



Los Angeles County  
Department of Regional Planning



*Planning for the Challenges Ahead*

Richard J. Bruckner  
Director

April 25, 2011

Scott Nyborg  
4499 Via Marisol, Suite 116B  
Los Angeles, CA 90042

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

**REGARDING: PROJECT NUMBER R2010-01410-(5)  
OAK TREE PERMIT NUMBER 201000036  
3600 GRAYBURN ROAD**

Dear Applicant:

The Director of Planning, by his action of Monday, April 25, 2011, **APPROVED** the above described application. The applicant or any other interested person may appeal the Director's decision to the Regional Planning Commission at the office of the commission secretary, Room 1350, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Please contact the commission secretary for the appeal procedures and fee at (213) 974-6409. **The appeal period for this project will end at the 5:00 p.m. on Monday, May 9, 2011.** Any appeal must be delivered in person to the commission secretary by this time. If no appeal is filed during the specified period, the Director's action is final.

The attached documents contain the Director's findings and conditions relating to the approval. Please carefully review each condition. A condition requires that the permittee records an affidavit accepting the conditions before the grants becomes effective.

Upon completion of the appeal period, please notarize the attached acceptance forms and **hand deliver** this form and any other required fees or materials to the planner assigned to your case. Please **make an appointment** with the case planner to assure that processing will be completed expeditiously.

For further information on appeal procedures or any other matter pertaining to these approvals, please contact Anita Gutierrez of the Zoning Permits East Section at (213) 974-6443 or by e-mail at [AGutierrez@planning.lacounty.gov](mailto:AGutierrez@planning.lacounty.gov). Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,

Richard J. Bruckner  
Director

Marja Masis, Supervising Regional Planner  
Zoning Permits East Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)  
c: DPW (Building and Safety), David Gould

MM:AG

**DIRECTOR'S FINDINGS AND ORDER: April 25, 2011**

**FACTUAL SUMMARY:**

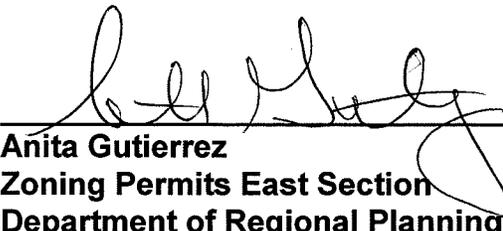
The applicant is requesting an oak tree permit to encroach into the protected zone of an oak tree identified as Tree Number 1 in an Oak Tree Report dated September 19, 2010, prepared by Rebecca Latta, consulting certified arborist, in association with an existing addition to a single-family residence located at 3600 Grayburn Road, in the unincorporated community of Los Angeles County East Pasadena-San Gabriel.

**FINDINGS:**

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.

**DIRECTOR'S ACTION:**

1. The Director finds that the project qualifies for a categorical exemption, Class 3 – new construction or conversion of small structure, from California Environmental Quality Act (CEQA) reporting requirements.
2. In view of the findings of fact presented above, Oak Tree Permit number 201000036 is **GRANTED** subject to the filing of the attached affidavit and compliance with the attached conditions. Pursuant to Section 22.56.2250, an approved oak tree permit if not used within one year after the granting of such approval will become null and void and of no effect; except that where an application requesting an extension is filed prior to such expiration date, the Director may extend such time for a period of not to exceed one year.

BY:   
Anita Gutierrez  
Zoning Permits East Section  
Department of Regional Planning  
County of Los Angeles

DATE: 4/25/11

**Enclosure: Affidavit and Conditions**

**c: County Forester**

1. This grant authorizes the applicant to encroach into the protected zone of an oak tree identified as Tree Number 1 in an Oak Tree Report dated September 19, 2010, prepared by Rebecca Latta, consulting certified arborist, in association with an existing addition to a single-family residence located at 3600 Grayburn Road, in the unincorporated community of Los Angeles County East Pasadena-San Gabriel subject to the following conditions:
  - a. **This permit SHALL NOT be effective until a plot plan is approved for construction of the proposed addition to a single-family residence, demonstrating the need to encroach upon the said trees; and**
  - b. 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 3/10/2011 (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.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and until all required fees have been paid pursuant to the attached County Foresters letter.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
  - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
  - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein. The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.

6. This grant shall expire unless used within one (1) year from the date of approval of the plot plan authorizing the development. In cases where the California Coastal Commission (CCC) has jurisdiction, the approval date is the date of the project approval by CCC. 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.
7. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.

If any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.

8. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
9. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
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 on-site 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:  
3/10/2011- County Forester's Letter