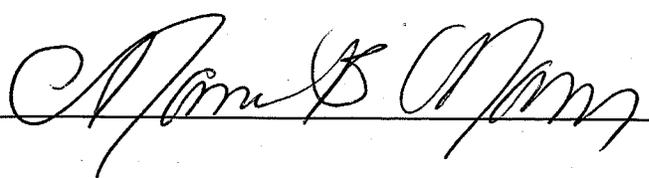


# Hearing Officer Transmittal Checklist

Hearing Date 11/16/2010
Agenda Item Number 7

**Project Number:** R2010-00310-(5)  
**Case(s):** Oak Tree Permit 201000023  
**Contact Person:** Diane Aranda, Regional Planning Assistant II, Zoning Permits II

Included	NA/None	Document
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Factual
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Property Location Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Staff Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Conditions
<input type="checkbox"/>	<input type="checkbox"/>	DPW Letter
<input checked="" type="checkbox"/>	<input type="checkbox"/>	FD Letter
<input type="checkbox"/>	<input type="checkbox"/>	Other Department's Letter(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Burden Of Proof Statement(s)
<input type="checkbox"/>	<input type="checkbox"/>	Environmental Documentation (IS, MMP, EIR)
<input type="checkbox"/>	<input type="checkbox"/>	Opponent And Proponent Letters
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Photographs
<input type="checkbox"/>	<input type="checkbox"/>	Resolution (ZC Or PA)
<input type="checkbox"/>	<input type="checkbox"/>	Ordinance with 8.5 X 11 Map (ZC Or PA)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Aerial (Ortho/Oblique) Image(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Land Use Radius Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Plan And Elevations
<input type="checkbox"/>	<input type="checkbox"/>	

Reviewed By: 



Los Angeles County Department of Regional Planning  
 320 West Temple Street  
 Los Angeles, California 90012  
 Telephone (213) 974-6435

**PROJECT NUMBER R2010-00310-(5)  
 OAK TREE PERMIT 201000023**

**PUBLIC HEARING DATE**  
 11/16/2010

**AGENDA ITEM**

**RPC CONSENT DATE**

**CONTINUE TO**

**APPLICANT**

James Woodward

**OWNER**

Mike Layseca

**REPRESENTATIVE**

None

**PROJECT DESCRIPTION**

The applicant is requesting an oak tree permit for the encroachment into the protected zones of four oak trees for the proposed repair work to an existing single family residence. The proposed refurbishing includes the repair of the siding, roof and driveway and window replacements, to an existing single family residence and detached storage room located in the R-1 (Single Family Residence) Zone within the Montrose Zoned District.

**REQUIRED ENTITLEMENTS**

**An oak tree permit is required for the encroachment into the protected zones of oak trees. Per Section 22.56.2060 of the County Code a person shall not cut, destroy, remove, relocate, inflict damage or encroach into a protected zone of any tree of the oak genus which is 25 inches or more in circumference (eight inches in diameter) on any lot or parcel of land within the unincorporated area of Los Angeles County unless an oak tree permit is first obtained.**

**LOCATION/ADDRESS**

2647 Fairway Avenue, La Crescenta

**SITE DESCRIPTION**

The site plan depicts a one story single family residence with proposed improvements and a detached garage and storage room to the north of the property. There are two oak trees on the property located in the front yard and the rear yard of the property near the southeast side of the storage room. Two other oak trees are adjacent to the property located in the public right-of-way and the neighbor's property to the northwest. Access is from Fairway Avenue.

**ACCESS**

Fairway Avenue

**ZONED DISTRICT**

Montrose

**ASSESSORS PARCEL NUMBER**

5610030073

**COMMUNITY**

La Crescenta-Montrose

**SIZE**

0.2 Acres

**COMMUNITY STANDARDS DISTRICT**

La Crescenta-Montrose

	<b>EXISTING LAND USE</b>	<b>EXISTING ZONING</b>
Project Site	Single Family Residence	R-1 (Single Family Residence) Zone
North	Single Family Residence	R-1 (Single Family Residence) Zone
East	Single Family Residence	R-1 (Single Family Residence) Zone
South	Single/Multiple Family Residence	R-2 (Two Family Residence) Zone
West	Single Family Residence	R-1 (Single Family Residence) Zone

**GENERAL PLAN/COMMUNITY PLAN**

Countywide General Plan

**LAND USE DESIGNATION**

3 - Medium Density Residential (12 to 22 du/ac)

**MAXIMUM DENSITY**

22 du/ac

**ENVIRONMENTAL DETERMINATION**

Class 4 Categorical Exemption- Minor Alterations to Land

**RPC LAST MEETING ACTION SUMMARY**

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

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

<b>STAFF CONTACT PERSON:</b> Diane Aranda		
<b>RPC HEARING DATE(S)</b>	<b>RPC ACTION DATE</b>	<b>RPC RECOMMENDATION</b>
<b>MEMBERS VOTING AYE</b>	<b>MEMBERS VOTING NO</b>	<b>MEMBERS ABSTAINING</b>
<b>STAFF RECOMMENDATION (PRIOR TO HEARING):</b>		
<b>SPEAKERS*</b>	<b>PETITIONS</b>	<b>LETTERS</b>
(O) 0 (F) 0	(O) 0 (F) 0	(O) 0 (F) 0

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

LOS ANGELES  
91352

BURBANK  
91501

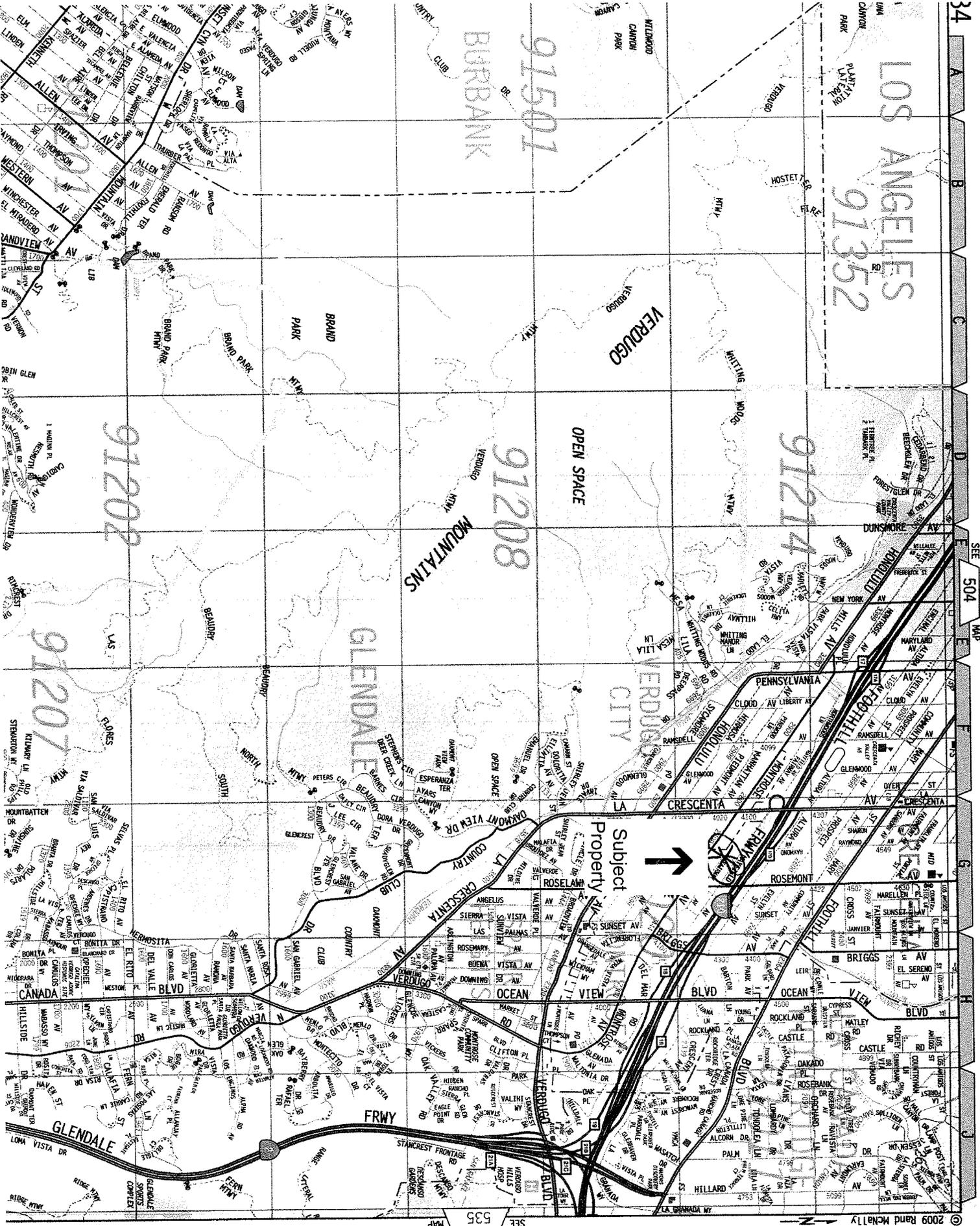
91208  
MOUNTAINS

91214

91202

91207

Subject Property  
Subject



**STAFF ANALYSIS**  
**PROJECT NUMBER R2010-00310-(5)**  
**OAK TREE PERMIT 201000023**

**PROJECT DESCRIPTION**

The applicant is requesting an oak tree permit for the encroachment into the protected zones of four Coast Live Oaks (*Quercus agrifolia*) for the proposed repair work to an existing single family residence. The proposed refurbishing includes the repair of the siding, roof and driveway repair, installation of a pre-fabricated fireplace and window replacements, to an existing single family residence and detached storage room located in the R-1 (Single Family Residence) Zone within the Montrose Zoned District.

**REQUIRED ENTITLEMENTS**

An oak tree permit is required for the encroachment into the protected zones of oak trees. Per Section 22.56.2060 of the County Code a person shall not cut, destroy, remove, relocate, inflict damage or encroach into a protected zone of any tree of the oak genus which is 25 inches or more in circumference (eight inches in diameter) on any lot or parcel of land within the unincorporated area of Los Angeles County unless an oak tree permit is first obtained.

**LOCATION**

The subject property is located at 2647 Fairway Avenue, in the unincorporated community of La Crescenta-Montrose.

**SITE PLAN DESCRIPTION**

The site plan depicts a one story single family residence with proposed improvements and a detached garage and storage room to the north of the property. There are two oak trees on the property located in the front yard and the rear yard of the property near the southeast side of the storage room. Two other oak trees are adjacent to the property located in the public right-of-way and the neighbor's property to the northwest. Access is from Fairway Avenue.

**ENVIRONMENTAL DETERMINATION**

The Department of Regional Planning has determined that a Categorical Exemption, Class 4 – Minor Alterations to Land, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.

**LEGAL NOTIFICATION AND PUBLIC OUTREACH**

Pursuant to the provisions of Sections 22.56.2130 of the County Code, the community was appropriately notified of the public hearing by newspaper, library posting and DRP website posting.

**PREVIOUS CASES/ZONING HISTORY**

RPP 201000230 authorized a new 11.25 sq. ft. bay window, a 46.5 sq. ft. expansion to an existing bedroom, and a new 438.5 sq. ft. master bedroom and bathroom addition to an existing single family dwelling. RPP 201000230 was approved on July 26, 2010.

**STAFF EVALUATION**

**General Plan Consistency**

The subject property is located within the Countywide General Plan and has a land use designation of 3 - Medium Density Residential (12 to 22 du/ac) characterized as areas suitable for multiple unit development including garden apartments and multi-plex development in

addition to high density townhouse developments. Such areas are typically located along major transportation corridors, in or near urban community centers.

The existing single-family dwelling on the subject property is compatible with this land use designation.

**Zoning Ordinance and Development Standards Compliance**

The subject property is zoned R-1 (Single Family Residence) and is established for single-family residences, group home, second units, family childcare homes, and adult residential.

The existing single-family residence and proposed window replacement, driveway repair, roof replacement of storage shed, installation of a new pre-fabricated fireplace and existing wood shake siding to be replaced with stucco siding due to termite and wood rotting will meet all requirements of code section 22.20.105, 22.20.110 and 22.20.120.

22.20.110 Height Limits

Every residence and every other building or structure in Zone R-1 shall have a height of not to exceed 35 feet above grade, except for chimneys and rooftop antennas.

The existing single family dwelling meets this requirement.

22.20.120 Yard Requirements

Each lot or parcel of land shall have a front yard of not less than 20 feet in depth, five feet side yard setback and 15 feet in depth for rear yards. All new buildings must maintain a minimum of 6 feet building separation.

The single family dwelling meets all the requirements.

22.20.105 Development Standards for Single-Family Residences

Every single-family residence shall have a roof constructed with wood-shake, shingle, asphalt composition, crushed rock, or other similar roofing material in compliance with Title 26 (Building Code) of this code, except that reflective, glossy, polished and/or roll-formed type metal roofing is prohibited.

Every single-family residence shall have an exterior siding of brick, wood, stucco, metal, concrete or other similar material, except that reflective, glossy, polished and/or roll-formed type metal siding is prohibited

The proposed project meets all development standards for single family residences.

**Neighborhood Impact/Land Use Compatibility**

The property is surrounded by single family residences in all directions. The existing use is compatible with the surrounding neighborhood.

**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 provided comments and requirements in a letter dated August 5, 2010 (letter attached with conditions). The County Forester conditioned that the applicant meet all requirements for the future encroachment into the protected zone of the four subject oak trees on the project site. Staff concurs with the Forester's requirements and mitigations dated August 5, 2010.

**PUBLIC COMMENTS**

At the time of this report, staff has not received any comments.

**FEES/DEPOSITS**

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

**STAFF RECOMMENDATION**

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

Staff recommends Approval of project number R2010-00310 and Oak Tree Permit 201000023 subject to the attached conditions.

Prepared by Diane Aranda, RP/II, Zoning Permits Section II

Reviewed by Masis, Maria, Supervising Regional Planner, Zoning Permits Section II

**Attachments:**

Draft Conditions of Approval

Draft Findings

Applicant's Burden of Proof statement

Site Photographs

Site Plan

Land Use Map

**HEARING OFFICER'S FINDINGS AND ORDER:**

**PROJECT NO. R2010-00310-(5)**

**OAK TREE PERMIT NO. 201000023**

**HEARING DATE: November 16, 2010**

**SYNOPSIS:**

The applicant, James Woodward, is requesting an oak tree permit for the encroachment into the protected zones of four Coast Live Oaks (*Quercus agrifolia*) for the proposed repair work to an existing single family residence. The proposed refurbishing includes the repair of the siding, roof and driveway repair, installation of a pre-fabricated fireplace and window replacements, to an existing single family residence and detached storage room located in the R-1 (Single Family Residence) Zone within the Montrose Zoned District. RPP 201000802 is for the proposed renovations to the single family dwelling and is pending on approval of this subject oak tree permit.

**PROCEEDINGS BEFORE THE HEARING OFFICER:**

Findings

1. The subject property is located at Fairway Avenue, in the unincorporated community of La Crescenta-Montrose. The property is a rectangular shaped parcel and access to the property is from a driveway on the western portion from Fairway Avenue. The project site is located in the Montrose Zoned District within the unincorporated community of La Crescenta-Montrose.
2. The applicant, James Woodward, is requesting an oak tree permit for the encroachment into the protected zones of four Coast Live Oaks (*Quercus agrifolia*) for the proposed repair work to an existing single family residence. The proposed refurbishing includes the repair of the siding, roof and driveway repair, installation of a pre-fabricated fireplace and window replacements, to an existing single family residence and detached storage room located in the R-1 (Single Family Residence) Zone within the Montrose Zoned District. RPP 201000802 is an application for the proposed renovations to the single family dwelling and is pending approval of this subject oak tree permit.
3. The subject property is located within the Countywide General Plan and has a land use designation of 3 - Medium Density Residential (12 to 22 du/ac) characterized as areas suitable for multiple unit development including garden apartments and multi-plex development in addition to high density townhouse developments. Such areas are typically located along major transportation corridors, in or near urban community centers.
4. The existing single-family dwelling on the subject property is compatible with this land use designation.
5. The subject property is zoned R-1 (Single Family Residence) and is established for single-family residences, group homes, second units, family childcare homes, and adult residential facilities.

6. The existing single-family residence and proposed window replacement, driveway repair, roof replacement of storage shed, installation of a new pre-fabricated fireplace and existing wood shake siding to be replaced with stucco siding due to termite and wood rotting will meet all requirements of code sections 22.20.105, 22.20.110 and 22.20.120.
7. The property is surrounded by single family residences in all directions. The existing use is compatible with the surrounding neighborhood.
8. Pursuant to the provisions of Sections 22.56.2130 of the County Code, the community was appropriately notified of the public hearing by newspaper, library posting and DRP website posting.
9. RPP 201000230 authorized a new 11.25 sq. ft. bay window, a 46.5 sq. ft. expansion to an existing bedroom, and a new 438.5 sq. ft. master bedroom and bathroom addition to an existing single family dwelling. RPP 201000230 was approved on July 26, 2010.
10. The Department of Regional Planning has determined that a Categorical Exemption, Class 4- Minor Alterations to Land, is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements.
11. The County Forester is of the opinion that the oak tree report prepared by the certified arborist on June 30, 2010 accurately addresses the impacts to the oak resources on the site. The Forester recommends approval of the oak tree permit subject to the conditions provided in the Forester's report dated August 5, 2010.
12. The Hearing Officer finds that, the proposed construction of proposed use will be accomplished without endangering the health of the remaining trees subject to this Part 16, if any, on the subject property.
13. 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, 13<sup>th</sup> 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 II Section, Los Angeles County Department of Regional Planning.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:**

- A. That the proposed construction will be accomplished without endangering the health of the four oak trees on the subject property that are subject to Part 16 of Title 22 of the County Code;
- B. That the proposed encroachment into the protected zone of four oak trees will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated; and
- C. That the proposed encroachment into the protected zone of four oak trees will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure;

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

**HEARING OFFICER ACTION:**

1. The Hearing Officer finds that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA). The project is within a class of projects, which have been determined not to have a significant effect on the environment in that it meets the criteria set forth in Section 15303 of the State CEQA Guidelines and Class 4 - Minor Alterations to Land, Categorical Exemption of the County Environmental Document Reporting Procedures and Guidelines, Appendix G.
  2. In view of the findings of facts presented above, Oak Tree Permit No. R2010-00310-(5) is **APPROVED**, subject to the attached conditions.
- c: Zoning Enforcement, Building and Safety, Forestry

MM: DA  
11/16/2010

This grant authorizes an Oak Tree Permit for the encroachment into the protected zone of four oak trees due to the future renovation of an existing single family dwelling in the R-1 (Single-Family Residence) zone located at 2647 Fairway Avenue, in the Montrose Zoned District subject to the following conditions:

1. This permit shall comply with all Oak Tree Permit conditions, requirements, mitigation trees and non-permitted action and violations contained in County Forester letter dated August 5, 2010 (attached hereto) to the satisfaction of the County Forester, except as otherwise modified or required by the County Forester. In addition, should any oak tree die as a result of an approved encroachment, requiring the planting of mitigation trees an acorn from a locally indigenous species shall also be planted at the same time as and within the watering zone of each mitigation tree. This grant shall only allow for the encroachment within the protected zone of the Oak Genus identified as Tree Numbers 1, 2, 3, and 4 on the applicant's site plan map and Oak Tree Report.
2. This permit SHALL NOT be effective until a plot plan is approved for the proposed renovations including the repair of the siding, roof and driveway repair, installation of a pre-fabricated fireplace and window replacements of an existing single-family residence, demonstrating the need to encroach within the protected zone of the said tree; and
3. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and until all required fees have been paid pursuant to the attached County Forester's letter dated August 5, 2010.
4. 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.
5. 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.
6. 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.

7. This grant shall expire unless used within two (2) years from the date of final approval of the grant by the County. A single, one-year time extension may be requested in writing and with payment of the applicable fee prior to the expiration date.
8. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
9. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. **The permittee shall deposit with the County of Los Angeles the sum of \$200.00.** The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The deposit provides for one (1) inspection. Inspections shall be unannounced and may be coordinated with the County Forester.

If additional inspections are required to ensure compliance with the conditions of this grant or 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 Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. The permittee shall install temporary chainlink fencing, not less than four 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 from 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.
12. Where grading or any other similar activity is specifically approved within the protected zone, the applicant shall provide an individual with special expertise acceptable to the director to supervise all excavation or grading proposed within the protected zones and to further supervise, monitor and certify to the county forester and fire warden the

implementation of all conditions imposed in connection with the applicant's oak tree permit.

13. Any excavation or grading allowed within the protected zone or within 15 feet of the trunk of a tree, whichever distance is greater, is limited to hand tools or small hand-power equipment.
14. The trees on other portions of the subject property not included within the site plan also must be protected with chain link fencing thus restricting storage, machinery storage or access during construction.
15. The permittee shall plant one acorn of the *Quercus agrifolia* variety for each mitigation tree planted. The acorns shall be planted at the same time as and within the watering zone of each mitigation tree.
16. 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 mycorrhizal 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.

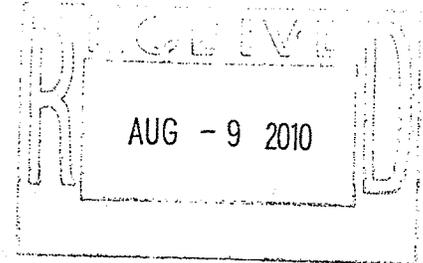
Attachment: County Forester's Letter dated August 5, 2010



# COUNTY OF LOS ANGELES

## FIRE DEPARTMENT

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



P. MICHAEL FREEMAN  
FIRE CHIEF  
FORESTER & FIRE WARDEN

August 5, 2010

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

Dear Mr. Estes:

### **OAK TREE PERMIT #2010-00023, 2647 FAIRWAY AVENUE, MONTROSE**

We have reviewed the "Request for Oak Tree Permit #2010-00023." The project is located at 2647 Fairway Avenue in the unincorporated area of Montrose. 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 Steven's Tree Experts, John Keith, the consulting arborist, dated June 30, 2010.

**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 incurred while inspecting the project to determine the permittee's compliance with the conditions of approval. The above fees provide for three (3) inspections until the conditions of approval

#### 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  
GLEN DORA  
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

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 chain link 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 OAK TREE ENCROACHMENT:**

7. This grant allows encroachment within the protected zone of four (4) trees of the Oak genus identified as Tree Numbers 1, 2, 3 and 4 on the applicant's site plan 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. This grant also permits corrective pruning and clearance pruning for this project under the supervision of the retained arborist.
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. 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:**

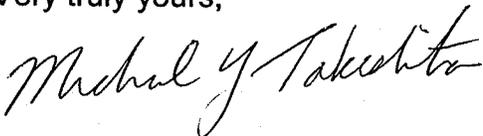
16. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited.
17. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) 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.
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 (818) 890-5758.

Very truly yours,



MICHAEL Y. TAKESHITA, ASSISTANT CHIEF, FORESTRY DIVISION  
PREVENTION SERVICES BUREAU

MYT:jl

Enclosure



# OAK TREE PERMIT BURDEN OF PROOF

Please identify the number of oak trees proposed for:

0 Removal    2 Encroachment    4 To Remain    4 Total existing oak trees

Pursuant to Zoning Code Section 22.56.2100, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the proposed construction or proposed use will be accomplished without endangering the health of the remaining trees subject to Part 16 of Chapter 22.56, if any, on the subject property.

Construction not to enter restricted zone, Cutting branches from two trees that are damaging roof.

B. That the removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated.

Not removing or relocating any oak trees because of construction

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

1. That the removal of oak tree(s) proposed is necessary as continued existence at present location(s) 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 alternative would be prohibitive, or
  - b. Placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized, or
2. That the oak tree(s) proposed for removal or relocation interfere with utility service or streets and highways either within or outside of the subject property and no reasonable alternative to such interference exists other than removal of the tree(s), or
3. That the oak tree(s) proposed for removal, with reference to seriously debilitating disease or other danger of falling, is such that it cannot be remedied through reasonable preservation procedures and practices.
4. That the removal of the oak tree(s) proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

There are no trees that will be removed or relocated due to construction.

**LOS ANGELES COUNTY LETTERGRAM**

<b>TO</b>	Maria Masis Zoning Permits II	<b>FROM</b>	Diane Aranda Zoning permits Section II
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**SUBJECT: ENVIRONMENTAL DETERMINATION  
PROJECT NO. R2010-00310-(5)  
OAK TREE PERMIT NO. 201000023**

**DATE: November 16, 2010**

The applicant is requesting to authorize an oak tree permit for the encroachment into the protected zones of four Coast Live Oaks (*Quercus agrifolia*) for the proposed repair work to an existing single family residence. The proposed refurbishing includes the repair of the siding, roof and driveway repair, installation of a pre-fabricated fireplace and window replacements, to an existing single family residence and detached storage room located in the R-1 (Single Family Residence) Zone within the community of La Crescenta-Montrose within the unincorporated portion of Los Angeles County. As such, this project qualifies for: Class 4 Categorical Exemption – Minor Alteration to Land.

This request is exempted from the California Environmental Quality Act based on Section 15301 (Chapter 3, Title 14, California Code of Regulations) because there are only minimal renovations being proposed to the existing single family dwelling, there will be no oak tree removals or replacements, only minor encroachments, and it is not located on environmentally sensitive land; and as such, it meets the criteria set forth under Class 4 Categorical Exemption which exempts Minor Alteration to Land from the California Environmental Quality Act.

If you have any questions regarding the above determination or the environmental document preparation, please contact Diane Aranda of the Zoning Permit Section II at (213) 974-6435.

**A NOTICE OF EXEMPTION MAY BE FILED WITH THE COUNTY CLERK UPON APPROVAL OF THIS PROJECT.**



**Steven's Tree Experts**  
**John Keith IV**  
ISA Certification # WE 5715 A

# **Oak Tree Report**

**2647 Fairway Avenue**  
**Montrose, CA 91214**

# Oak Tree Report

2647 Fairway Avenue, Montrose, CA 91214

6/30/2010

Mike Layseca  
James Woodward  
2647 Fairway Avenue  
Montrose, CA 91214  
(818) 632-4942

Dear Mr. Layseca and Mr. Woodward,

This report is submitted for your review in response to your request for arboricultural consulting.

**Subject:**

Four oak trees located on, or directly adjacent to 2647 Fairway Avenue, Montrose, CA 91214.

**Reference Sources:**

City of Glendale CA - Municipal Ordinance - Chapter 12.44 Indigenous Trees.

Evaluation of Hazard Trees in Urban Areas, 2<sup>nd</sup> Edition, Matheny and Clark, 1994.

Evaluating Tree Defects, 2<sup>nd</sup> Edition, Hayes, Safetrees LLC 2005.

Reducing Infrastructure Damage By Tree Roots, Costello and Jones, WCISA, 2003.

**Background:**

Mr. Woodward contacted me by telephone on 6/30/10. He briefly told me about his and improvement project on a property he recently purchased and explained that he needed an arborist's assessment of four oak trees located on, or adjacent to, the property. I met with Mr. Woodward later that morning at 2647 Fairway Avenue in the city of Montrose. He told me that one of the oak trees on the property was tagged for emergency removal by city inspectors. It was tagged because the tree was in direct contact with the roof of the house. I was told that during the process of examining that problem oak tree, inspectors requested that Mr. Woodward provide the city with an oak tree report, covering the other

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oaks within, or near the property lines. We discussed his situation further and I gave him my proposal which he accepted.

I began by measuring the four subject trees. Two of the four trees were located within the actual boundaries of 2647 Fairway Avenue. The third tree was located on the property of the neighbor to the west, and the fourth was located beyond the southern property line in the city's easement. My observations result from this site visit. All background information was provided to me by Mr. Woodward, including the site plan. I measured the trunk diameters with a steel diameter measuring tape. I measured the tree heights with an electric clinometer, and the spread of the tree's crowns with a fifty foot measuring tape. Photographs were taken with a Casio Exilim camera.

### **Assignment:**

My assignment was to identify the four subject oak trees, which Mr. Woodward showed me, and then document their physical dimensions and report on their current conditions. The information was to be compiled into a report for submission by Mr. Woodward to the city department or departments responsible for oversight of this remodel project.

### **Limits of Assignment:**

This report does not include a value assessment, tree protection plan, or determination of tree canopy volume. No invasive inspections were performed on the subject trees. All measurements within this report are approximate.

### **Purpose and Use:**

The intended use of this report is by Mr. Layseca, Mr. Woodward and either, or both the Cities of Montrose or Glendale for use in determining a course of action regarding the subject oak trees. This report shall not be used for any other purpose without the author's explicit permission.

**Tree Information:**

The four trees that are the subject of this report are coastal live oaks (*Quercus agrifolia*). Two of the subject trees are located within the boundaries of 2647 Fairway Avenue. The first subject tree, Oak #1 is located in the front yard of 2647 Fairway, adjacent to the south most corner of the house. The second subject tree, Oak #2, is in the backyard of 2647 Fairway near the southeast side of the existing storage room. The third oak tree is located on the next door neighbor's property to the northwest, addressed 2653 Fairway Avenue. The final subject tree is publicly owned. Oak #4 grows beyond the southwest property line on a strip of land that is the right of way associated with Fairway Avenue.

The first subject tree is Oak #1. This tree is directly adjacent to the south west corner of the residence at 2647 Fairway Avenue. Oak #1 has a trunk diameter of twelve inches when measured at four and one half feet above the natural grade. This tree is about 20 feet tall with a crown that spreads fifteen feet. The foliage on subject tree #1 appears to be of typical size and color. No serious pest infestation was noted during the time of my visit. This tree's trunk has a strong lean of approximately forty five degrees to the grade. In addition, the crown and branching structure of subject tree #1 is unbalanced, with the majority of its foliage growing on the south side of the tree. Due to its relatively small stature, I would not consider this tree hazardous at this time. This tree appeared to be in good condition during my inspection.

Oak #2 is also on the property addressed 2647 Fairway. It grows in the backyard, between two storage buildings, on the east side, (southeast) of the storage room; This tree has twin trunks, which are co dominant. The trunks measure 12 and 14 inches in diameter and diverge at the base of this tree. They lean outward away from each other and towards each garage. Subject tree #2 is approximately twenty five feet tall with a spread of twenty five feet. The foliage on Oak #2 appears to be of typical size and color, and no serious pest infestation was noted during the time of my visit. I would consider this tree in good condition at the time of my visit. As years pass though, the trunks could become hazardous as they grow larger, and lean more.

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Oak tree #3 is located in the front yard of the adjoining lot to the northwest addressed 2653 Fairway. This tree is an attractive multi-trunked oak tree, which appears to be in good condition at the time of my visit. Oak #3 has four major trunks, which diverge from the base of the tree. This tree can be considered co dominant, even though its form is typical for a multi-trunked coastal live oak. The individual trunks measure eighteen, twenty four, twenty nine, and thirty one inches in diameter. This tree is approximately thirty feet tall and spreads sixty five feet across. The size and color of this trees foliage is typical for this species, although I did notice some twig die back and dead wood. It does not appear as if this tree has been maintained / trimmed for some time. Oak #3 is included in this report as it is within a specified distance from a property under construction.

Subject oak tree #4 is a city owned tree, which appears to be in good condition. It is located beyond the southwest boundary line of 2647 Fairway, in the right of way along Fairway Avenue. Oak #4 is also included in this report as it grows a specific distance from the property under construction. This tree has a trunk diameter of twenty six inches when measured at four and one half feet above the natural grade. Its crown spreads fifty feet across, and it is about thirty feet tall. Its crown is full and the foliage is of typical size and color for this species. This trees crown is full and deadwood can be seen about the crown. Oak #4 is unbalanced and leans out over the street. I consider this tree to be somewhat hazardous. I did not see any serious disease or insect infestation during the time of my inspection.

### **Observations:**

I met with Mr. Woodward on 6/30/10 at an active job site addressed 2647 Fairway Avenue in Montrose, CA. There are 5 oak trees on the property, or within close proximity to its boundary lines. I quickly noticed that there were no established tree protection zones, but at the same time, it appears as if Mr. Woodward was doing a fine job of minimizing the impact of construction related activity on these trees. I was pleased to see that the trees were relatively free of serious or otherwise noticeable construction related damage. I saw no obvious signs of building material storage or chemical waste disposal within the drip lines of these subject oak trees. Mr. Woodward did point out one patch of

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damaged bark on Oak tree #3. Some of its limbs and foliage grow over the shared property line and above a portion of the front and west side of 2647 Fairway. There was one limb on Oak #3, where a trash bin delivery truck had recently hit one of the lower branches, removing a small patch of bark. Mr. Woodward also pointed out two locations where a few small diameter branches were cut from Oaks # 2 and 3, where they were in direct contact with the roof of the main house and the storage room. The cuts made to remove these branches look up to standard, and should not negatively affect the health of the trees. While taking a looking at Oak #4, I observed two pipes that have now been internalized by the basal flare of its trunk.

### **Discussion:**

When evaluating trees arborists look at two distinct characteristics, tree health and tree structure. Tree health is the physiological condition or how well the tree is functioning biologically with consideration of its vigor and overall appearance. Tree structure refers to the trees mechanical design, its conformation and branching architecture. A tree can appear outwardly healthy and yet be structurally compromised.

**Tree Health:** Outwardly, the subject trees appear to be in good health. I saw no serious insect infestation or active disease process present during the time of my inspection.

**Tree Structure:** All of the subject trees have trunks with various degrees of leans and co dominance. None were so severe that I was overly alarmed by it, although they all bear watching and monitoring over time. Co dominance is a leading cause of tree failure, especially when associated with strong leans and extreme lateral loads.

Co dominance and leaning tree trunks can be more dangerous when they grow above areas frequented by people and property. Most neighborhoods are considered target rich environments, and most hazard trees pose some risk to those who spend any time around such trees. Although I have mentioned that some of the subject trees may be somewhat hazardous, I do not think imminent failure is likely anytime soon, but there is a risk.

**Conclusion:**

While the subject oak trees appear healthy, maintenance and monitoring by an experienced certified arborist is the best defense to minimize the risks associated with these trees. Maintenance should include fairly regular trimming of deadwood, utility pruning for clearance, and the occasional lightening of extreme loads carried out horizontal to the grade and away from the center of the tree. Sometimes maintenance only means trimming foliage, but it could include branch or trunk removal. Other times, it could mean that the tree needs to be removed all together. I think that in the case of these subject trees no complete tree removal will be needed very soon.

**Recommendations**

My recommendation is similar to what I explained to Mr. Woodward on the job site. While it appears that he has done a very good job keeping construction activity to a minimum near these tree trunks, I would still recommend establishing a root protection zone with semi permanent fencing installed around the drip lines (or further out), wherever possible. Furthermore, investing in a certified arborist prepared, customized oak tree protection plan could further help in the establishment of root protection zones, as well as provide a comprehensive plan to minimize the impacts of construction related activities around protected trees on this particular job. I further recommend installation of lower water demanding landscaping plants beneath the drip lines of oak trees, and on the property in general.

It should be noted that the study of trees is not an exact science. It is expressly agreed that the arborist of record is therefore not responsible for tree defects or soil conditions that cannot be identified by a prudent and reasonable inspection. If you should have any questions or require other services, please contact me at my office number (626) 794-6911.

Respectfully,

  
John Keith IV  
ISA Certified Arborist #WE 5715 A

Enclosed: 1 A&L Conditions, 1 Map, 5 Photographs

## **Assumptions and Limiting Conditions**

Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however the arborist can neither guarantee nor be responsible for the accuracy of information provided by others.

Loss or alteration of any part of this report invalidates the entire report.

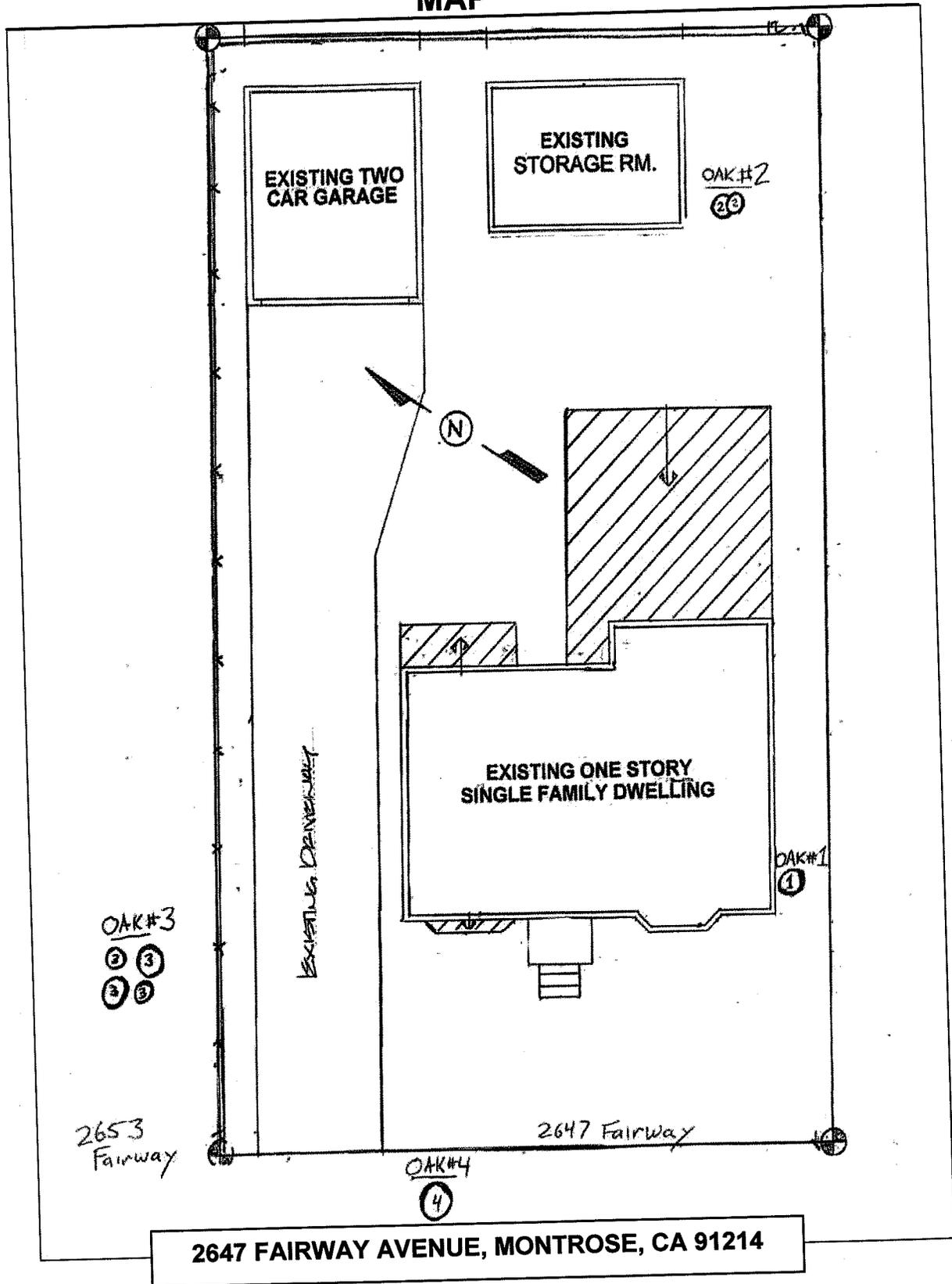
Possession of this report or copy thereof does not imply the right to publication or use for any purpose by any other than the person whom it is addressed, without the prior expressed written or verbal consent of the consulting arborist.

The consulting arborist shall not be required to give testimony or to attend court be reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule contract of engagement.

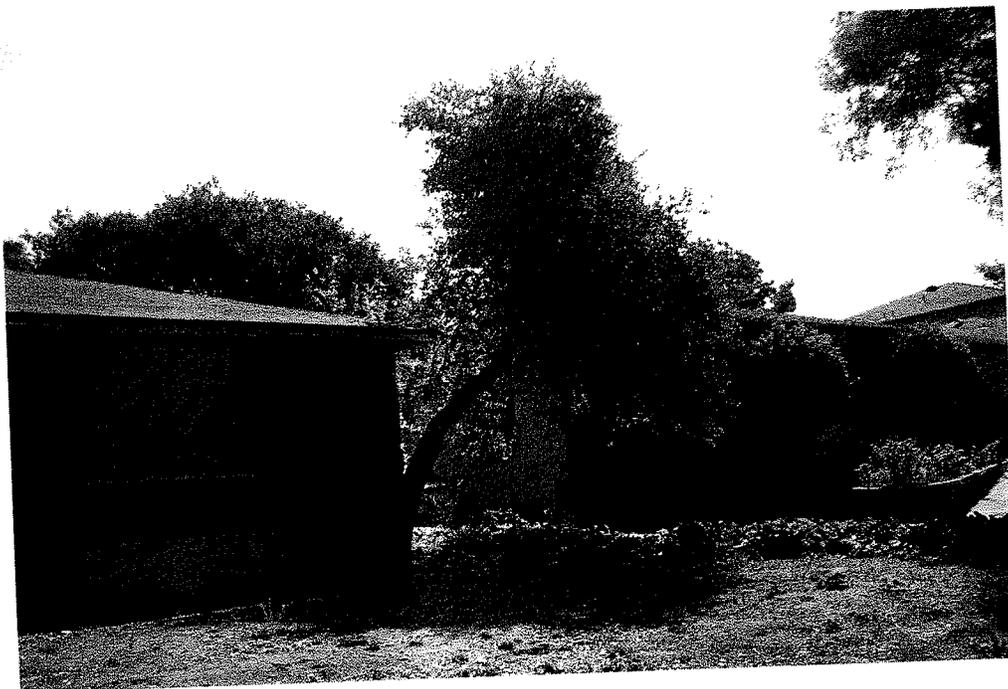
Sketches diagrams graphs and photographs in the report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys.

Unless expressed otherwise: 1) Information contained in this report covers only those items that were examined and reflects the condition of those items at the time of inspection; and 2) The inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring.

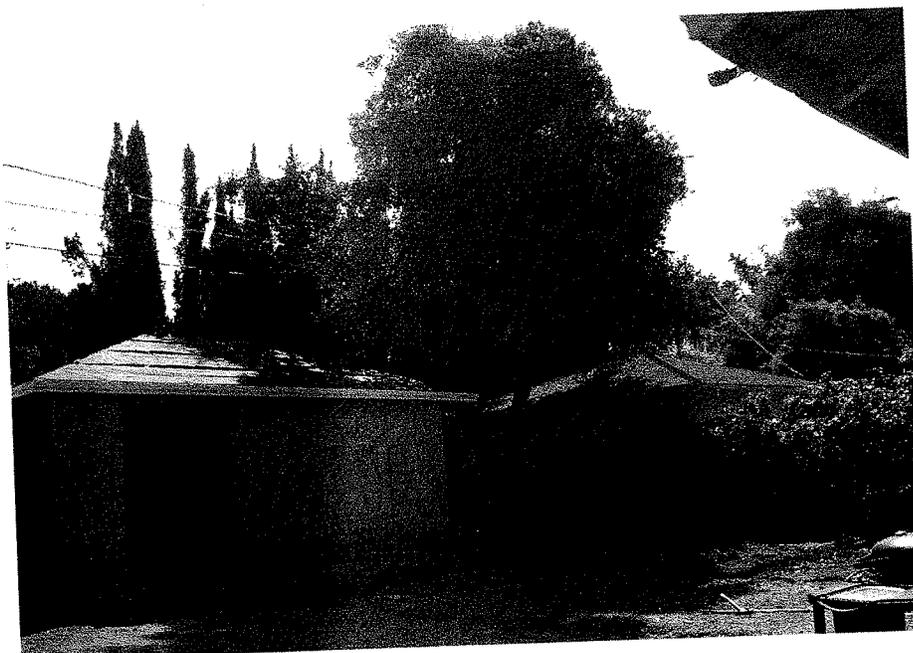
# MAP



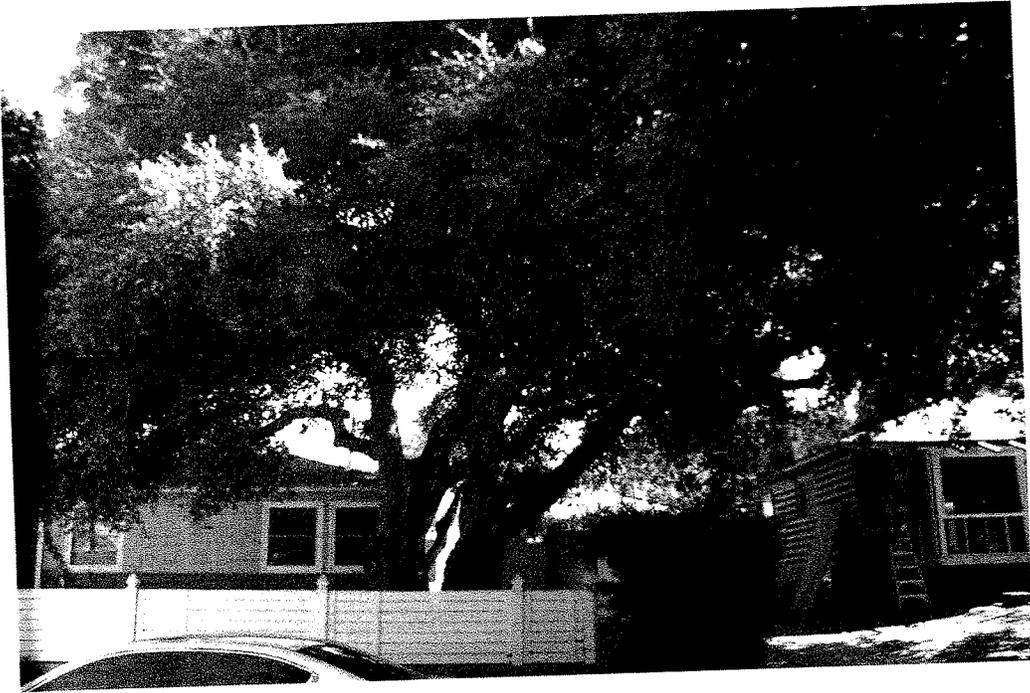
# PHOTOGRAPHS



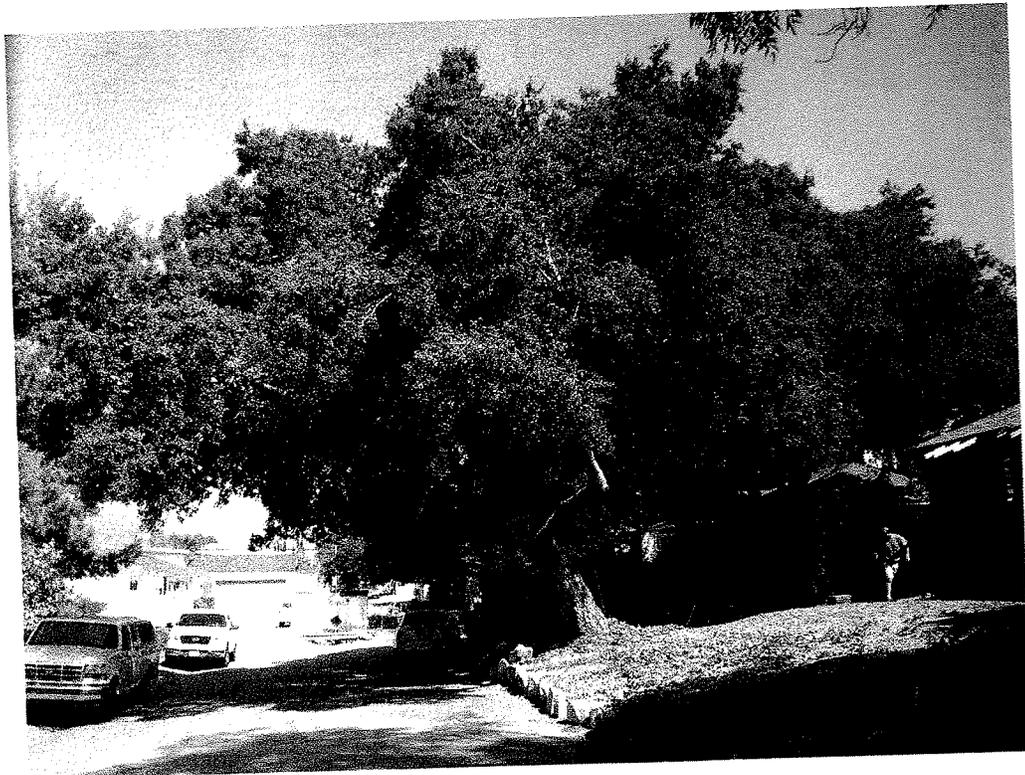
**OAK #1**



**OAK #2**



**OAK #3**



**OAK #4**



