



Los Angeles County Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012
 Telephone (213) 974-6443
PROJECT NUMBER R2005-03279

PUBLIC HEARING DATE 7/21/09	AGENDA ITEM
RPC CONSENT DATE	CONTINUE TO

APPLICANT Vick and Karina Kargodorian	OWNER None	REPRESENTATIVE None
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PROJECT DESCRIPTION
 The project relates to construction of a single-family residence that encroached into the protected zone of two ordinance-protected oak trees which required a permit. A retroactive oak tree permit application was filed on October 19, 2005.

REQUIRED ENTITLEMENTS
 The applicants, Vick and Karina Kargodorian are requesting a retroactive Oak tree permit to encroach within the protected zone of two oak trees to accommodate the development of a single family residence.

LOCATION/ADDRESS
 22410 Annepe Way Chatsworth

SITE DESCRIPTION
 The site plan depicts a 2 story single family residence with a 3 car garage facing north with two oak trees on western edge of the property.

ACCESS Via Annepe Way	ZONED DISTRICT Chatsworth
ASSESSORS PARCEL NUMBER 2821-025-027	COMMUNITY Oat Mountain, Chatsworth
SIZE 1.2 Acres	COMMUNITY STANDARDS DISTRICT N/A

	EXISTING LAND USE	EXISTING ZONING
Project Site	Single-Family Residential	A-1-1 (Light Agricultural – 1 Acre required area)
North	Single-Family Residential	A-1-1 (Light Agricultural – 1 Acre required area)
East	Single-Family Residential	A-1-1 (Light Agricultural – 1 Acre required area)
South	Vacant	A-1-1 (Light Agricultural – 1 Acre required area)
West	Single-Family Residential	A-1-1 (Light Agricultural – 1 Acre required area)

GENERAL PLAN/COMMUNITY PLAN Countywide Community Plan	LAND USE DESIGNATION R (Non-Urban).	MAXIMUM DENSITY N/A
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ENVIRONMENTAL DETERMINATION
 Class 1 Categorical Exemption-Existing Facilities

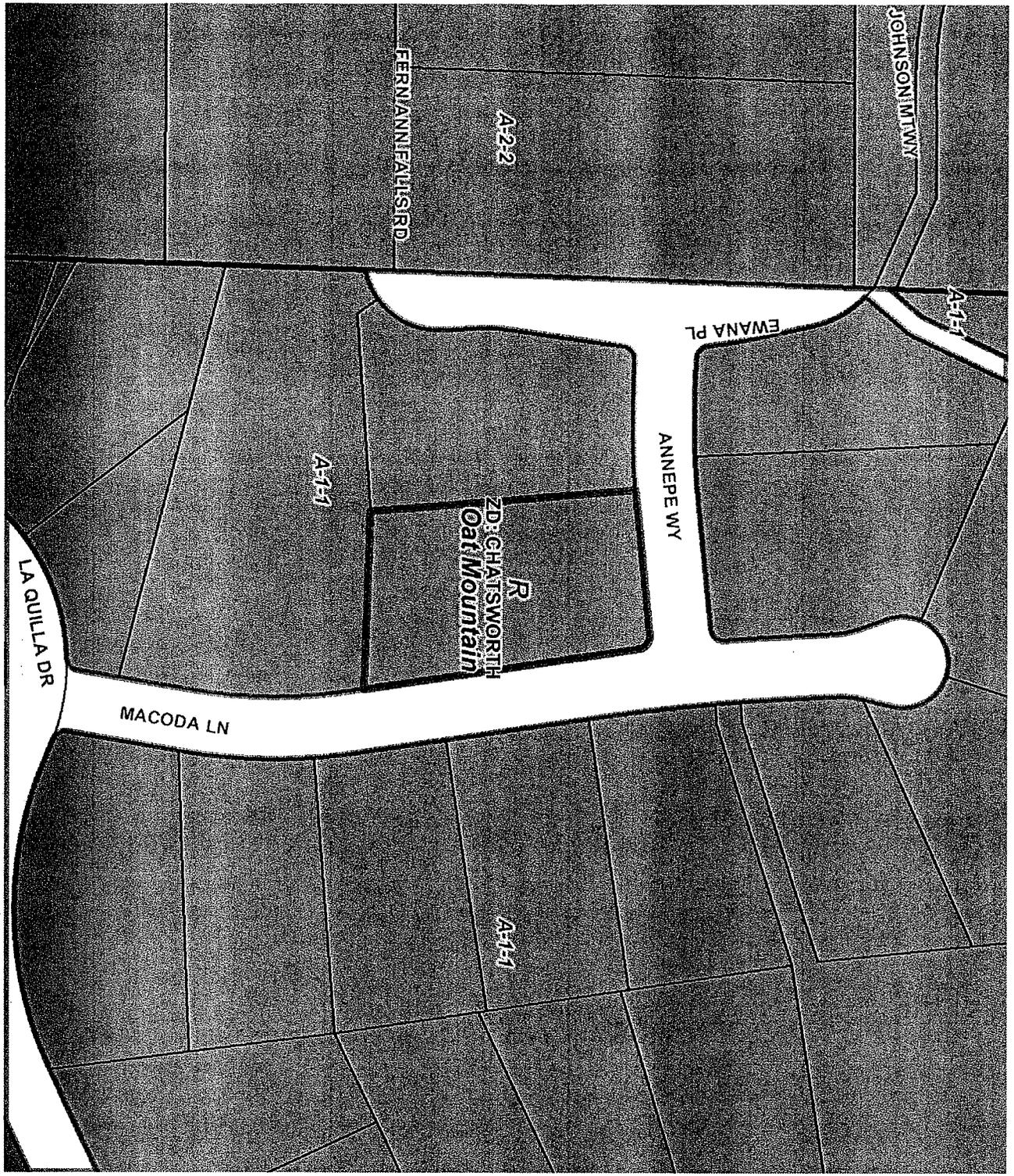
RPC LAST MEETING ACTION SUMMARY

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

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON: Daniel Fierros		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING):		
SPEAKERS* (O) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

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



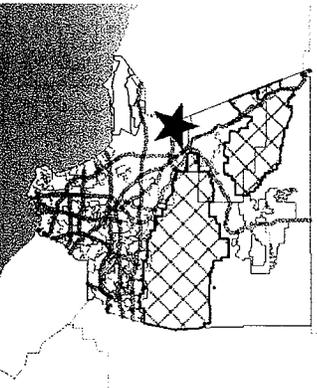
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 Note: This map represents a quick representation of spatial imagery or vector layers using GIS-NET.
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Legend

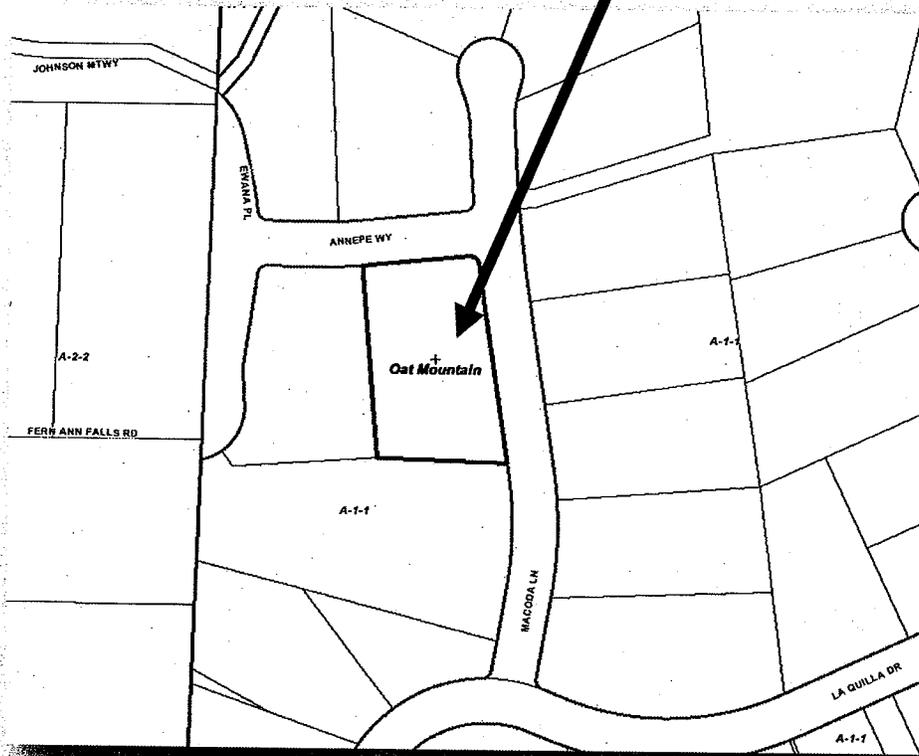
- ▭ Parcel Boundary
- ▬ Highway
- ▬ Freeway
- ▬ Master Plan of Highways
- ▬ Expressway - (E)
- ▬ Interstate Highway - (I)
- ▬ State Secondary Highway - (S)
- ▬ Primary - (P)
- ▬ Parkway - (PA)
- ▬ Major Highway - (M)
- ▬ Light Highway - (L)
- ▬ Super Highway - (SH)
- ▬ Secondary Highway - (S)
- ▬ (E) Existing (P) Proposed
- ▬ Railroad or Road Transit
- ▬ Rapid Transit
- ▬ Underground Rapid Transit
- ▬ Significant Ridelines
- ▬ Classic CSD Primary
- ▬ Classic CSD Secondary
- ▬ Significant
- ▬ Census Tract (2000)
- ▬ Assessor Map Book (AMB) Box
- ▬ Zoning Index Map Grid
- ▬ USGS Quad Sheet Grid
- ▬ The Thomas Guide Grid
- ▬ Internal Page Grid
- ▬ Fire High Fire Hazard Severity
- ▬ Community Standards District
- ▬ (CSB)
- ▬ (CSD)
- ▬ ESEA (see also Specific Boundary)
- ▬ Significant Ecological Area (SEA)
- ▬ Station Line
- ▬ Range
- ▬ National Forest
- ▬ Equestrian District (EQD)
- ▬ Transit Oriented District (TOD)
- ▬ Zoned District (ZD)
- ▬ Supervisorial District Boundary
- ▬ Safety Related Stations (from TB)
 - Fire Station
 - Highway Patrol
 - Police Station
 - Ranger Station
 - Sheriff Station
- ▭ Zoning (Boundary)
 - Zone AA-1
 - Zone AA-2
 - Zone B-1
 - Zone B-2
 - Zone B-3
 - Zone C-1
 - Zone C-2
 - Zone C-3
 - Zone C-4
 - Zone C-5
 - Zone C-6
 - Zone C-7
 - Zone C-8
 - Zone D-1
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- ▭ Landuse Policy (Not in Comm / Area Plan)
 - 1 - Low Density Residential
 - 2 - Low/Medium Density Residential (6 to 12 units)
 - 3 - Medium Density Residential
 - 4 - High Density Residential
 - 5 - High Density Residential (22 or more units)
 - 6 - Major Commercial
 - 7 - Office
 - 8 - Open Space
 - 9 - Public and Semi-Public
 - 10 - Industrial/Community
 - 11 - Non-Urban
 - 12 - Transportation Corridor
- ▭ Inland Waterbody
- ▭ Perennial
- ▭ Intermittent
- ▭ Dry

Note: This is a static report, which includes only a portion of layers. To get full legend, please use "Display Map Legend" on the top left side of screen.



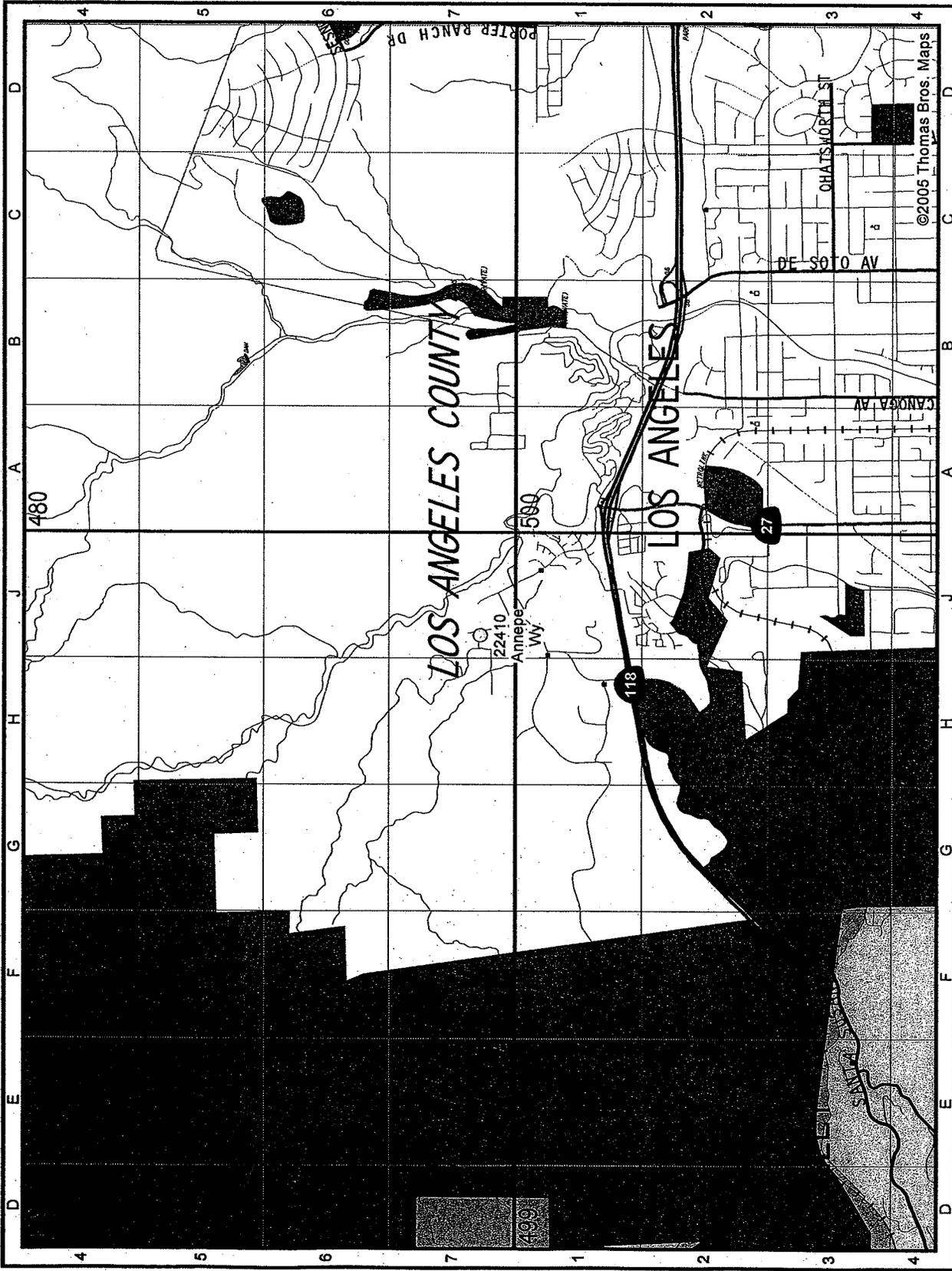
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Property Location



PARCEL 2821-025-027

22410 ANNEPE WAY CHATSWORTH

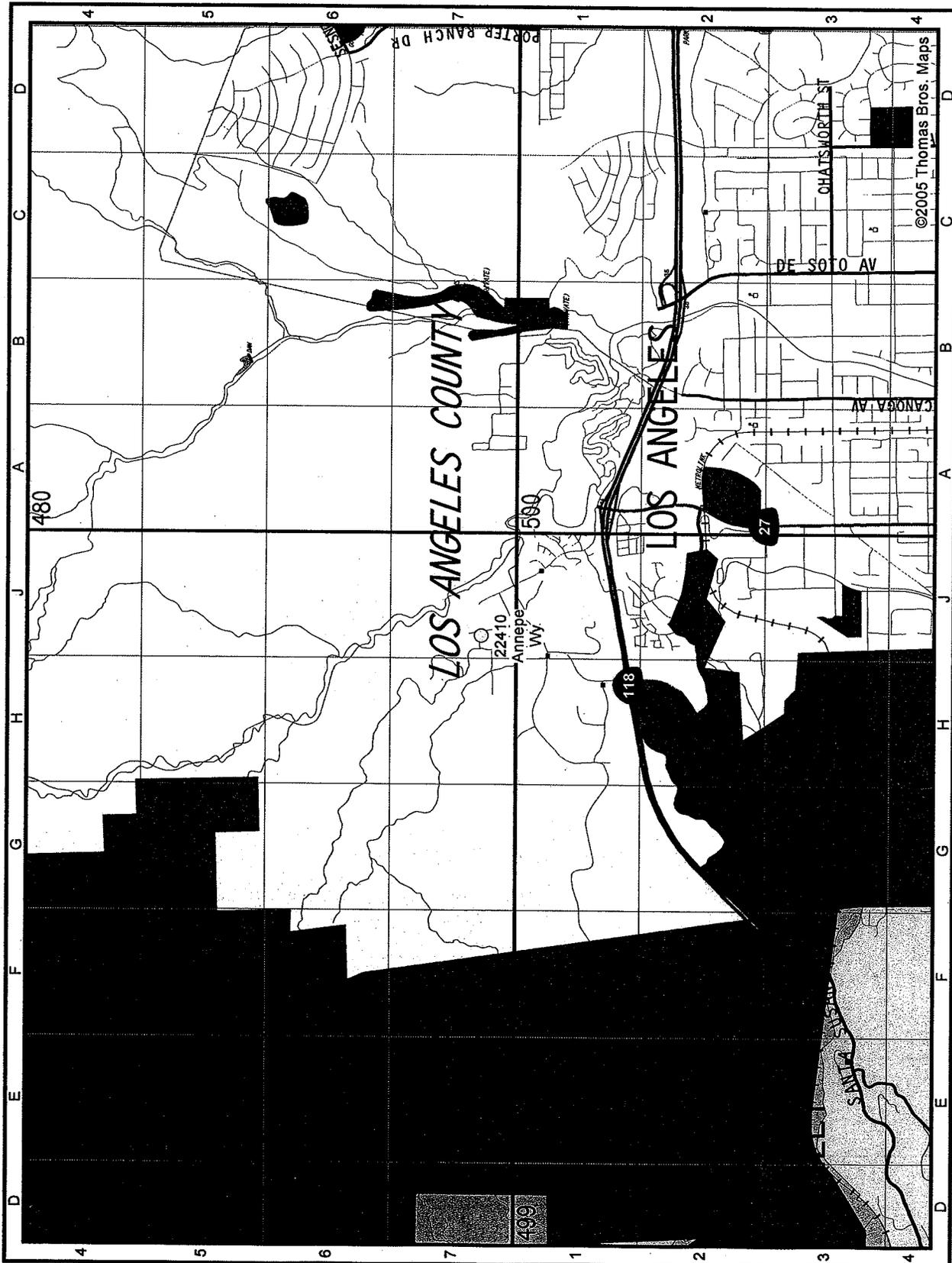


○ 22410 Annepe Wy: Los Angeles, CA 91311, 479J7



JPL Zoning Services, Inc
 6263 Van Nuys Blvd
 Van Nuys, CA 91401

VICINITY MAP



○ 22410 Annepe Wy, Los Angeles, CA 91311, 479J7



JPL Zoning Services, Inc
 6263 Van Nuys Blvd
 Van Nuys, CA 91401

VICINITY MAP

Property Location



PARCEL 2821-025-027

22410 ANNEPE WAY CHATSWORTH

STAFF ANALYSIS
PROJECT NUMBER R2005-03279
ROAK200500069 (5)

PROJECT DESCRIPTION

The site plan depicts a 2 story single family residence with a 3-car attached garage with the main entrance facing north and two oak trees on western edge of the property identified as oak tree 100 and 101 in the oak tree report dated January 17, 2003 and prepared by Jan C Scow, consulting certified arborist.

REQUIRED ENTITLEMENTS

The applicants, Vick and Karina Kargodorian are requesting a retroactive oak tree permit to encroach within the protected zone of two oak trees to accommodate the development of a single family residence.

LOCATION

22410 Annepe Way Chatsworth,
Community: Oat Mountain Zone District: Chatsworth

SITE PLAN DESCRIPTION

The project relates to the construction of a single-family residence that encroached into the protected zone of two ordinance-protected oak trees. The project was built and a "Certificate of Occupancy" was issued by Building & Safety on April 25, 2002. The oak tree permit application was retroactively filed on October 19, 2005.

ENVIRONMENTAL DETERMINATION

The Department of Regional Planning has determined that a Categorical Exemption, Class 1 – Existing Facilities, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

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, property posting, library posting and DRP website posting.

PREVIOUS CASES/ZONING HISTORY

There are no previous cases on the subject property.

STAFF EVALUATION

General Plan Consistency (R-Non-Urban)

The land use plan establishes land use controls that afford effective protection for significant ecological resources, and lands of major scenic value. The oak tree is recognized as significant historical, aesthetic and ecological resources; the stated objective of the oak tree permit is to preserve and maintain healthy oak trees in the development process. The approval of the oak tree permit will be consistent with the

land use policy and the oak tree permit objective. Furthermore, the development of a single family resident is consistent with the General Plan. The states that the development in non-urban areas up to the maximum density of one dwelling unit per acre may be permitted where it is found that the development of a new single family dwelling will not expand a non-urban cluster and at least fifty percent of the topographical similar land within a 1,000 foot radius of the subject property is within parcels smaller than or equal to the average parcel size proposed for the subject property.

The construction of a new single family dwelling impacted two protected oaks; and no oak tree permit was obtained. The applicant submitted an application for a retroactive permit to encroach into the protected zone of the two oak trees. The project was built and a "Certificate of Occupancy" was issued by Building & Safety on April 25, 2002. The oak tree permit application was filed on October 19, 2005.

Zoning Ordinance and Development Standards Compliance

The oak tree permit is established (a) to recognize oak trees as significant historical, aesthetic and ecological resources, and as one of the most picturesque trees in Los Angeles County, lending beauty and charm to the natural and manmade landscape, enhancing the value of property, and the character of the communities in which they exist; and (b) to create favorable conditions for the preservation and propagation of this unique, threatened plant heritage, particularly those trees which may be classified as heritage oak trees, for the benefit of current and future residents of Los Angeles County. It is the intent of the oak tree permit to maintain and enhance the general health, safety and welfare by assisting in counteracting 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. The stated objective of the oak tree permit is to preserve and maintain healthy oak trees in the development process.

Neighborhood Impact/Land Use Compatibility

Approval of the retroactive oak tree permit will have no neighborhood impact or land use compatibility.

Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.2100 of the Los Angeles County Code. The Burden of Proof with applicant's responses is attached. The Burden of Proof has been met because the oak tree encroachment did not damage the protected oak trees.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

County of Los Angeles Fire Department Forester and Fire Warden recommends approval.

PUBLIC COMMENTS

There were no public comments received.

FEES/DEPOSITS

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

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:

Since the project has been issued a Certificate of Occupancy in 2002 and there are no evidence that the encroachment has damaged the two oak trees, staff recommends approval of the retroactive oak tree permit project number **R2005-03279/ROAK200500069(5)** subject to the attached conditions.

Prepared by Daniel Fierros, Senior Regional Planner

Reviewed by Child,Mark, Supervising Regional Planner, Zoning Permits Section I

Attachments:

Draft Conditions of Approval

Applicant's Burden of Proof statement

Environmental Document

Site Photographs

Site Plan

Land Use Map

**FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES**

**PROJECT NUMBER R2005-03279
OAK TREE PERMIT NO. ROAK200500069(5)
22410 Annepe Way Chatsworth (APN 2821-025-027)**

HEARING DATE: July 21, 2009

SYNOPSIS:

This is a retroactive permit to encroach into the protected zone of two oak trees to accommodate the development of a single family.

PROCEEDINGS BEFORE THE HEARING OFFICER:

Findings

1. The subject property is located at 22410 Annepe Way Chatsworth CA 91311
2. The applicants, Vick and Karina Kargodorian are requesting a retroactive Oak tree permit to encroach within the protected zone of two oak trees identified as 100 and 101 in an oak tree report dated January 17, 2003 and prepared by Jan C. Scow, consulting certified arborist, to accommodate the development of a single family located on parcel number 2821-025-027.
3. The site plan depicts a 2 story single family residence with a 3 car garage facing north with two oak trees on western edge of the property identified as Oak tree 100 and 101.
4. The project is located in the unincorporated community of Oat Mountain of Los Angeles County Chatsworth Zone District.
5. The project is located in the Countywide Community Plan, which designates the land use as R (Non-Urban).
6. The subject site consists of a 2 story Single Family Residence with a 3 car garage. The project was built and a "Certificate of Occupancy" was issued by Building & Safety on April 25, 2002. An oak tree permit application was filed on October 19, 2005.
7. The surrounding properties are zoned as follows:
 - North: A-1-1 (Light Agricultural – 1 Acre Minimum Lot Size)
 - South: A-1-1 (Light Agricultural – 1 Acre Minimum Lot Size)
 - East: A-1-1 (Light Agricultural – 1 Acre Minimum Lot Size)
 - West: A-1-1 (Light Agricultural – 1 Acre Minimum Lot Size)

8. Surrounding land uses within 500 feet include:
North: Single-family Residential
South: Vacant Land
East: Single-family Residential
West: Single-family Residential
9. The subject property is rectangle shape parcel totaling 1.2 acres.
10. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits I Section, Los Angeles County Department of Regional Planning.
11. The Department of Regional Planning has determined that a Categorical Exemption, Class 1 – Existing Facilities, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.
12. Pursuant to the provisions of Section 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.
13. 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.
14. Mitigation of trees will be provided as recommended by the Los Angeles County Fire Department 's recommendations specified in the report dated March 5, 2009
15. No public correspondence or phone calls have been received regarding these requests.
16. Trees were encroached upon in 2005. There is no evidence that the encroachment has damaged the two oak trees.
17. The Oak Tree Report dated 1/17/03 has indicated that the trees have not been badly damaged to survive, and believes that tree #101 was probably not damaged at all.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- A. That the proposed use is consistent with the adopted general plan for the area; and
- B. That the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, loading facilities, landscaping and other development features prescribed in this Title 22.
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required; 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 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

1. I the Hearing Officer have considered the Categorical Exemption for this project and certify that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
2. In view of the findings of fact and conclusions presented above, project No. **2005-03279/ ROAK200500069 (5)** is **APPROVED**, Subject to the attached conditions and restrictions.

c: Hearing Officer, Each Commissioner, Zoning Enforcement, Building and Safety

This grant authorizes a retroactive oak tree permit to encroach within the protected zone of two oak trees identified as trees 100 and 101 in an oak tree report dated January 17, 2003 and prepared by Jan C. Scow, consulting certified arborist, to accommodate the development of a single family residence located at 22410 Annepe Way Chatsworth CA 91311(parcel number 2821-025-027), in the incorporated community of Los Angeles County Chatsworth; subject to the following conditions:

1. 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.
2. 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.
3. 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.
4. 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.
5. This grant shall expire unless used within One (1) years from the date of approval. A one-year time extension may be requested in writing and with payment of the applicable fee at least six (6) months prior to the expiration date.
6. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law statue, 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.

7. 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.
8. 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.
9. 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 3/12/2009 (attached hereto), to the satisfaction of said Division, except as otherwise required by said Division. In addition, should any oak tree die as a result of an approved encroachment, requiring the planting of mitigation trees, an acorn shall also be planted at the same time as and within the watering zone of each mitigation tree.
10. All replacement trees shall be planted on native undisturbed soil. The first two irrigations or watering of planted trees shall incorporate the addition of a mycorrhizae product (i.e. "mycorrhizaROOTS" or similar product) in accordance with the label's directions. A layer of humus and litter from beneath the canopy of the removed tree shall also be applied to the area beneath the canopies of the replacement trees to further promote the establishment of mycorrhizae within their rooting trees
11. All future on-site construction activity, including storage, shall take place at least five feet outside the drip-line of any oak tree, unless an Oak Tree Permit has first been approved.
12. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the County of Los Angeles Fire Department, Forestry Division 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.

Attachment:

3/12/2009- County Forester's Letter

df

Hearing Date: 7/21/09



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 890-4330

MAR 10 2009

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

March 5, 2009

Phillip Estes, Principal Planning Assistant
Department of Regional Planning
Zoning Permits Section I
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Estes:

OAK TREE PERMIT #2005-00069, 22410 ANNEPE WAY, CHATSWORTH

We have reviewed the "Request for Oak Tree Permit #2005-00069." The project is located at 22410 Annepe Way in the unincorporated area of Chatsworth. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site. The term "Oak Tree Report" refers to the document on file by Jan C. Scow, the consulting arborist, dated January 17, 2003.

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.
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

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER

BRADBURY
CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA

CUDAHY
DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLENORA
HAWAIIAN GARDENS

HAWTHORNE
HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRWINDALE
LA CANADA FLINTRIDGE
LA HABRA

LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWNDALE
LOMITA
LYNWOOD

MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT
PICO RIVERA

POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

MAR 10 2009

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 of temporary fencing (required to secure the protected zone of all remaining Oak trees), prior to the commencement of construction and two (2) subsequent 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 County of Los Angeles Fire Department, Forestry Division 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 (4) feet in height, to secure the protected zone of 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. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning), or fifteen (15) feet from the trunk, whichever is greater.
6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan 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, mitigation planting plan and conditions of approval.

PERMITTED RETROACTIVE OAK TREE ENCROACHMENT:

7. This grant allows retroactive encroachment within the protected zone of two (2) trees of the Oak genus (*Quercus agrifolia*) identified as Tree Numbers 100 & 101 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. Tree #100 has been moderately pruned due to construction activities. In order to maintain the health of these trees the applicant must follow the guidelines set forth in the aforementioned Oak Tree Report.

8. 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 County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one tree be removed.
9. 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 County of Los Angeles Fire Department, Forestry Division. A copy of the publication is enclosed with these conditions.

MITIGATION TREES:

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above that dies as a result of the approved encroachments.
11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) inch above the base. Free form trees with multiple stems are permissible provided the combined diameter of the two (2) largest stems of such trees measure a minimum of one (1) inch in diameter one (1) foot above the base.
12. Mitigation trees shall consist of indigenous varieties of Quercus agrifolia grown from a local seed source.
13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Additional mitigation trees shall be planted within one (1) 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."

14. 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 (2) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.
15. 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:

16. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited.
17. 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 (2) 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."
18. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.
19. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.
20. 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.
21. 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.

Phillip Estes, Principal Regional Planner

March 5, 2009

Page 5

22. 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 County of Los Angeles Fire Department, Forestry Division for all enforcement efforts necessary to bring the subject property into compliance.

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

Very truly yours,



FRANK VIDALES, ACTING CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

FV:jl

Enclosure

Burden of Proof

Describe how the following findings will be satisfied:

A. That the proposed construction... will be accomplished without endangering the health of the remaining trees... on the subject property:

The instructions given in the Oak Tree Report specifically address how to minimize impacts to the two oak trees.

and

B. That the removal... of the oak trees proposed will not result in soil erosion through the diversion or increased flow of soil waters which cannot be satisfactorily mitigated,

No oak trees will be (or have been) removed.

and

C. That in addition to the above facts... (at least one of) the following findings apply:

1. That the removal... of oak trees proposed is necessary as [their] continued existence at present locations frustrates the planned improvement or proposed use of the subject property to such an extent that:

a. Alternate development plans cannot achieve the same permitted density or that the cost of such alternatives would be prohibitive, or

b. Placement of such trees precludes the reasonable and efficient use of such property for a use otherwise authorized, or

2. That the oak trees proposed for removal interfere with utility services or streets and highways, either within or

outside of the subject property, and no reasonable alternative exists other than the removal of the trees, or

3. That 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, or

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.

No oak trees will be (or have been) removed.

OAK TREES: Care and Maintenance



This Oak Tree Care and Maintenance Guide offers basic information and practical guidelines aimed at the preservation and continued health and survival of oak trees in the residential landscape.

Increasing pressure for development is changing the oak woodland of Los Angeles County. Heritage oaks which once survived in open rolling hills are now being preserved or replanted and incorporated into the community.

How do we protect these trees during the planning and development process, and ensure their survival once they are in the home garden?

The Oak Tree

Oak Trees in the residential landscape often suffer decline and early death due to conditions that are easily preventable. Damage can often take years to become evident, and by the time the trees show obvious signs of disease it is usually too late to help.

Improper watering, especially during the hot summer months, and disturbance to critical root areas are most often the causes. This booklet will provide guidelines on where these critical areas lie and ways to avoid disturbing them, as well as information on long-term care and maintenance of both natural and planted oaks. Lists of additional resources for more information and demonstration areas to visit are also included.

The Oak Tree Ordinance

The Los Angeles County Oak Tree Ordinance has been established to recognize oak trees as significant historical, aesthetic, and ecological resources. The goal of the ordinance is to create favorable conditions for the preservation and propagation of this unique and threatened plant heritage. By making this part of the development process, healthy oak trees will be preserved and maintained.

The Los Angeles County Oak Tree Ordinance applies to all unincorporated areas of the County. Individual cities may have their own ordinances, and their requirements may be different.

Permit Requirements:

Under the Los Angeles County Ordinance, a person shall not cut, destroy, remove, relocate, inflict damage, or encroach into the *protected zone* (see text) of any ordinance sized tree of the oak tree genus without first obtaining a permit.

Damage includes but is not limited to :

- Burning
- Application of toxic substances
- Pruning or cutting
- Trenching
- Excavating
- Paving
- Operation of machinery or equipment
- Changing the natural grade

Chapter 22.56.2050: Oak Tree -Permit Regulations, Los Angeles County, Adopted: August 20, 1982. Amended: September 13, 1988.

For more information about the County Oak Tree Ordinance, visit the Forestry Division's website at:

http://lacofd.org/Forestry_folder/otordin.htm

Or contact:

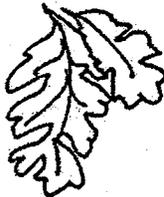
Department of Regional Planning
320 W. Temple Street, 13th floor
Los Angeles, CA 90012-3284
(213) 974-6411
TDD: (213) 617-2292
<http://planning.co.la.ca.us>

Types of oaks commonly found in Los Angeles County:

Many kinds of oak trees are native to Los Angeles County. A few of the more common ones are shown below, but *all* oak trees are covered by the Oak Tree Ordinance.

Older oaks which have thrived under the natural rainfall patterns of dry summers and wet winters often can't handle the extra water of a garden setting. These trees must be treated with special care if they are to survive.

Those oaks that have been planted into the landscape or sprouted naturally tend to be more tolerant of watered landscapes. These vigorous young trees may grow 1½ to 4 feet a year in height under good conditions. Once established these trees would benefit from the same special care outlined in this guide.



Valley Oak
QUERCUS LOBATA

LARGE DECIDUOUS TREE 60'-75' HIGH, BROADLY SPREADING 50'-80' WIDE.

LEAVES: DEEP GREEN, 3"-4" LONG: PAPER-LIKE TEXTURE WITH DEEP ROUNDED LOBES ON THE LEAF EDGE.

TENDS TO FAVOR VALLEY BOTTOMS: FOR THIS REASON THE VALLEY OAK HAS DISAPPEARED FROM THE LANDSCAPE MORE RAPIDLY, IMPACTED SEVERELY BY AGRICULTURE AND URBAN DEVELOPMENT.



Coast Live Oak
QUERCUS AGRIFOLIA

LARGE EVERGREEN TREE WITH A BROAD, ROUND SHAPE AND LARGE LIMBS. 30'-70' HIGH, 35'-80' WIDE.

LEAVES: GLOSSY GREEN, 1"-3" LONG: SPINY, ROUNDED, AND HOLLY-LIKE, BUT DISTINCTLY CUPPED OR CURLED UNDER AT THE EDGES.



Interior Live Oak
QUERCUS WISLIZENII

EVERGREEN TREE 30'-75' HIGH OR A SHRUB 8'-10' HIGH IN CHAPARRAL AREAS. HAS A FULL, DENSE ROUNDED SHAPE, NOT BROAD OR WITH LARGE LIMBS LIKE A COAST LIVE OAK. THEY TEND TO GROW IN CLUMPS RATHER THAN AS A SINGLE TREE.

LEAVES: DARK GREEN, 1"-4" LONG. EDGES EITHER SMOOTH OR SPINY, BUT ALWAYS FLAT— NOT CURLED UNDER.

OTHER COMMON OAKS:

CALIFORNIA BLACK OAK: QUERCUS KELLOGGI
CANYON LIVE OAK: QUERCUS CHRYSOLEPIS
ENGELMANN OAK: QUERCUS ENGELMANNII

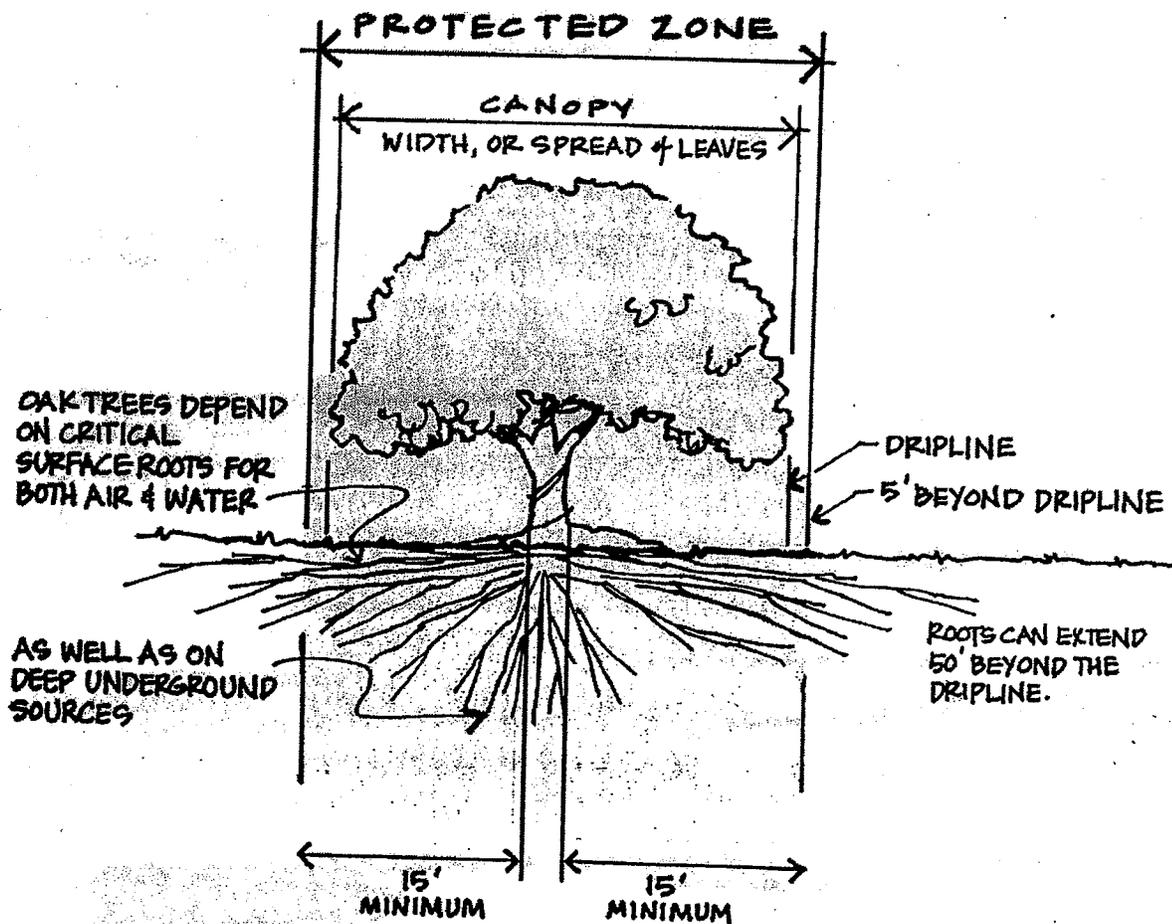
THE PROTECTED ZONE

The **protected zone** defines the area most critical to the health and continued survival of an oak tree. Oaks are easily damaged and very sensitive to disturbances that occur to the tree or in the surrounding environment.

The root system is extensive but surprisingly shallow, sometimes radiating out as much as 50 feet beyond the spread of the tree leaves, or canopy. The ground area at the outside edge of the canopy, referred to as the *dripline*, is especially important: the tree obtains most of its surface water and nutrients here, and conducts an important exchange of air and other gases.

The protected zone is defined in the Oak Tree Ordinance as follows:

"The Protected Zone shall mean that area within the dripline of an oak tree and extending there from to a point at least 5 feet outside the dripline or 15 feet from the trunk, whichever distance is greater."



CONSTRUCTION ACTIVITY WITHIN THE PROTECTED ZONE

Changes in Grade

Any change in the level of soil around an oak tree can have a negative impact. The most critical area lies within 6' to 10' of the trunk: no soil should be added or scraped away. Water should drain away from this area and not be allowed to pond so that soil remains wet at the base.

Retaining walls designed to hold back soil above or below an existing tree should be avoided if at all possible, especially within the protected zone. These types of structures cause critical areas at the dripline to be buried, or require that major roots be severed. Water trapped at the base of the tree could lead to root rot or other impacts, and to the decline and premature death of a highly valued landscape tree.

Construction activities outside the protected zone can have damaging impacts on existing trees. Underground water sources can be cut off due to falling water tables, or drainage may be disrupted.

Trenching

Digging of trenches in the root zone should be avoided. Roots may be cut or severely damaged, and the tree can be killed.

If trenches must be placed within the protected zone, utilities can be placed in a conduit, which has been bored through the soil, reducing damage to the roots. Insist that as many utilities as allowed be placed in a single trench, instead of the common practice of digging a separate trench for each individual line.

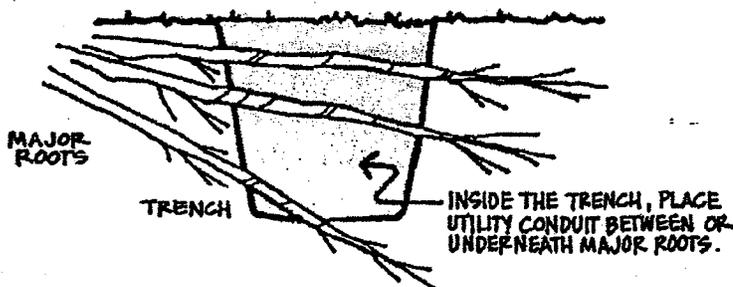
Trenching can also be accomplished using hand tools or small hand held power equipment to avoid cutting roots. Any roots exposed during this work should be covered with wet burlap and kept moist until the soil can be replaced.

Soil Compaction and Paving

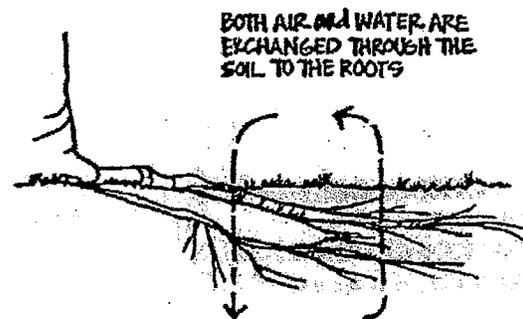
The roots depend upon an important exchange of both water and air through the soil within the protected zone. Any kind of activity that compacts the soil in this area blocks this exchange and can have serious long-term negative effects on the tree.

If paving material must be used, some recommended surfaces include brick paving with sand joints, or ground coverings such as wood chips (note the advantages of natural materials for providing nutrients under mulching).

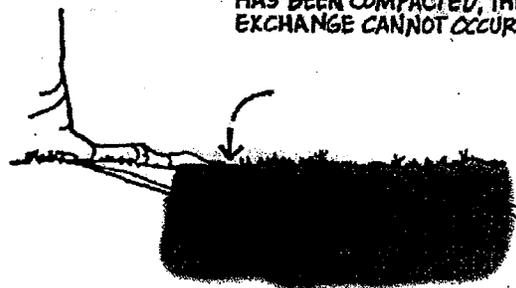
TRENCHING



SOIL COMPACTION



HOWEVER, IF THE SOIL HAS BEEN COMPACTED, THIS EXCHANGE CANNOT OCCUR.



MAINTENANCE

Watering

The key is prevention – **do not over water**. Improper watering is often overlooked as the cause of tree death because it can take years for the damage to show. Once the tree shows obvious signs of decline, it is often too late to correct the problem.

The seasonal weather pattern for this region is one of dry summers and winter rain. Oak trees are naturally drought tolerant and adapted to this cycle. If the tree is vigorous and thriving it should not require any additional water.

If the natural source of surface or underground water has been altered, some supplemental water may be necessary, but proceed with caution. The goal of any watering schedule for oak trees should be to supplement natural rainfall and it should occur only when the tree would normally receive moisture. This might be in the winter, if rains are unusually late, or in spring if rainfall has been below normal levels.

Over watering, especially during the summer months, causes a number of problems which can lead to decline and eventual death of the tree. It creates ideal conditions for attacks of Oak Root Fungus by allowing the fungus to breed all year. In addition, both evergreen and deciduous oaks grow vigorously in the spring and naturally go dormant in the summer. Extra water only encourages new tip growth which is subject to mildew. Oaks need this period of rest.

Newly planted oaks may need supplemental watering during their first few summers. After they become established water should be applied according to the previous guidelines.

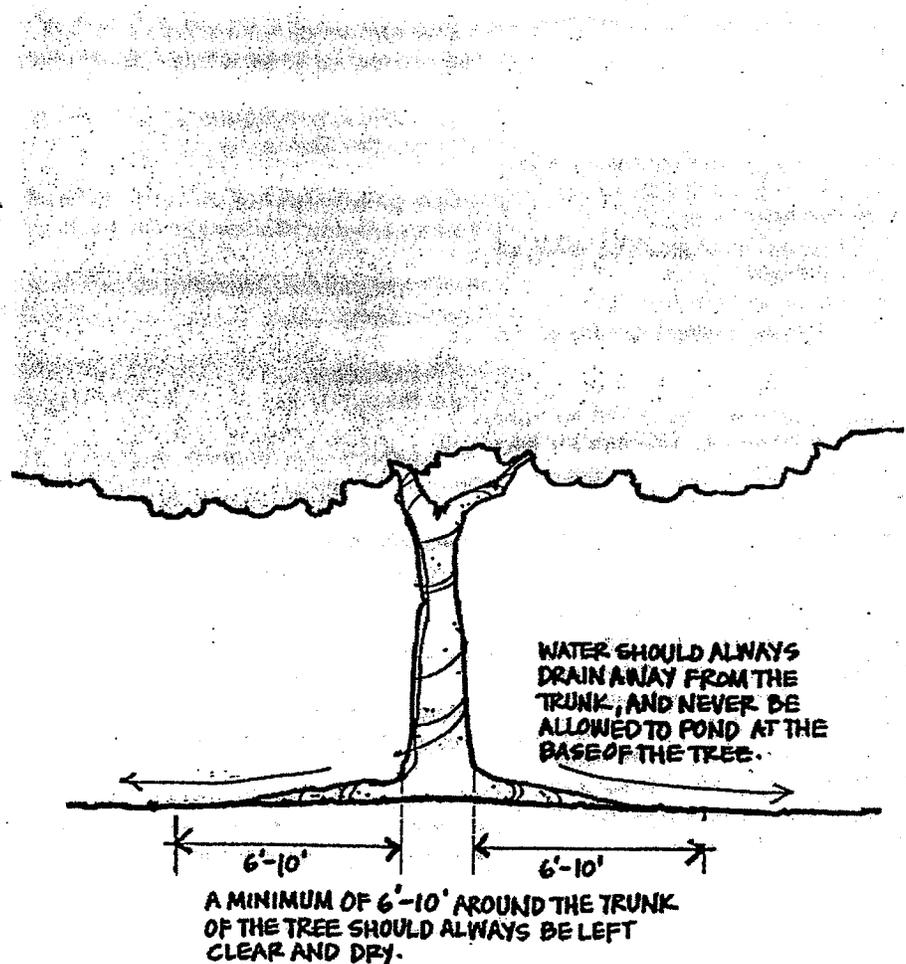
Pruning

For oak trees the periodic removal of dead wood during periods of tree dormancy should be the only pruning needed. Any cutting of green wood opens scars that could allow the entry of organisms or disease.

Before pruning obtain the advice of a certified arborist or other professional and consult the local city or county where the tree is located to find out what regulations apply. Pruning of both live and dead wood can sometimes require a permit.

Mulching

Leaf litter from the tree is the best mulch and should be allowed to remain on the ground within the protected zone. Crushed walnut shells or wood chips can be used, but the oak leaves that drop naturally provide the tree with a source of nutrients. Avoid the use of packaged or commercial oak leaf mulch which could contain Oak Root Fungus. Redwood chips should not be used due to certain chemicals present in the wood.



Disease and Pests

Trees that are stressed, especially because of improper watering practices, are prone to certain diseases and attacks by pests.

The most damaging of these diseases is the Oak Root Fungus *Armillaria mellea*. Occurring naturally in the soil, the fungus thrives under wet conditions and dies back in the summer when soils dry out. This is why summer watering of oaks can be a deadly practice. As noted in the watering guidelines, wet soil in the summer allows the fungus to grow all year. As the population grows, their natural food sources are depleted and they begin feeding on oak tree roots. The fungus does not require an open wound in the tree to gain entry.

Indications of the fungus include:

- die back of branches or tips.
- honey colored fungus at or near the root crown.
- white fan-like fungus between wood and bark.
- the presence of black, shoestring-like growths in the soil.

Once the tree begins to show obvious signs of infection treatment is generally ineffective. The best treatment is to *avoid* the conditions that lead to Oak Root Fungus infections.

Pit Scale, Oak Moth, and other pests: any significant changes in leaf color, branch die back, presence of black sooty materials on leaves or other changes should be noted. Seek the advice of a professional forester, arborist, farm advisor or other expert before the application of any pesticides on an oak tree.

Planting Underneath Oaks

The natural leaf litter is by far the best ground cover within the protected zone. If plants must be placed, the following guidelines should be followed:

There should be no planting within a minimum 6 to 10 feet of the trunk.

Avoid plants that require any supplemental water once established.

Choose plants suited for "dry shade." Those listed in the box below offer some good choices. To see some examples of how these plants have been used under oaks refer to the Additional Resources section on the following page.

PLANTS TO CONSIDER:

Plant Name	Description
<i>Arctostaphylos densiflora</i> 'Howard McMinn' Manzanita	3' high, 6' wide. Toughest of available forms. Whitish-pink flowers.
<i>Arctostaphylos edmundsii</i> Little Sur Manzanita	1-2' high, 4-5' wide. Tolerant of full shade.
<i>Arctostaphylos hookeri</i> Monterey Carpet Manzanita	1-2' high, spreading to 12' wide by rooting branches. White to pink flowers.
<i>Ceanothus griseus horizontalis</i> Carmel Creeper	Less than 2 1/2' tall, low & creeping. Clusters of small blue flowers.
<i>Heuchera spp.</i> Coral Bells	2-4' mound. Flowers on an upright stem 2-3" high and spotted with red or pink.
<i>Mahonia aquifolium compacta</i> Oregon Grape	2-4' high, spreading by underground roots. Bright yellow flower clusters.
<i>Ribes viburnifolium</i> Evergreen or Catalina Currant	2-3' high, spreading to 12' wide. Flowers pink to red in small clusters.

NOTES:

Before deciding on plants, check a source such as the *Sunset Western Garden Book* to determine which plants will grow in your area.

When choosing shade tolerant plants, consider that the ground under the south side of the tree will get more sunlight while the northern side will tend to remain more deeply shaded.

ADDITIONAL RESOURCES and Places to Visit

Public Agencies

County of Los Angeles Fire Department
Prevention Bureau, Forestry Division
5823 Rickenbacker Road, Rm #123
Commerce, CA 90040-3027
(323) 890-4330
<http://lacofd.org/forestry.htm>

University of California
Integrated Hardwood Range Management Program
163 Mulford Hall, Berkeley, CA 94720-3114
<http://danr.ucop.edu/ihrmp>

Private Organizations

The Theodore Payne Foundation
10459 Tuxford Street
Sun Valley, CA 91352-2126
(818) 768-1802
www.theodorepayne.org

California Native Plant Society
1722 J Street, Suite 17
Sacramento, CA 95814-3033
(916) 447-2677
www.cnps.org

The California Oak Foundation
1212 Broadway, Suite 810
Oakland, CA 94612-1810
(510) 763-0282
www.californiaoaks.org

Arboretums and Botanic Gardens

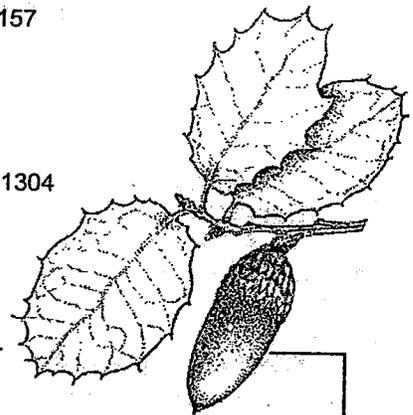
Los Angeles County Arboreta and Botanic Gardens
301 N. Baldwin Ave.
Arcadia, CA 91007-2697
(626) 821-3222
www.arboretum.org

Los Angeles County South Coast Botanic Garden
26300 Crenshaw Blvd.
Palos Verdes Peninsula, CA 90274-2515
(310) 544-6815
www.southcoastbotanicgarden.org

Los Angeles County Descanso Gardens
1418 Descanso Drive
La Canada-Flintridge, CA 91011-3102
(818) 949-4200
www.descansogardens.org

Rancho Santa Ana Botanic Garden
1500 North College
Claremont, CA 91711-3157
(909) 625-8767
www.rsabg.org

The Lummis Home
200 E. Avenue 43
Los Angeles, CA 90031-1304
(213) 222-0546



Publications

Compatible Plants Under and Around Oaks. Bruce W. Hagen... [et al]. The California Oak Foundation. 2000.

Growing California Native Plants. Marjorie G. Schmidt, Univ. California Press. 1981.

Illustrated Guide to the Oaks of the Southern Californian Floristic Province. Fred M. Roberts. FM Roberts Publications. 1996.

Living Among the Oaks: A Management Guide for Landowners. University of California Integrated Range Management Program. 1995.

Oaks of California. Bruce M. Pavlik... [et al]. Cachuma Press & the California Oak Foundation. 1995.

Proceedings of the Fifth Symposium on Oak Woodlands: Oaks in California's Changing Landscape. GTR PSW-GTR-184. Forest Service, U.S. Department of Agriculture. 2001.
Available from the University of California Integrated Hardwood Range Management Program.

Regenerating Rangeland Oaks in California. University of California Integrated Range Management Program. 2001.



County of Los Angeles Fire Department Forestry Division

County of Los Angeles Board of Supervisors

Gloria Molina, First District
Yvonne Brathwaite Burke, Second District
Zev Yaroslavsky, Third District
Don Knabe, Fourth District
— Michael D. Antonovich, Fifth District

County of Los Angeles Fire Department

P. Michael Freeman, Fire Chief

Brush Clearance Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-2375

Camp 17
6555 Stephens Ranch Road
La Verne, CA 91750-1144
(909) 593-7147

Environmental Review Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5719

Fire Plan/Interpretive Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5783

Fuel Modification Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-5205

Henninger Flats Forestry Unit
2260 Pinecrest Drive
Altadena, CA 91001-2123
(626) 794-0675

Lake Hughes Forestry Unit
42150 N. Lake Hughes Road
Lake Hughes, CA 93532-9706
(661) 724-1810

Malibu Forestry Unit
942 N. Las Virgenes Road
Calabasas, CA 91302-2137
(818) 222-1108

San Dimas Forestry Unit
1910 N. Sycamore Canyon Road
San Dimas, CA 91773-1220
(909) 599-4615

Saugus Forestry Unit
28760 N. Bouquet Canyon Road
Saugus, CA 91390-1220
(661) 296-8558

Vegetation Management Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5720

R2005-03279



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 890-4330

MAR 18 2009

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

March 12, 2009

Phillip Estes, Principal Planning Assistant
Department of Regional Planning
Zoning Permits Section I
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Estes:

OAK TREE PERMIT #2005-00069, 22410 ANNEPE WAY, CHATSWORTH

We have reviewed the "Request for Oak Tree Permit #2005-00069." The project is located at 22410 Annepe Way in the unincorporated area of Chatsworth. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site. The term "Oak Tree Report" refers to the document on file by Jan C. Scow, the consulting arborist, dated January 17, 2003.

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.
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

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	BRADBURY	CUDAHY	HAWTHORNE	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CARSON	DUARTE	HUNTINGTON PARK	LAKEWOOD	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CERRITOS	EL MONTE	INDUSTRY	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	CLAREMONT	GARDENA	INGLEWOOD	LAWDALE	PALOS VERDES ESTATES	ROSEMEAD	WALNUT
BELL GARDENS	COMMERCE	GLENORA	IRWINDALE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELFLOWER	COVINA	HAWAIIAN GARDENS	LA CANADA FLINTRIDGE	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
			LA HABRA				WHITTIER

MAR 18 2009

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 of temporary fencing (required to secure the protected zone of all remaining Oak trees), prior to the commencement of construction and two (2) subsequent 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 County of Los Angeles Fire Department, Forestry Division 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 (4) feet in height, to secure the protected zone of 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. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning), or fifteen (15) feet from the trunk, whichever is greater.
6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan 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, mitigation planting plan and conditions of approval.

PERMITTED RETROACTIVE OAK TREE ENCROACHMENT:

7. This grant allows retroactive encroachment within the protected zone of two (2) trees of the Oak genus (*Quercus agrifolia*) identified as Tree Numbers 100 & 101 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. Tree #100 has been moderately pruned due to construction activities. In order to maintain the health of these trees the applicant must follow the guidelines set forth in the aforementioned Oak Tree Report.

8. 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 County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one tree be removed.
9. 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 County of Los Angeles Fire Department, Forestry Division. A copy of the publication is enclosed with these conditions.

MITIGATION TREES:

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above that dies as a result of the approved encroachments.
11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible provided the combined diameter of the two (2) largest stems of such trees measure a minimum of one (1) inch in diameter one (1) foot above the base.
12. Mitigation trees shall consist of indigenous varieties of Quercus agrifolia grown from a local seed source.
13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Additional mitigation trees shall be planted within one (1) 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."

14. 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 (2) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.
15. 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:

16. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited.
17. 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 (2) 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."
18. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.
19. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.
20. 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.
21. 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.

Phillip Estes, Principal Regional Planner

March 12, 2009

Page 5

22. 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 County of Los Angeles Fire Department, Forestry Division for all enforcement efforts necessary to bring the subject property into compliance.

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

Very truly yours,



FRANK VIDALES, ACTING CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

FV:jl

Enclosure



OAK TREES: Care and Maintenance

This Oak Tree Care and Maintenance Guide offers basic information and practical guidelines aimed at the preservation and continued health and survival of oak trees in the residential landscape.

Increasing pressure for development is changing the oak woodland of Los Angeles County. Heritage oaks which once survived in open rolling hills are now being preserved or replanted and incorporated into the community.

How do we protect these trees during the planning and development process, and ensure their survival once they are in the home garden?

The Oak Tree

Oak Trees in the residential landscape often suffer decline and early death due to conditions that are easily preventable. Damage can often take years to become evident, and by the time the trees show obvious signs of disease it is usually too late to help.

Improper watering, especially during the hot summer months, and disturbance to critical root areas are most often the causes. This booklet will provide guidelines on where these critical areas lie and ways to avoid disturbing them, as well as information on long-term care and maintenance of both natural and planted oaks. Lists of additional resources for more information and demonstration areas to visit are also included.

The Oak Tree Ordinance

The Los Angeles County Oak Tree Ordinance has been established to recognize oak trees as significant historical, aesthetic, and ecological resources. The goal of the ordinance is to create favorable conditions for the preservation and propagation of this unique and threatened plant heritage. By making this part of the development process, healthy oak trees will be preserved and maintained.

The Los Angeles County Oak Tree Ordinance applies to all unincorporated areas of the County. Individual cities may have their own ordinances, and their requirements may be different.

Permit Requirements:

Under the Los Angeles County Ordinance, a person shall not cut, destroy, remove, relocate, inflict damage, or encroach into the *protected zone* (see text) of any ordinance sized tree of the oak tree genus without first obtaining a permit.

Damage includes but is not limited to :

- Burning
- Application of toxic substances
- Pruning or cutting
- Trenching
- Excavating
- Paving
- Operation of machinery or equipment
- Changing the natural grade

Chapter 22.56.2050: Oak Tree -Permit Regulations, Los Angeles County, Adopted: August 20, 1982. Amended: September 13, 1988.

For more information about the County Oak Tree Ordinance, visit the Forestry Division's website at:

http://lacofd.org/Forestry_folder/otordin.htm

Or contact:

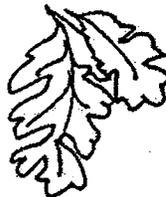
Department of Regional Planning
320 W. Temple Street, 13th floor
Los Angeles, CA 90012-3284
(213) 974-6411
TDD: (213) 617-2292
<http://planning.co.la.ca.us>

Types of oaks commonly found in Los Angeles County:

Many kinds of oak trees are native to Los Angeles County. A few of the more common ones are shown below, but *all* oak trees are covered by the Oak Tree Ordinance.

Older oaks which have thrived under the natural rainfall patterns of dry summers and wet winters often can't handle the extra water of a garden setting. These trees must be treated with special care if they are to survive.

Those oaks that have been planted into the landscape or sprouted naturally tend to be more tolerant of watered landscapes. These vigorous young trees may grow 1½ to 4 feet a year in height under good conditions. Once established these trees would benefit from the same special care outlined in this guide.



Valley Oak
QUERCUS LOBATA

LARGE DECIDUOUS TREE 60'-75' HIGH, BROADLY SPREADING 50'-80' WIDE.

LEAVES: DEEP GREEN, 5"-4" LONG: PAPER-LIKE TEXTURE WITH DEEP ROUNDED LOBES ON THE LEAF EDGE.

TENDS TO FAVOR VALLEY BOTTOMS! FOR THIS REASON THE VALLEY OAK HAS DISAPPEARED FROM THE LANDSCAPE MORE RAPIDLY, IMPACTED SEVERELY BY AGRICULTURE AND URBAN DEVELOPMENT.



Coast Live Oak
QUERCUS AGRIFOLIA

LARGE EVERGREEN TREE WITH A BROAD, ROUND SHAPE AND LARGE LIMBS. 30'-70' HIGH, 35'-80' WIDE.

LEAVES: GLOSSY GREEN, 1"-3" LONG: SPINY, ROUNDED, AND HOLLY-LIKE: BUT DISTINCTLY CUPPED OR CURLED UNDER AT THE EDGES.



Interior Live Oak
QUERCUS WIGLIZENII

EVERGREEN TREE 30'-75' HIGH OR A SHRUB 8'-10' HIGH IN CHAPARRAL AREAS. HAS A FULL, DENSE ROUNDED SHAPE, NOT BROAD OR WITH LARGE LIMBS LIKE A COAST LIVE OAK. THEY TEND TO GROW IN CLUMPS RATHER THAN AS A SINGLE TREE.

LEAVES: DARK GREEN, 1"-4" LONG. EDGES EITHER SMOOTH OR SPINY, BUT ALWAYS FLAT-- NOT CURLED UNDER.

OTHER COMMON OAKS:

CALIFORNIA BLACK OAK: QUERCUS KELLOGGI
CANYON LIVE OAK: QUERCUS CHRYSOLEPIS
ENGELMANN OAK: QUERCUS ENGELMANNII

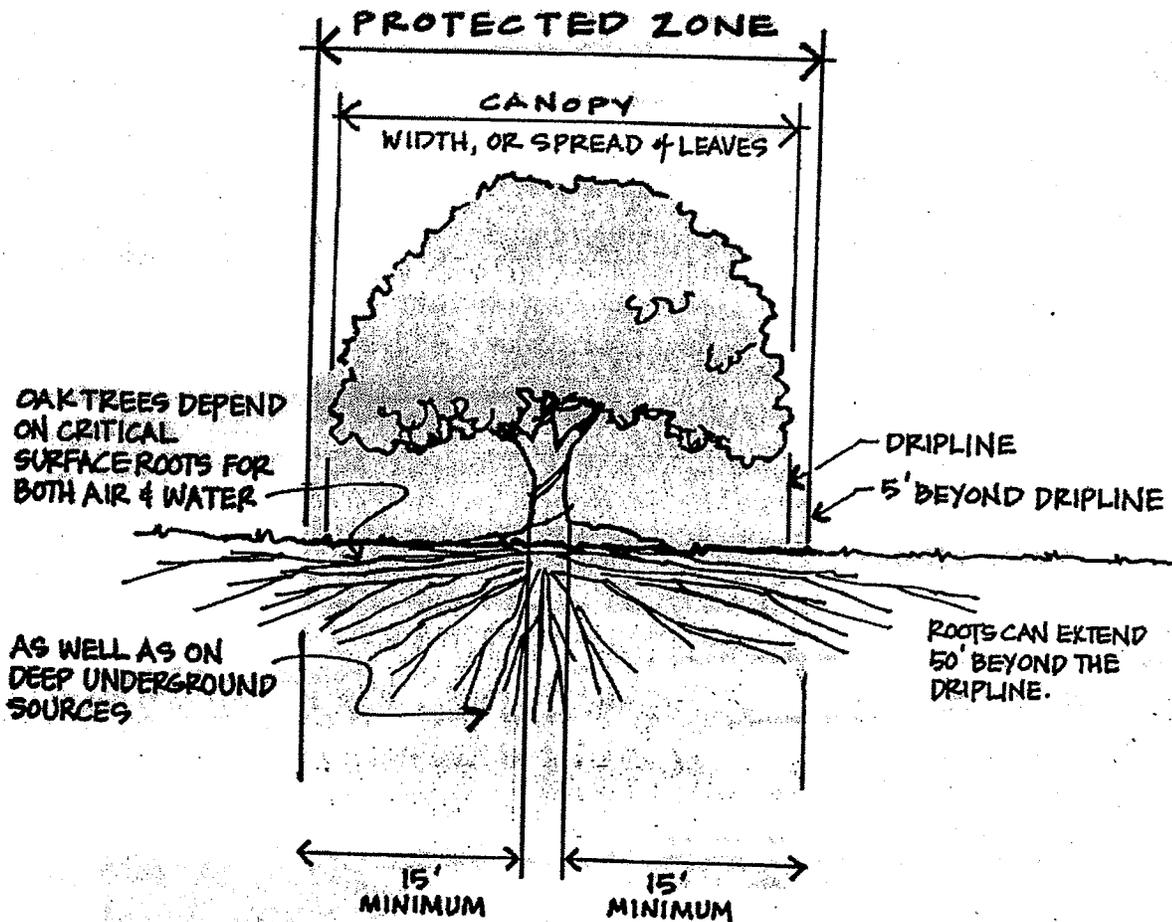
THE PROTECTED ZONE

The *protected zone* defines the area most critical to the health and continued survival of an oak tree. Oaks are easily damaged and very sensitive to disturbances that occur to the tree or in the surrounding environment.

The root system is extensive but surprisingly shallow, sometimes radiating out as much as 50 feet beyond the spread of the tree leaves, or canopy. The ground area at the outside edge of the canopy, referred to as the *dripline*, is especially important: the tree obtains most of its surface water and nutrients here, and conducts an important exchange of air and other gases.

The protected zone is defined in the Oak Tree Ordinance as follows:

"The Protected Zone shall mean that area within the dripline of an oak tree and extending there from to a point at least 5 feet outside the dripline or 15 feet from the trunk, whichever distance is greater."



CONSTRUCTION ACTIVITY WITHIN THE PROTECTED ZONE

Changes in Grade

Any change in the level of soil around an oak tree can have a negative impact. The most critical area lies within 6' to 10' of the trunk; no soil should be added or scraped away. Water should drain away from this area and not be allowed to pond so that soil remains wet at the base.

Retaining walls designed to hold back soil above or below an existing tree should be avoided if at all possible, especially within the protected zone. These types of structures cause critical areas at the dripline to be buried, or require that major roots be severed. Water trapped at the base of the tree could lead to root rot or other impacts, and to the decline and premature death of a highly valued landscape tree.

Construction activities outside the protected zone can have damaging impacts on existing trees. Underground water sources can be cut off due to falling water tables, or drainage may be disrupted.

Trenching

Digging of trenches in the root zone should be avoided. Roots may be cut or severely damaged, and the tree can be killed.

If trenches must be placed within the protected zone, utilities can be placed in a conduit, which has been bored through the soil, reducing damage to the roots. Insist that as many utilities as allowed be placed in a single trench, instead of the common practice of digging a separate trench for each individual line.

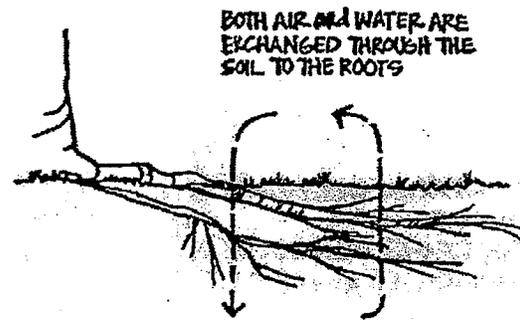
Trenching can also be accomplished using hand tools or small hand held power equipment to avoid cutting roots. Any roots exposed during this work should be covered with wet burlap and kept moist until the soil can be replaced.

Soil Compaction and Paving

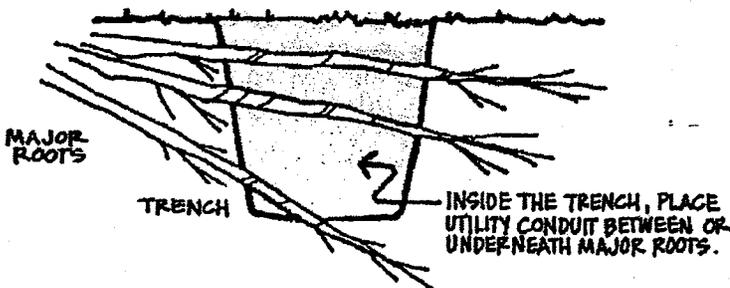
The roots depend upon an important exchange of both water and air through the soil within the protected zone. Any kind of activity that compacts the soil in this area blocks this exchange and can have serious long-term negative effects on the tree.

If paving material must be used, some recommended surfaces include brick paving with sand joints, or ground coverings such as wood chips (note the advantages of natural materials for providing nutrients under mulching).

SOIL COMPACTION



TRENCHING



MAINTENANCE

Watering

The key is prevention – **do not over water**. Improper watering is often overlooked as the cause of tree death because it can take years for the damage to show. Once the tree shows obvious signs of decline, it is often too late to correct the problem.

The seasonal weather pattern for this region is one of dry summers and winter rain. Oak trees are naturally drought tolerant and adapted to this cycle. If the tree is vigorous and thriving it should not require any additional water.

If the natural source of surface or underground water has been altered, some supplemental water may be necessary, but proceed with caution. The goal of any watering schedule for oak trees should be to supplement natural rainfall and it should occur only when the tree would normally receive moisture. This might be in the winter, if rains are unusually late, or in spring if rainfall has been below normal levels.

Over watering, especially during the summer months, causes a number of problems which can lead to decline and eventual death of the tree. It creates ideal conditions for attacks of Oak Root Fungus by allowing the fungus to breed all year. In addition, both evergreen and deciduous oaks grow vigorously in the spring and naturally go dormant in the summer. Extra water only encourages new tip growth which is subject to mildew. Oaks need this period of rest.

Newly planted oaks may need supplemental watering during their first few summers. After they become established water should be applied according to the previous guidelines.

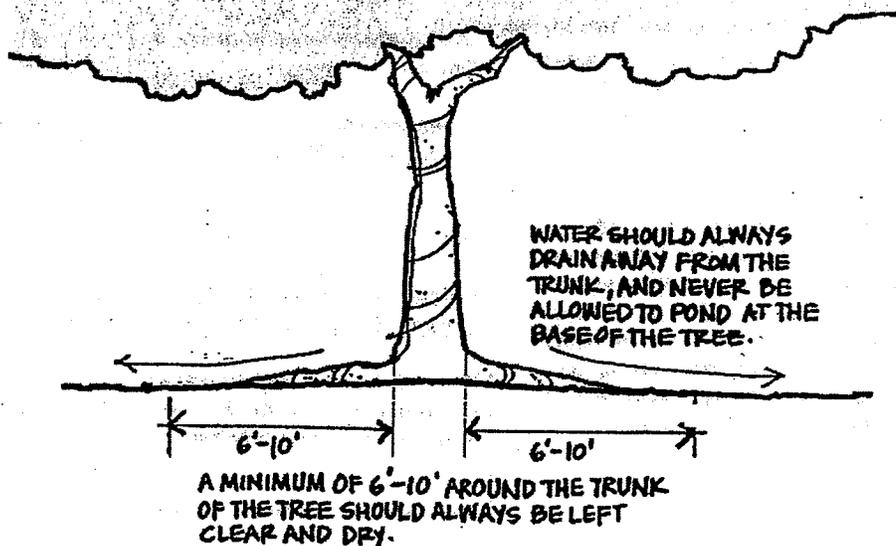
Pruning

For oak trees the periodic removal of dead wood during periods of tree dormancy should be the only pruning needed. Any cutting of green wood opens scars that could allow the entry of organisms or disease.

Before pruning obtain the advice of a certified arborist or other professional and consult the local city or county where the tree is located to find out what regulations apply. Pruning of both live and dead wood can sometimes require a permit.

Mulching

Leaf litter from the tree is the best mulch and should be allowed to remain on the ground within the protected zone. Crushed walnut shells or wood chips can be used, but the oak leaves that drop naturally provide the tree with a source of nutrients. Avoid the use of packaged or commercial oak leaf mulch which could contain Oak Root Fungus. Redwood chips should not be used due to certain chemicals present in the wood.



Disease and Pests

Trees that are stressed, especially because of improper watering practices, are prone to certain diseases and attacks by pests.

The most damaging of these diseases is the Oak Root Fungus *Armillaria mellea*. Occurring naturally in the soil, the fungus thrives under wet conditions and dies back in the summer when soils dry out. This is why summer watering of oaks can be a deadly practice. As noted in the watering guidelines, wet soil in the summer allows the fungus to grow all year. As the population grows, their natural food sources are depleted and they begin feeding on oak tree roots. The fungus does not require an open wound in the tree to gain entry.

Indications of the fungus include:

- die back of branches or tips.
- honey colored fungus at or near the root crown.
- white fan-like fungus between wood and bark.
- the presence of black, shoestring-like growths in the soil.

Once the tree begins to show obvious signs of infection treatment is generally ineffective. The best treatment is to *avoid* the conditions that lead to Oak Root Fungus infections.

Pit Scale, Oak Moth, and other pests: any significant changes in leaf color, branch die back, presence of black sooty materials on leaves or other changes should be noted. Seek the advice of a professional forester, arborist, farm advisor or other expert before the application of any pesticides on an oak tree.

Planting Underneath Oaks

The natural leaf litter is by far the best ground cover within the protected zone. If plants must be placed, the following guidelines should be followed:

There should be no planting within a minimum 6 to 10 feet of the trunk.

Avoid plants that require any supplemental water once established.

Choose plants suited for "dry shade." Those listed in the box below offer some good choices. To see some examples of how these plants have been used under oaks refer to the Additional Resources section on the following page.

PLANTS TO CONSIDER:

Plant Name	Description
<i>Arctostaphylos densiflora</i> 'Howard McMinn' Manzanita	3' high, 6' wide. Toughest of available forms. Whitish-pink flowers.
<i>Arctostaphylos edmundsii</i> Little Sur Manzanita	1-2' high, 4-5' wide. Tolerant of full shade.
<i>Arctostaphylos hookeri</i> Monterey Carpet Manzanita	1-2' high, spreading to 12' wide by rooting branches. White to pink flowers.
<i>Ceanothus griseus horizontalis</i> Carmel Creeper	Less than 2 1/2' tall, low & creeping. Clusters of small blue flowers.
<i>Heuchera spp.</i> Coral Bells	2-4' mound. Flowers on an upright stem 2-3" high and spotted with red or pink.
<i>Mahonia aquifolium compacta</i> Oregon Grape	2-4' high, spreading by underground roots. Bright yellow flower clusters.
<i>Ribes viburnifolium</i> Evergreen or Catalina Currant	2-3' high, spreading to 12' wide. Flowers pink to red in small clusters.

NOTES:

Before deciding on plants, check a source such as the Sunset Western Garden Book to determine which plants will grow in your area.

When choosing shade tolerant plants, consider that the ground under the south side of the tree will get more sunlight while the northern side will tend to remain more deeply shaded.

ADDITIONAL RESOURCES and Places to Visit

Public Agencies

County of Los Angeles Fire Department
Prevention Bureau, Forestry Division
5823 Rickenbacker Road, Rm #123
Commerce, CA 90040-3027
(323) 890-4330
<http://lacofd.org/forestry.htm>

University of California
Integrated Hardwood Range Management Program
163 Mulford Hall, Berkeley, CA 94720-3114
<http://danr.ucop.edu/ihrmp>

Private Organizations

The Theodore Payne Foundation
10459 Tuxford Street
Sun Valley, CA 91352-2126
(818) 768-1802
www.theodorepayne.org

California Native Plant Society
1722 J Street, Suite 17
Sacramento, CA 95814-3033
(916) 447-2677
www.cnps.org

The California Oak Foundation
1212 Broadway, Suite 810
Oakland, CA 94612-1810
(510) 763-0282
www.californiaoaks.org

Arboretums and Botanic Gardens

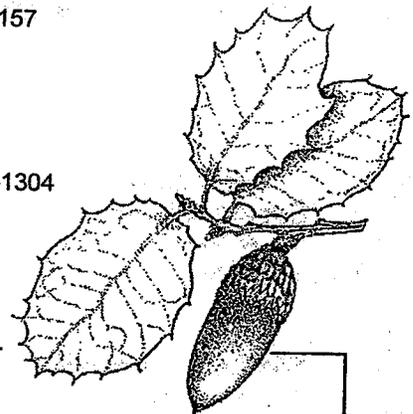
Los Angeles County Arboreta and Botanic Gardens
301 N. Baldwin Ave.
Arcadia, CA 91007-2697
(626) 821-3222
www.arboretum.org

Los Angeles County South Coast Botanic Garden
26300 Crenshaw Blvd.
Palos Verdes Peninsula, CA 90274-2515
(310) 544-6815
www.southcoastbotanicgarden.org

Los Angeles County Descanso Gardens
1418 Descanso Drive
La Canada-Flintridge, CA 91011-3102
(818) 949-4200
www.descansogardens.org

Rancho Santa Ana Botanic Garden
1500 North College
Claremont, CA 91711-3157
(909) 625-8767
www.rsabg.org

The Lummis Home
200 E. Avenue 43
Los Angeles, CA 90031-1304
(213) 222-0546



Publications

Compatible Plants Under and Around Oaks. Bruce W. Hagen... [et al]. The California Oak Foundation. 2000.

Growing California Native Plants. Marjorie G. Schmidt, Univ. California Press. 1981.

Illustrated Guide to the Oaks of the Southern Californian Floristic Province. Fred M. Roberts. FM Roberts Publications. 1996.

Living Among the Oaks: A Management Guide for Landowners. University of California Integrated Range Management Program. 1995.

Oaks of California. Bruce M. Pavlik...[et al]. Cachuma Press & the California Oak Foundation. 1995.

Proceedings of the Fifth Symposium on Oak Woodlands: Oaks in California's Changing Landscape. GTR PSW-GTR-184. Forest Service, U.S. Department of Agriculture. 2001.
Available from the University of California Integrated Hardwood Range Management Program.

Regenerating Rangeland Oaks in California. University of California Integrated Range Management Program. 2001.



County of Los Angeles Fire Department Forestry Division

County of Los Angeles Board of Supervisors

Gloria Molina, First District
Yvonne Brathwaite Burke, Second District
Zev Yaroslavsky, Third District
Don Knabe, Fourth District
— Michael D. Antonovich, Fifth District

County of Los Angeles Fire Department

P. Michael Freeman, Fire Chief

Brush Clearance Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-2375

Camp 17
6555 Stephens Ranch Road
La Verne, CA 91750-1144
(909) 593-7147

Environmental Review Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5719

Fire Plan/Interpretive Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5783

Fuel Modification Unit
605 N. Angeleno Avenue
Azusa, CA 91702-2904
(626) 969-5205

Henninger Flats Forestry Unit
2260 Pinecrest Drive
Altadena, CA 91001-2123
(626) 794-0675

Lake Hughes Forestry Unit
42150 N. Lake Hughes Road
Lake Hughes, CA 93532-9706
(661) 724-1810

Malibu Forestry Unit
942 N. Las Virgenes Road
Calabasas, CA 91302-2137
(818) 222-1108

San Dimas Forestry Unit
1910 N. Sycamore Canyon Road
San Dimas, CA 91773-1220
(909) 599-4615

Saugus Forestry Unit
28760 N. Bouquet Canyon Road
Saugus, CA 91390-1220
(661) 296-8558

Vegetation Management Unit
12605 Osborne Street
Pacoima, CA 91331-2129
(818) 890-5720

Jan C. Scow

Registered Consulting Arborist

Disease and Pest Diagnosis, Hazard Evaluation, Restorative Pruning Advice, Value Assessment

3887 Woodcliff Rd.
Sherman Oaks, CA 91403
(818) 789-9127
FAX 789-9128

1/17/03

Vick Kargodorian (applicant)
2259 Honolulu Ave.
Montrose, CA 91020

Subject: Oak report (violation) @ 22410 Annepe Way, Chatsworth

Background:

The subject project, a new construction single family dwelling, impacted two protected oaks without obtaining an oak permit from the County. The County notified the applicant of the requirement for an oak permit and asked that they contact an arborist to assess the impacts and recommend mitigation.

We visited the site on 1/15/03 and examined the trees and the extent of impacts to the trees. All information below flows from our observations while on site and from discussions with the contractor.

Tree description:

The two oaks are coast live oaks (*Q. agrifolia*). Their information is listed in the table below. Tree tags were placed on each tree. The tree closest to the construction and the most damaged, tree 100, is a very unhealthy, poorly structured tree with decay and breakage. The second tree, tree 101, is in good condition, and is growing out of the foot of a boulder. It has not been damaged much if at all.

Tree number	100	101
Species	Q. agrifolia	Q. agrifolia
Diameter (inches)	18, 13	20
Canopy N/E/S/W (ft.)	12/15/9/10	8/14/~15/10
Protection area	15' radius	15' radius
Aesthetics points (%)	4/12 = 33	7/12 = 58
Structural remedies	Needs safety eval	Remove dead trunk
Disease/insects	Decay/crown rot	None observed
Vigor rating 10=aver.	7	9
Health rating	D+	B-
Health recs.	No	No
SER?	Encroachment	Encroachment
Construction impacts	Roots cut, equipment damage, soil compaction, limb removal	Soil compaction, minor root loss
Mitigation	See report	See report

Impacts: The project impacted two oaks on the southwest corner of the property, near the property lines. Impacts were associated with digging and other work associated with a retaining wall. In addition the applicant will be constructing a fence in the vicinity of these trees.

Root cutting- The digging for construction resulted in the cutting of about a dozen roots, between 1" and 2.5 inches in diameter. We inspected these roots and cut them appropriately while on-site so they could be backfilled.

Perimeter fencing should do little root damage if done as directed with post in concrete and wrought iron rails. If roots are encountered the posts will be moved. No posts will be within 4' of trunks.

Soil compaction- The area around the trees had been used as storage for materials and equipment was driven under the trees to do excavation and backfilling. Soil is light and sandy, with a packed sandstone below, so it is likely that compaction damage is minimal.

Limb removal- Prior to the work around these trees, limbs were cut off on tree 100, leaving some pretty serious damage resulting from poor pruning methods. Tree 101 was not pruned.

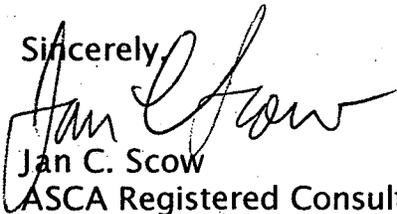
Mitigation: the following measures should be followed to protect the trees from additional damage.

1. Remove all construction materials from beneath the trees and fence the area with 5' chain link fencing until project completion.
2. Cut all roots damaged properly before backfilling (done).
3. Backfill all work within the dripline of either tree by hand only. No equipment should be allowed under either tree or within 15 feet of either trunk.
4. Install all perimeter fencing within 15 feet of either tree by hand only. Use post in concrete type construction. Do not dig any post holes within 4' of any trunk. If any roots greater than 1" in diameter are encountered move the hole to avoid the root.
5. Tree 100 needs to be inspected for safety, as it is in poor structural condition and could fail.
6. No irrigation or landscaping should be placed within 15 feet of either of these trees. The entire area should be covered with a 3-4 inch deep layer of organic mulch such as large wood chips.

If all these precautions are followed, no additional damage should occur. The trees have not been too badly damaged to survive, and in fact tree 101 has probably not been damaged at all.

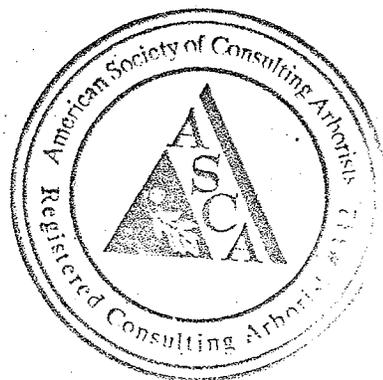
Please let me know if I can be of any further assistance or if you have any additional questions. My goal is to satisfy my clients and help them to better care for their trees in the most effective way possible. I look forward to working with you toward that goal!

Sincerely,

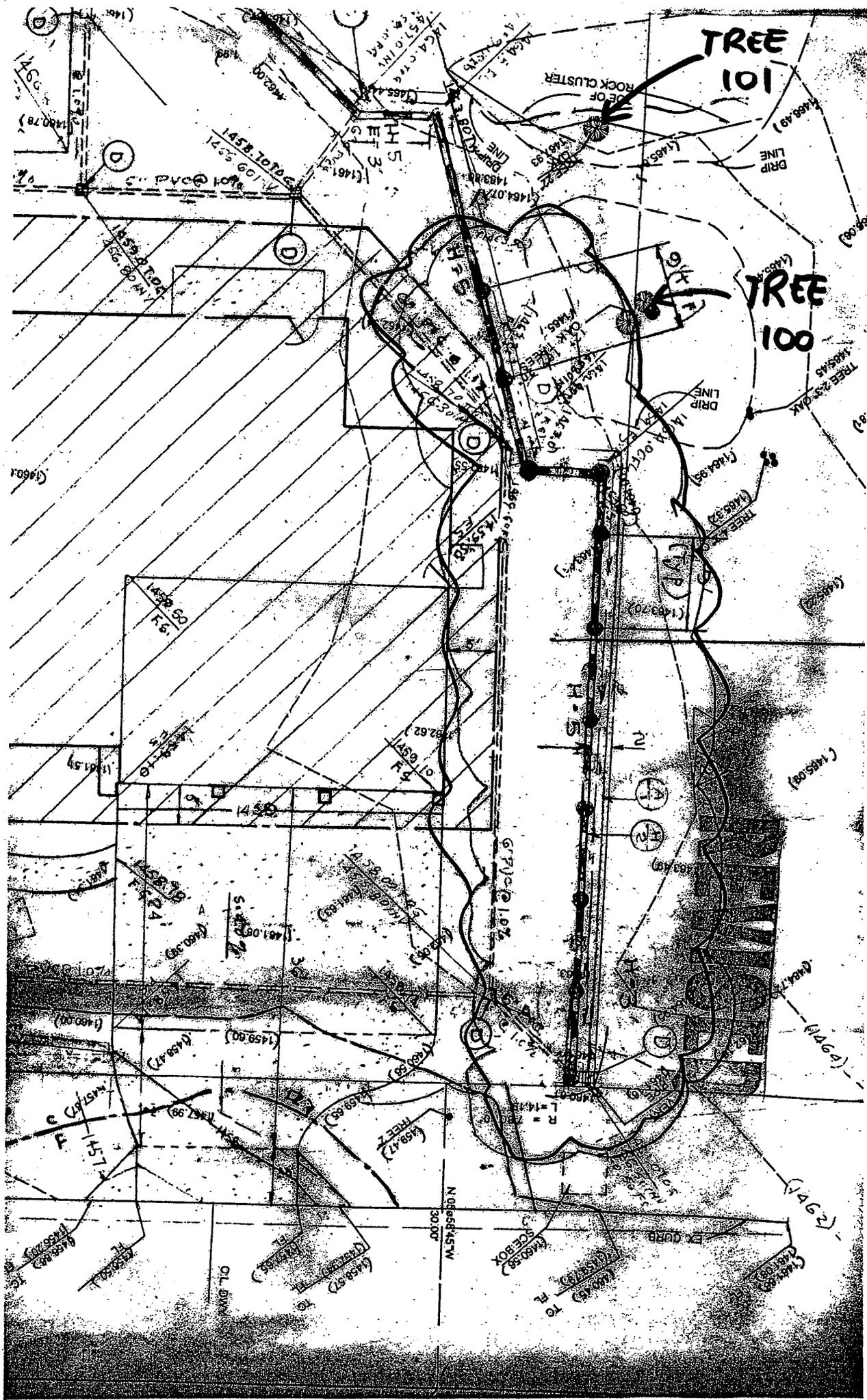


Jan C. Scow

ASCA Registered Consulting Arborist #382
ISA Certified Arborist # WC1972



Attached: Map showing location of trees.



TREE 101

TREE 100

ROCK CLUSTER

H.S.

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Burden of Proof

Describe how the following findings will be satisfied:

A. That the proposed construction... will be accomplished without endangering the health of the remaining trees... on the subject property:

The instructions given in the Oak Tree Report specifically address how to minimize impacts to the two oak trees.

and

B. That the removal... of the oak trees proposed will not result in soil erosion through the diversion or increased flow of soil waters which cannot be satisfactorily mitigated,

No oak trees will be (or have been) removed.

and

C. That in addition to the above facts... (at least one of) the following findings apply:

1. That the removal... of oak trees proposed is necessary as [their] continued existence at present locations frustrates the planned improvement or proposed use of the subject property to such an extent that:

a. Alternate development plans cannot achieve the same permitted density or that the cost of such alternatives would be prohibitive, or

b. Placement of such trees precludes the reasonable and efficient use of such property for a use otherwise authorized, or

2. That the oak trees proposed for removal interfere with utility services or streets and highways, either within or

outside of the subject property, and no reasonable alternative exists other than the removal of the trees, **or**

3. That 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, **or**

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.

No oak trees will be (or have been) removed.

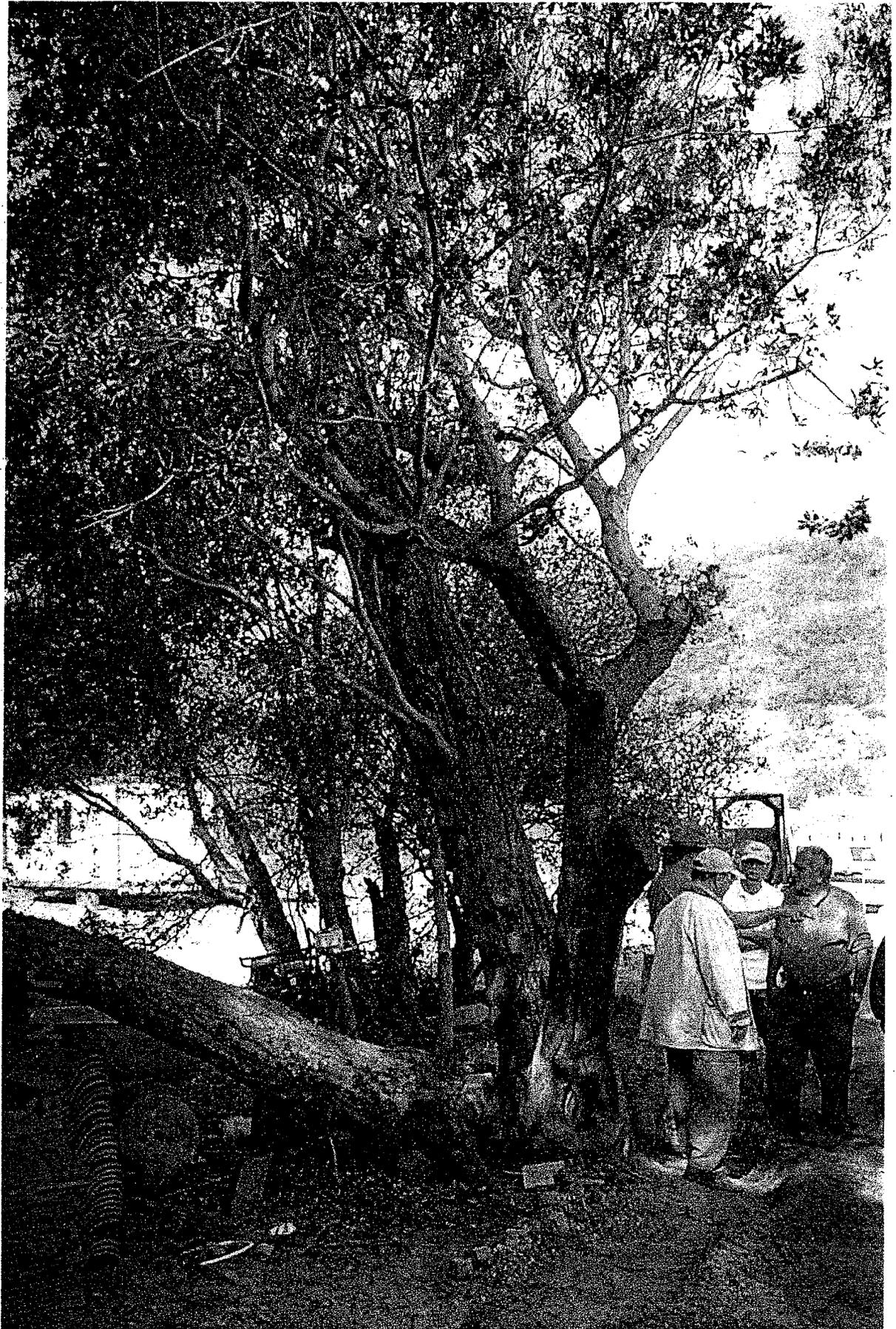
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TREE 101

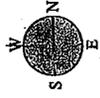


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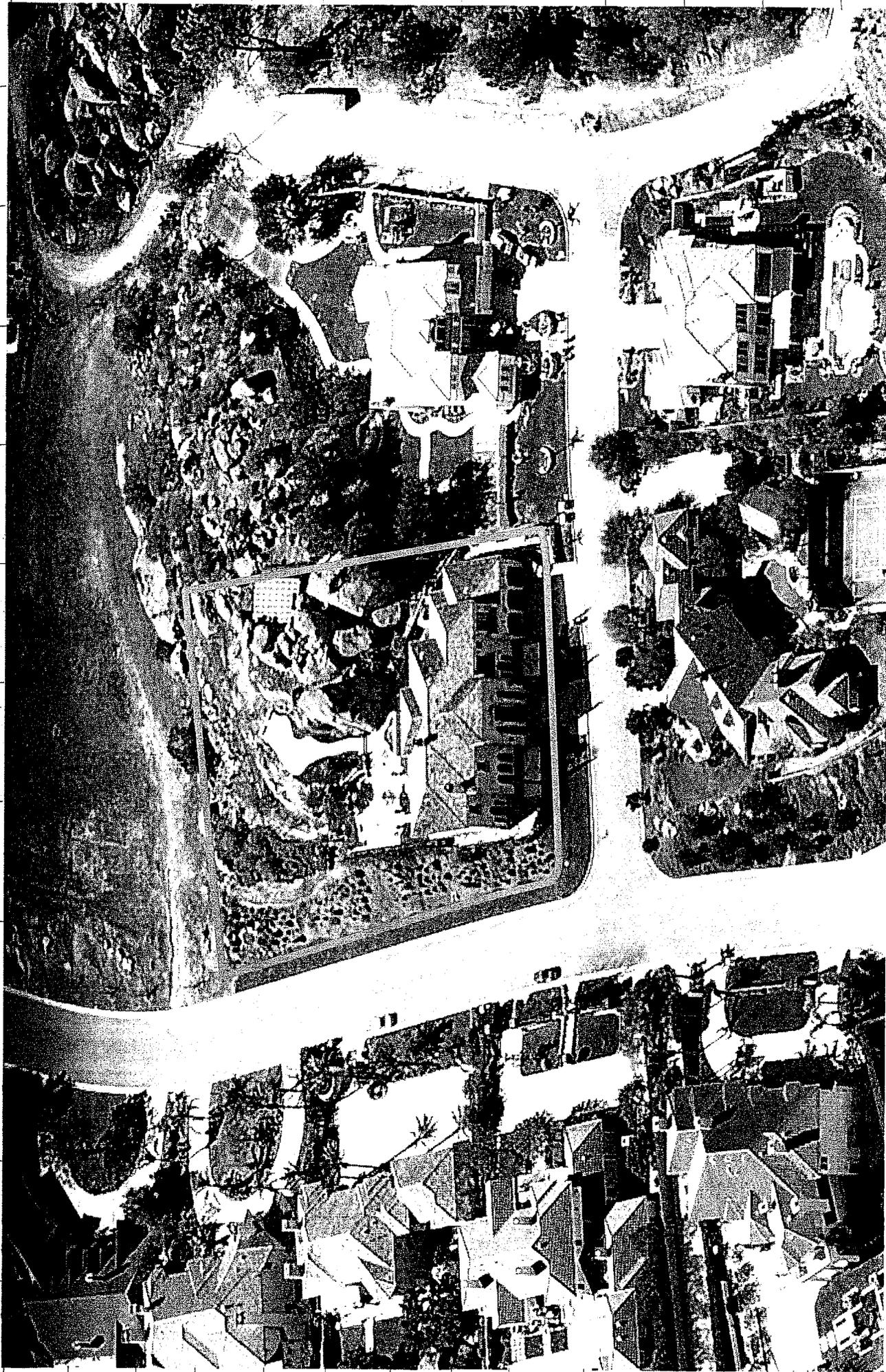




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