



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

February 20, 2013

William R. McKinley
1734 Del Valle Avenue
Glendale, CA 91208

**REGARDING: PROJECT NO. R2010-00492-(5)
OAK TREE PERMIT NO. 201000024
1941 Waltonia Drive, Unincorporated Montrose (5807-013-017)**

Hearing Officer Mitchell Glaser, by his action of **February 19, 2013**, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **March 5, 2013**. **Appeals must be delivered in person.**

Appeals: To file an appeal, please contact:
Regional Planning Commission, Attn: Commission Secretary
Room 1350, Hall of Records
320 West Temple Street, Los Angeles, CA 90012
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Michele Bush of the Zoning Permits East Section at (213) 974-6435, or by email at mbush@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,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner


Maria Masis, Supervising Regional Planner
Zoning Permits East Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

c: DPW (Building and Safety); Zoning Enforcement; Varoogh Saroian, 128 S. Kenwood Street, Glendale, CA 91205

MM:MRB

CC.060412

**FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
PROJECT NO. R2010-00492-(5)
OAK TREE PERMIT NO. 201000024**

1. **ENTITLEMENT REQUESTED.** The applicant is requesting an Oak Tree Permit to authorize the removal of one oak tree and the encroachment into the protected zone of another oak tree pursuant to County Code Section 22.56.2080 in the R-3 (Limited Multiple Residence) Zone.
2. **HEARING DATE.** February 19, 2013
3. **PROCEEDINGS BEFORE THE HEARING OFFICER.** A duly noticed public hearing was held on February 19, 2013 before the Hearing Officer. The applicant's representative, William R. McKinley, indicated his agreement with staff's analysis and stated he was available to answer questions presented by the Hearing Officer. There being no questions, the Hearing Officer closed the public hearing and approved the permit with findings and conditions as agreed to by the applicant.
4. **PROJECT DESCRIPTION.** The grant authorizes the removal of one oak tree and the encroachment into the protected zone of another, both identified as Coast Live Oak in an oak tree report dated May 14, 2010, prepared by William R. McKinley, Consulting/Certified Arborist, in association with the construction of a 12-unit apartment building (RPP 201000357).
5. **LOCATION.** 1941 Waltonia Drive, Unincorporated Montrose
6. **SITE PLAN DESCRIPTION.** The site plan depicts both oak trees being located toward the rear of the property. The proposed three-story, apartment building will consist of parking at the ground level with 12 units between the second and third levels. The proposed height of the structure is 35 feet. The project will provide 27 parking spaces to accommodate residents and guests. In addition to parking, the first level of the structure will include a trash and recycling enclosure and storage areas for residents. The project also proposes common open space with amenities.
7. **EXISTING ZONING.** The subject property is zoned R-3 (Limited Multiple Residence), in the La Crescenta-Montrose Community Standards District. Surrounding properties are zoned as follows:

North: R-3 (Limited Multiple Residence)
South: R-3 (Limited Multiple Residence)
East: City of La Canada Flintridge
West: R-3 (Limited Multiple Residence)

8. **EXISTING LAND USES.** The subject property is developed with two single-family residences (to be demolished). Surrounding properties are developed as follows:
- North: Multi-Family Residential
 - South: Multi and Single-Family Residential
 - East: Single-Family Residential
 - West: Single-Family Residential
9. **PREVIOUS CASES/ZONING HISTORY.** The subject property was created as a part of Tract No. 1701 for multi-family residential purposes. The residential uses on the site were built in 1951.
10. **GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.** The subject property is located within the 3 (Medium Density Residential – 12 to 22 du/ac) of the Los Angeles County General Plan. This land use designation is intended for medium-scale, multi-family and single-family residences. The proposed multi-family residential use is consistent with the General Plan and is therefore consistent with the permitted uses of the underlying land use category.
11. **ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.** The subject property is located in the R-3 (Limited Multiple Residence) Zone. Multi-family residential uses are allowed in the R-3 Zone.
12. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The subject property consists of the multi-family use. Surrounding land uses consist of multi-family residential to the north, multi-family and single-family residential to the south and single-family residential to the east and west.
13. **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.** Based on comments in a letter from the County of Los Angeles Fire Department, Forestry Division, dated September 9, 2010, the Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site.
14. **OTHER AGENCY COMMENTS AND RECOMMENDATIONS.** An Oak Tree Report prepared by William R. McKinley, Certified Consulting Arborist, dated May 14, 2010, demonstrated that the tree to be removed (#1) appears to be very stressed and is slightly below average health and condition and the severe canopy loss coupled with the soil-fill grading and compaction operations proposed within the tree's root zone would severely impact this tree and would most likely result in the tree's decline and death. The report also indicated the tree to be encroached upon (#2) appears to be very stressed and is in very poor health and condition. The report recommends tree #2 and the additional four trees would benefit from removal of deadwood, insect treatment, mulch drilling, deep watering and regular maintenance pruning where necessary, if their condition is to improve.

Based on comments in a letter from the Crescenta Valley Town Council, Land Use Committee, dated January 17, 2013, the committee voted six to two, with one

member abstaining, to recommend to Regional Planning that Oak Tree Permit Number 201000024 be approved.

15. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of Section 22.56.2130 of the County Code, the community was appropriately notified of the public hearing by newspaper.
16. **PUBLIC COMMENTS.** No public comments have been received.

OAK TREE PERMIT SPECIFIC FINDINGS

17. The proposed 12-unit multi-family dwelling will require the removal of one oak tree and will slightly encroach upon the protected zone of one tree. Four oak trees will remain unharmed on the subject property.

Therefore, the proposed construction will be accomplished without endangering the health of the remaining trees subject to Part 16 of Chapter 22.56 on the subject property.

18. The removal of the tree, which is a 40-inch diameter coast live oak, will not result in soil erosion. The tree is on level ground. All drainage shall conform to county regulations.

Therefore, the removal or relocation of the oak tree proposed will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated.

19. The removal of the tree is necessary because its existence at its present location frustrated the planned improvement or proposed use of the subject property to such an extent that alternative development plans cannot achieve the same permitted density. The existence of the tree prevents the development of the maximum permitted number of units.

Therefore, placement of such tree precludes the reasonable and efficient use of such property for a use otherwise authorized and removal of the oak tree proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

ENVIRONMENTAL DETERMINATION

20. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (CEQA) and the environmental guidelines and reporting procedures of the County of Los Angeles. The Initial Study showed although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent.

Based on the Initial Study, the Department of Regional Planning has prepared a Mitigated Negative Declaration for this project.

21. **RECORD OF PROCEEDINGS.** 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 East Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- A. That the proposed use will be accomplished without endangering the health of the remaining trees subject to Part 16 of Chapter 22.56 on the subject property; and
- B. That there will be no resulting soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated; and
- C. That the removal of 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 an Oak Tree Permit as set forth in Section 22.56.2100 of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

- 1. The Hearing Officer has considered the Mitigated Negative Declaration together with any comments received during the public review process, finds on the basis of the whole record before the Hearing Officer that although the proposed project could have a significant effect on the environment, there will not be a significant effect for this project because revisions in the project have been made by or agreed to by the project proponent, finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Hearing Officer, and adopts the Mitigated Negative Declaration and Mitigation Monitoring Program.
- 2. In view of the findings of fact and conclusions presented above, Oak Tree Permit No. 201000024 is Approved subject to the attached conditions.

MM:mrb
02/19/13

c: Hearing Officer, Zoning Enforcement, Building and Safety

The grant authorizes the removal of one oak tree and the encroachment into the protected zone of another, both identified as Coast Live Oak in an oak tree report dated May 14, 2010, prepared by William R. McKinley, Consulting/Certified Arborist, in association with the construction of a 12-unit apartment building (RPP 201000357), subject to the following conditions:

1. This permit shall not be effective until a plot plan is approved for the construction of the proposed three-story, apartment building consisting of parking at the ground level with 12 units between the second and third levels, demonstrating the need to remove/encroach upon the said trees.
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 Forester's letter dated May 14, 2010 and Condition Nos. 7, 14 and 17. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, 6 and 14 shall be effective immediately upon the date of final approval of this grant by the County. The affidavit shall be filed by **April 20, 2013**.
3. 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.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

- b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein. The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.
6. This grant shall expire unless used within two years from the date of final approval by the County. The date of final approval is the date of the approval action plus any applicable appeal period. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such 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. **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 the Department of 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. If additional Department of Regional Planning inspections are deemed necessary, required supplementary funds at \$200 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater shall be deposited with the Department of Regional Planning. Inspections shall be unannounced and may be coordinated with the County Forester.
8. 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.
9. 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.
10. 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.
11. The permittee shall comply with all conditions and requirements contained in the County of Los Angeles Forester and Fire Warden, Forestry Division, letter dated

September 9, 2010 (attached hereto), to the satisfaction of said Division, except as otherwise required by said Division.

- a. The permittee shall provide mitigation trees of the Oak genus at a rate of ten to one (10:1) for each heritage tree removed for a total of ten (10) trees.
 - b. 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.
12. 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.
13. 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.
14. Within three (3) days of the date of final approval of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Game pursuant to Section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in Section 711.4 of the Fish and Game Code, currently \$2,231.25 (\$2,156.25 for a Mitigated Negative Declaration plus \$75.00 processing fee). No land use project subject to this requirement is final, vested or operative until the fee is paid.
15. The permittee shall comply with all mitigation measures identified in the Mitigation Monitoring Program ("MMP"), which are incorporated by this reference as if set forth fully herein.
16. Within thirty (30) days of the date of final approval of the grant by the County, the permittee shall record a covenant and agreement, which attaches the Mitigation Monitoring Program ("MMP") and agrees to comply with the mitigation measures imposed by the Mitigated Negative Declaration for this project, in the office of the Recorder. Prior to recordation of the covenant, the permittee shall submit a draft copy of the covenant and agreement to Regional Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to Regional Planning for approval

or as required. The reports shall describe the status of the permittee's compliance with the required mitigation measures.

17. The permittee shall deposit an initial sum of \$6,000.00 with Regional Planning within thirty (30) days of the date of final approval of this grant in order to defray the cost of reviewing and verifying the information contained in the reports required by the MMP. The permittee shall replenish the mitigation monitoring account if necessary until all mitigation measures have been implemented and completed.

Attachment: County Forester's Letter dated **September 9, 2010**.
Mitigation Monitoring Program Matrix

K-2010-00492



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

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

SEP 15 2010

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

September 9, 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 #2010-00024, 1941-45 WALTONIA DRIVE, MONTROSE

We have reviewed the "Request for Oak Tree Permit #2010-00024." The project is located at 1941-45 Waltonia Drive 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 William R. McKinley, the consulting arborist, dated May 14, 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 \$500. Such fees shall be used to compensate the County Forester \$100 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of approval. The above fees provide for one (1) initial inspection prior to the commencement

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

AGOURA HILLS	BRADBURY	CUDAHY	HAWTHORNE	LA MERADA	MAJIBU	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	IRVINDALE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELLFLOWER	COVINA	HAWAIIAN GARDENS	LA CANADA FLINTRIDGE	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
		LA HABRA					WHITTIER

of construction and four (4) subsequent 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 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 REMOVAL AND ENCROACHMENT:

7. This grant allows the removal of one (1) heritage tree of the Oak genus (*Quercus agrifolia*) identified as Tree Number 1 on the applicant's site plan and Oak Tree Report. This grant allows encroachment within the protected zone of one (1) tree of the Oak genus identified as Tree Number 2 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.
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:

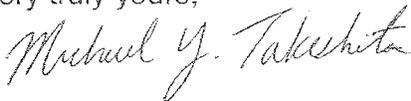
10. The permittee shall provide mitigation trees of the Oak genus at a rate of ten to one (10:1) for each heritage tree removed for a total of ten (10) trees. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above that dies as a result 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

MITIGATION MONITORING PROGRAM
PROJECT NO. R2010-00492 / OAK TREE PERMIT NO. 201000024 / ENV NO. 201000043

The Department of Regional Planning staff has determined that the following mitigation measures for the project are necessary in order to assure that the proposed project will not cause significant impacts on the environment.

The permittee shall deposit the sum of \$6,000.00 with the Department of Regional Planning within 30 days of permit approval in order to defray the cost of reviewing and verifying the information contained in the reports required by the Mitigation Monitoring Program.

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party	
AIR QUALITY					
1	Dust suppression engineering controls should be applied during demolition and construction. These controls include, but are not limited to, water irrigation, dust cover tarps and single entrance and exit. *submit approved plans, with notation, for review	Employ dust suppression engineering controls (indicate on plans) *submit approved plans, with notation, for review	Prior to issuance of building permits	Applicant Contractor	Department of Public Health
BIOLOGICAL RESOURCES					
2	Trees to be preserved during demolition, grading and construction shall have the installation of chain link fencing not less than four feet in height around the protected zone of the trees shown on the site plan. Said fencing shall be in place and inspected by the County Forester and Fire Warden prior to commencement of any activity on the subject property. Said fencing shall remain in place throughout the entire period of development and shall not be removed without written authorization from the director or the forester and fire warden.	Installation of chain link fencing *site visit verification	Throughout the entire period of development	Applicant	County Forester/ Fire Warden Department of Regional Planning
3	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	Provide expert to supervise all excavation or grading proposed	During all excavation and grading proposed within protected	Applicant	County Forester/ Fire Warden Department of

	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.	within protected zones and monitor and certify implementation of all conditions *submit contract/agreement with specialist for approval	zones		Regional Planning
4	Prohibit dumping of all paints, solvents, stucco, cement, concrete, mortar, excess soil and other foreign materials within the area defined as five feet beyond the drip line of the trees to be preserved.	Monitor and prohibit dumping of all materials on-site *submit monitoring schedule for approval	Throughout the entire period of development	Applicant Contractor	County Forester/Fire Warden Department of Regional Planning
5	Avoid or at least minimize grading (cutting or adding soil), storage of vehicles and building materials within the area defined as five feet beyond the drip line or fenced area or trees to be preserved.	Monitor grading and storage on-site *submit monitoring schedule for approval	Throughout the entire period of development	Applicant Contractor	County Forester/Fire Warden Department of Regional Planning
6	Avoid or at least minimize all trenching or continuous digging for utilities, i.e. sewer, plumbing or electrical or building footings and foundations within the area defined as five feet beyond the drip line of trees to be protected. Such footings or foundations must be hand-dug avoiding large roots one inch diameter and larger. Consult a qualified arborist for root care guidance and direction.	Monitor trenching/digging activities on-site *submit monitoring schedule for approval	Throughout the entire period of development	Applicant Contractor	County Forester/Fire Warden Department of Regional Planning
	Roots, which are encountered during excavation, should be avoided if possible. Roots, which are cut, torn or damaged, must be pruned back to the side of the excavation with a clean, sharp pruning tool. Root ends must be kept moist. Where possible cover the root ends	Monitor excavation activities on-site *submit monitoring schedule for	Throughout the entire period of development	Applicant Contractor	County Forester/Fire Warden Department of

	with moist burlap or cloth until back-fill can occur. Water exposed root ends 2 to 3 times per day until back-fill can occur to prevent the root ends from drying out.	approval			Regional Planning
	Pruning of tree branches should be done under the supervision of a qualified arborist. Pruning may be necessary to provide clearance for vehicles, equipment and pedestrians. Pruning should attempt to eliminate dead wood, enhance the structure, eliminate defects and provide building clearance. In general, the goal is avoid unnecessary cuts over 2 inches in diameter and not remove more than 25% of the tree's foliage at one-time. In the case of Coast Live Oak trees, they should have no more than 10% of the live wood removed at the time of pruning. Tree pruning must conform to International Society of Arboriculture Guidelines and ANSI 300 Pruning Standards.	Obtain a qualified arborist to monitor pruning of tree branches *submit contract/agreement with arborist for approval	During any pruning activities	Applicant Qualified Arborist	County Forester/Fire Warden Department of Regional Planning
	Timing of pruning is very important. It is important to know the pruning requirements of your trees. A qualified arborist can assist you with identifying trees and their individual needs. Prune deciduous Oaks such as Valley Oak in winter and evergreen Oaks such as Coast Live Oak in the summer. Pruning the trees at the correct time of year reduces stress and prevents insects and disease from attacking a weakened host.	Obtain a qualified arborist to assist with pruning requirements *submit contract/agreement with arborist for approval	During any pruning activities	Applicant Qualified Arborist	County Forester/Fire Warden Department of Regional Planning
	Irrigation and landscape plans and installation must be reviewed and approved by a licensed landscape architect or qualified arborist to insure that the trees requirements are met. No irrigation trenching must be allowed within the drip line of trees to be preserved. Mulch or wood chips or shavings must be applied at a depth of 2 to 4 inches under the drip line of the trees. Landscaping near the Coast Live Oaks should be compatible with the watering requirements of native Oaks. California native plants should be used within the tree protection zones of the Coast Live Oak trees. Suitable native plants include: Toyon, Golden Current, Manzanita, Ceanothus, Sugar Bush, Lemonade Berry, Sea Lavender and Woodwardia	Submit irrigation and landscape plans for approval by licensed landscape architect or qualified arborist *submit approved plans for review	Prior to issuance of building permit	Applicant	Landscape Architect/Qualified Arborist Department of Regional Planning

<p>Ferns to name just a few. The plantings should be sparse and surface mounted drip irrigation should be used to water the individual native plants. Irrigation can be applied near the drip line of the trees but must not water near the trunk of the trees.</p>				
<p>The trees on the site include six, native Coast Live Oak trees which are protected by the County of Los Angeles, where pruning or removal is required. The proposed multi-family residential construction will require the removal of one of these trees. The zoning code permits the development of up to 14 units to be constructed on this property. The proposed multi-family dwelling would result in the removal of approximately 40% of the canopy of Tree #1. The building clearance pruning would require large, heading cuts on the scaffold limbs. This would introduce decay into these limbs through large pruning wounds and would result in producing epicormic or sucker growth and most probably limb die-back in many of these limbs and branches. This design would also require additional soil to be imported and compacted within the root zone of Tree #1. Tree #1 is already stressed and in slightly below average health and condition. The severe canopy loss coupled with the soil-fill grading and compaction operations proposed within the tree's root zone would severely impact this tree and would most likely result in the tree's decline and death. The appraised landscape value for Tree #1 using the Trunk Formula Method as specified by the Council of Tree and Landscape Appraisers and the Species Classification and Group Assignment is \$9,150.00. If the County of Los Angeles should permit the removal of this tree then it is recommended that a minimum of two, 24-inch box size Coast Live Oak trees be planted on the site as mitigation for the one Oak tree to be removed.</p> <p>Native trees which are suitable for planting in this area include: Coast Live Oak, Canyon Live Oak, Interior Live Oak, Valley Oak, Southern California Black Walnut,</p>	<p>Plant a minimum of two, 24-inch box size Coast Live Oak trees on the site as mitigation for the one Oak tree to be removed</p> <p>*submit a replanting plan for approval</p>	<p>Prior of issuance of grading permits</p>	<p>Applicant</p>	<p>Department of Regional Planning</p>

	California Sycamore, California Bay and White Alder. Evergreen trees such as Coast Live Oak can be used to screen the properties for privacy and to limit exposure to sun and cold winter winds. Deciduous trees such as Valley Oak can be strategically placed especially along south and west exposures of the homes to provide energy savings throughout the year.				
GEOLOGY/SOILS					
	As with any type of grading, there is potential for erosion to occur. The mitigation for this impact is to employ erosion control measures as dictated by the Grading Code (Title 26, County of Los Angeles Building Code, Appendix J) and as recommended by the soils engineer.	Employ erosion control measures indicated in the Grading Code (indicate on plans) *submit approved grading plan for review	Prior to issuance of building permit	Applicant	Department of Public Works
NOISE					
	It appears that the project construction would result in a temporary increase in noise levels at the surrounding properties. Therefore, noise engineering controls should be applied during the construction phase of the project. These controls include, but are not limited to, muffler devices on all moving construction vehicles, limited trips of construction vehicles per day and installation of noise barriers along the property boundaries.	Employ noise engineering controls (indicate on plans) *submit approved plans, with notation, for review	Prior to issuance of building permit	Applicant Contractor	Department of Health Services
PUBLIC SERVICES					
	Since this project is in the unincorporated area served by the County Public Library, it is subject to the County's library facilities mitigation fee. The applicant or its successor in interest will be required to pay the library facilities mitigation fee at the time the building permit for the project is issued. The proposed project is located in the Library's Planning Area 3 (West San Gabriel Valley). The mitigation fee for this area, as of July 1, 2011, which	Pay library facilities mitigation fee *submit copy of fee payment receipt for review	Prior to issuance of building permit	Applicant	County Public Library

<p>may be adjusted annually based on changes in the Consumer Price Index, is \$839 per residential unit. Therefore, the total mitigation fee that would be required is \$10,068 (\$839 x 12 residential units). The actual fee obligation for this project may be higher because the fee per residential unit will be that in effect at the time the building permits are issued.</p>				
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MITIGATION COMPLIANCE				
<p>As a means of ensuring compliance of above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting compliance report to the Department of Regional Planning for review, and for replenishing the mitigation monitoring account if necessary until such as all mitigation measures have been implemented and completed.</p>	<p>Submittal and approval of compliance report and replenishing mitigation monitoring account</p>	<p>Yearly and as required until all measures are completed.</p>	<p>Applicant and subsequent owner(s)</p>	<p>Department of Regional Planning</p>

As the applicant, I agree to incorporate these mitigation measures into the project, and understand that the public hearing and consideration by the Hearing Officer and/or Regional Planning Commission will be on the project as mitigation measures.

William R. Priley
Applicant - PROJECT ARBORIST

2/6/2013
Date

Michelle R. Bush
Staff

2/19/2013
Date