County Foresters letter.
4. The permittee 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 permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of 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 the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which 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 permittee 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 completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein. The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.
6. This grant will expire unless used within 2 years from the date of approval. A one year time extension may be requested, in writing and with the appropriate fee, before the expiration date. Filing of the affidavit shall constitute "use".
7. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.

If any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all

additional enforcement efforts necessary to bring the subject property into compliance.

8. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
9. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.

Attachments:

February 7, 2003 Letter from County Forester

KC:PH
7-2-03