

**STAFF ANALYSIS**  
**PROJECT NUMBER R2006-03386**  
**OAK TREE PERMIT 200700038**

**ENTITLEMENT REQUEST**

The applicant is requesting an oak tree permit to retroactively authorize the removal of one oak tree and the encroachment into the protected zone of 10 oak trees for the construction of an in-ground swimming pool and a tennis court.

**PROJECT DESCRIPTION**

The applicant has begun construction on the permitted in-ground swimming pool and tennis court. Construction has resulted in the removal of an oak tree and encroachments into the protected zone of several oak trees. The project is located partly in the community of Kinneloa and partly in the National Forest in the community of Antelope Valley.

**LOCATION**

2340 Villa Heights

**SITE PLAN DESCRIPTION**

The site plan depicts a single family residence, a pool, a proposed changing room, a tennis court, a guest house, a trellis, an addition to the residence entryway, and a fountain, all of which were permitted under Plot Plan 46142 in December 2003.

**ENVIRONMENTAL DETERMINATION**

The Department of Regional Planning has determined that a Negative Declaration is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements. The Initial Study concluded that there is no evidence that the project may have a significant effect on the environment.

**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**

Plot Plan 46142 approved a guest house, pool, tennis court, and landscaping in December 2003.

**STAFF EVALUATION**

**General Plan Consistency**

Plot Plan 46142 was approved with the condition that no oak trees be removed or encroached upon. Subsequent damage and encroachments to oak trees required that the applicant file a retroactive oak tree permit.

The project is consistent with the requirements of the oak tree permit application.

Conditions have been recommended by the Forester to ensure proper health and maintenance of the impacted oak trees. The Forester has recommended standard mitigation of replacement at 2:1 for removals and for trees that do not survive as a result of the encroachment. These recommendations have been included in the conditions.

### **Zoning Ordinance and Development Standards Compliance**

#### Oak Trees

The applicant is requesting Oak Tree Permit Case No. 200700038-(5) to retroactively authorize the removal of one (1) oak tree, and the encroachment into the protected zone of nine (9) oak trees for the construction of a guest house, pool, tennis court, and landscaping.

The Oak Tree Report, dated March 30, 2007, provides information with respect to the oak trees that are proposed to be removed or encroached upon. Ten oak trees were identified on the property and recommendations were made for the mitigation and maintenance of the oak trees to be impacted.

#### Yard Requirements

All new construction, with the exception of the changing room, will take place in accordance with Plot Plan 46142, which has been found by this department to meet all development standards. The changing room has been relocated and meets all development standards.

### **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. Staff is of the opinion that the applicant has met the burden of proof.

### **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

The County Forester has reviewed the project and the associated oak tree report and has submitted the attached recommended conditions of approval, in a letter dated August 5, 2008.

### **PUBLIC COMMENTS**

No public comments have been received at this time.

### **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:

Staff recommends Approval of project number R2006-03386 OAK TREE PERMIT 200700038 subject to the attached conditions.

**SUGGESTED APPROVAL MOTIONS**

I move that the Regional Planning Commission approve oak tree permit number 200400076 with findings & conditions.

Prepared by Adam Thurtell, RPAII

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