

Hearing Officer Transmittal Checklist

Hearing Date
10/16/2012

Agenda Item No.
7

Project Number: R2011-00353-(4)
Case(s): Oak Tree Permit Case No. 201100010
Planner: Michele Bush

- Factual
- Property Location Map
- Staff Report
- Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- Draft Findings
- Draft Conditions
- Burden of Proof Statement
- Environmental Documentation
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use Radius Map
- Tentative Tract / Parcel Map
- Tree Plan
- Exhibit Map
- Landscaping Plans

Reviewed By: 



Department of Regional Planning
 320 West Temple Street
 Los Angeles, California 90012

PROJECT NUMBER

R2011-00353-(4)

HEARING DATE

October 16, 2012

PROJECT SUMMARY

REQUESTED ENTITELMENTS

Oak Tree Permit No. 201100010

OWNER / APPLICANT

Mya Khin Ma / Paul P. Cheng

MAP/EXHIBIT DATE

July 13, 2010

PROJECT OVERVIEW

The applicant is requesting an Oak Tree Permit to retroactively approve the pruning of four oak trees and proposed pruning of 14 additional oak trees. All of the trees are identified as Coast Live Oaks, in an oak tree report dated July 13, 2010 and prepared by Craig Crotty, Certified Consulting Arborist. Based on the oak tree report, the four trees, previously pruned, need proper restoration pruning to encourage better sprout re-growth, make proper cuts and remove stubs or ripped branch ends. The report also states the additional 14 trees would benefit from regular maintenance pruning by crown cleaning, light thinning and reduction pruning where necessary.

LOCATION

15208 Bernard Court, Unincorporated Hacienda Heights

ACCESS

Bernard Court

ASSESSORS PARCEL NUMBER(S)

8215-017-049

SITE AREA

0.31 Acres

GENERAL PLAN / LOCAL PLAN

Hacienda Heights Community Plan

ZONED DISTRICT

Hacienda Heights

LAND USE DESIGNATION

H5-Residential 5 (0-5 du/ac)

ZONE

R-A-10000 (Residential Agricultural)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

N/A

ENVIRONMENTAL DETERMINATION (CEQA)

Class 4 Categorical Exemption – Minor Alterations to Land

CASE STATUS

Preparing for Hearing Officer

CASE PLANNER:

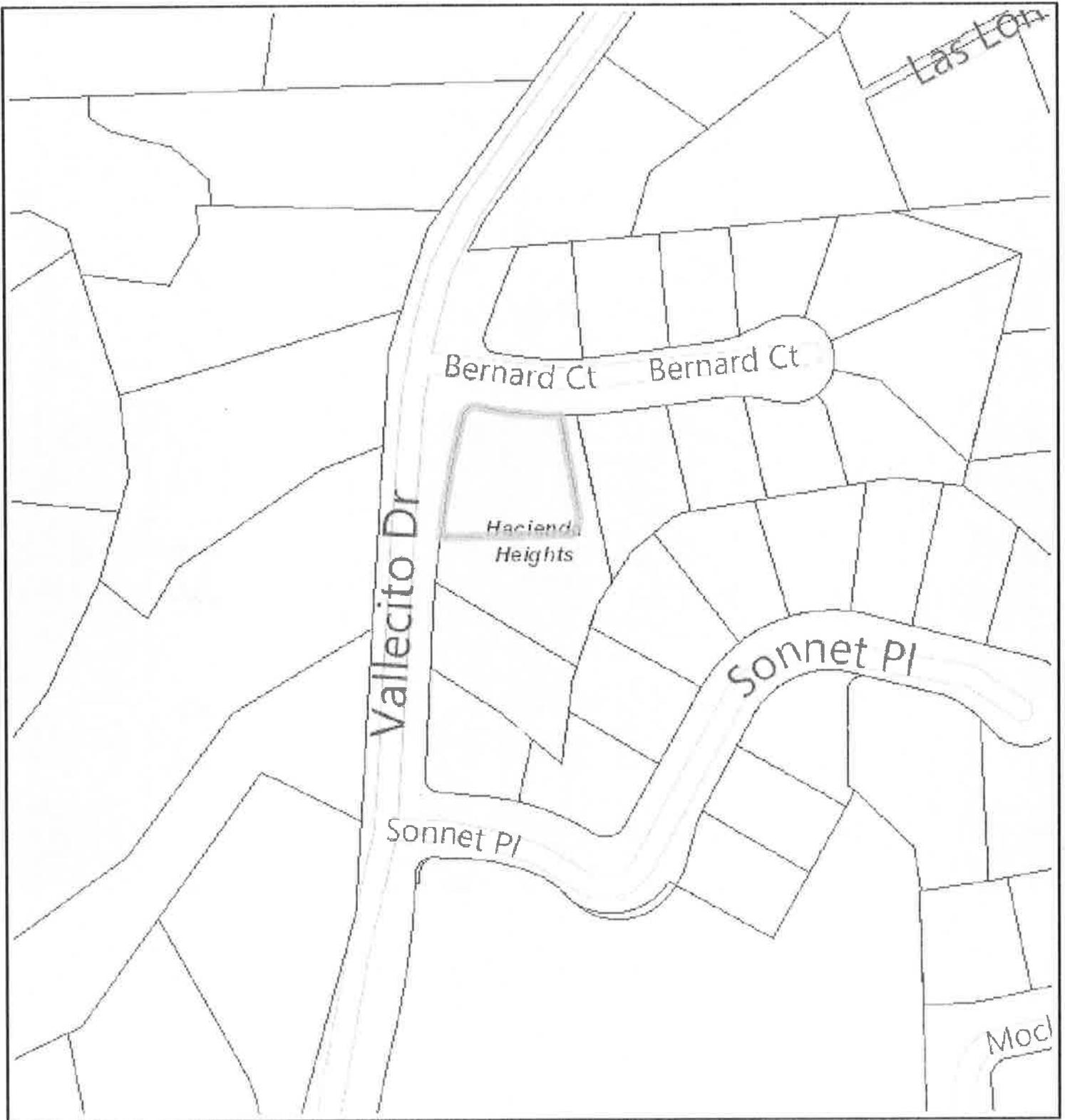
Michele Bush

PHONE NUMBER:

(213) 974 - 6435

E-MAIL ADDRESS:

mbush@planning.lacounty.gov



Department of Regional Planning

Printed: Oct 03, 2012



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ENTITLEMENTS REQUESTED

- Oak Tree Permit to authorize trimming four oak trees (retroactively) and pruning of 14 additional oak trees Pursuant to County Code Section 22.56.2080 in the R-A-10000 (Residential Agricultural-10,000 sq. ft. minimum lot size) Zone.

PROJECT DESCRIPTION

This application is a request to retroactively approve the pruning of four oak trees and proposed pruning of 14 additional oak trees. All of the trees are identified as Coast Live Oaks, in an oak tree report dated July 13, 2010 and prepared by Craig Crotty, Certified Consulting Arborist. Based on the oak tree report, the four trees, previously pruned, need proper restoration pruning to encourage better sprout re-growth, make proper cuts and remove stubs or ripped branch ends. The report also states the additional 14 trees would benefit from regular maintenance pruning by crown cleaning, light thinning and reduction pruning where necessary.

EXISTING ZONING

The subject property is zoned R-A-10000 (Residential Agricultural-10,000 sq. ft. minimum lot size), in the Hacienda Heights Zoned District.

Surrounding properties are zoned as follows:

North: R-A-10000 (Residential Agricultural)
South: R-A-10000 (Residential Agricultural)
East: R-A-10000 (Residential Agricultural)
West: A-1-1 (Light Agricultural)

EXISTING LAND USES

The subject property is developed with an existing single-family residence.

Surrounding properties are developed as follows:

North: Single-Family Residential
South: Single-Family Residential
East: Single-Family Residential
West: Single-Family Residential

PREVIOUS CASES/ZONING HISTORY

Tract No. 50763, a subdivision for single-family residential purposes, was approved in 2001.

ENVIRONMENTAL DETERMINATION

Staff recommends this project be determined categorically exempt (Class 4, Minor Alterations to Land) under the environmental reporting procedures and guidelines of the California Environmental Quality Act (CEQA).

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the H5-Residential 5 (0-5 du/ac) in the Hacienda Heights Community Plan. The H5 designation allows for single-family detached residential developments. The project site is consistent with the goals of the Hacienda Heights Community Plan.

Zoning Ordinance and Development Standards Compliance

The subject property is located in the R-A-10000 (Residential Agricultural-10,000 sq. ft. minimum lot size) Zone. Single-family residential uses are allowed in the R-A Zone.

Neighborhood Impact/Land Use Compatibility

The subject property consists of a single-family residence. Surrounding land uses consist of single-family residential to the north, south, east and west. The use is consistent and compatible with the surrounding community.

The oak trees on the subject property have been inspected by County Fire/Forestry and a Certified Arborist will be hired to ensure work is done to high industry standards. Since no trees will be removed, erosion should not be an issue.

Burden of Proof

The applicant is required to substantiate all facts identified by Section 22.56.2100 of the 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

Based on comments in a letter from the County of Los Angeles Fire Department, Forestry Division, dated February 21, 2012, the Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

An Oak Tree Report prepared by Craig Crotty, Certified Consulting Arborist, dated July 13, 2010, demonstrated that the four trees, previously pruned, need proper restoration pruning to encourage better sprout re-growth, make proper cuts and remove stubs or ripped branch ends. The report also states the additional 14 trees would benefit from regular maintenance pruning by crown cleaning, light thinning and reduction pruning where necessary.

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.

PUBLIC COMMENTS

Staff has not received any comments at this time.

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 R2010-00353-(4), Oak Tree Permit Number 201100051, subject to the attached conditions.

Prepared by Michele Bush, Principal Regional Planning Assistant, Zoning Permits East Section
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

Attachments:

Draft Findings, Draft Conditions of Approval
Applicant's Burden of Proof Statement
Correspondence
Site Photographs, Photo Simulations, Aerial Image
Site Plan, Land Use Map

MM:mrb
10-16-12

**DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
PROJECT NO. R2011-00353-(4)
OAK TREE PERMIT NO. 201100010**

1. **ENTITLEMENT REQUESTED.** The applicant, Paul P. Cheng, is requesting an Oak Tree Permit to authorize trimming four oak trees (retroactively) and pruning of 14 additional oak trees Pursuant to County Code Section 22.56.2080 in the R-A-10000 (Residential Agricultural-10,000 sq. ft. minimum lot size) Zone.
2. **HEARING DATE.** October 16, 2012
3. **PROCEEDINGS BEFORE THE HEARING OFFICER.**
4. **PROJECT DESCRIPTION.** This grant authorizes the applicant to retroactively approve the pruning of four oak trees and proposed pruning of 14 additional oak trees. All of the trees are identified as Coast Live Oaks, in an oak tree report dated July 13, 2010 and prepared by Craig Crotty, Certified Consulting Arborist. Based on the oak tree report, the four trees, previously pruned, need proper restoration pruning to encourage better sprout re-growth, make proper cuts and remove stubs or ripped branch ends. The report also states the additional 14 trees would benefit from regular maintenance pruning by crown cleaning, light thinning and reduction pruning where necessary.
5. **LOCATION.** 15208 Bernard Court, Unincorporated Hacienda Heights
6. **SITE PLAN DESCRIPTION.** The site plan depicts the existing single-family residence and the location of all oak trees identified in the oak tree report. The oak trees are located throughout the western half of the subject property.
7. **EXISTING ZONING.** The subject property is zoned R-A-10000 (Residential Agricultural-10,000 sq. ft. minimum lot size), in the Hacienda Heights Zoned District. Surrounding properties are zoned as follows:
 - North: R-A-10000 (Residential Agricultural)
 - South: R-A-10000 (Residential Agricultural)
 - East: R-A-10000 (Residential Agricultural)
 - West: A-1-1 (Light Agricultural)
8. **EXISTING LAND USES.** The subject property is developed with an existing single-family residence. Surrounding properties are developed as follows:
 - North: Single-Family Residential
 - South: Single-Family Residential
 - East: Single-Family Residential
 - West: Single-Family Residential
9. **PREVIOUS CASES/ZONING HISTORY.** Tract No. 50763, a subdivision for single-family residential purposes, was approved in 2001.
10. **GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.** The subject property is designated as H5-Residential 5 (0-5 du/ac) in the Hacienda Heights Community Plan. The

H5 designation allows for single-family detached residential developments. The project site is consistent with the goals of the Hacienda Heights Community Plan.

11. **ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.** The subject property is located in the R-A-10000 (Residential Agricultural) Zone. Single-family residential uses are allowed in the R-A Zone.
12. **NEIGHBORHOOD IMPACT/LAND USE COMPATIBILITY.** The subject property consists of the single-family use. Surrounding land uses consist of single-family residential to the north, south, east and west. The use is consistent and compatible with the surrounding community.
13. **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.** Based on comments in a letter from the County of Los Angeles Fire Department, Forestry Division, dated February 21, 2012, 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 COMMENTS AND RECOMMENDATIONS.** An Oak Tree Report prepared by Craig Crotty, Certified Consulting Arborist, dated July 13, 2010, demonstrated that the four trees, previously pruned, need proper restoration pruning to encourage better sprout re-growth, make proper cuts and remove stubs or ripped branch ends. The report also states the additional 14 trees would benefit from regular maintenance pruning by crown cleaning, light thinning and reduction pruning where necessary.
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. As pruning will not endanger the health of the trees, there is no concern about endangering the health of any oak tree but rather the proper restoration pruning will benefit re-growth. No removal of any tree is required.
18. Therefore, 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.
19. No oak trees will be removed as a part of this project request.
20. Therefore, there will be no soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated and 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.

ENVIRONMENTAL DETERMINATION

21. The project site consists of an existing single-family residential use. Only minor alterations in the condition of vegetation which do not involve removal of healthy, mature or scenic trees are proposed.

22. Therefore, staff recommends the project qualifies as a Categorical Exemption (Class 4, Minor Alterations to Land) and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
23. **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 Categorical Exemption for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
2. In view of the findings of fact and conclusions presented above, Oak Tree Permit No. 201100010 is Approved, subject to the attached conditions.

MM:mrb
10-16-12

c: Hearing Officer, Zoning Enforcement, Building and Safety

This grant authorizes the trimming of four oak trees (retroactively) and pruning of 14 additional oak trees. All of the trees are identified as Coast Live Oaks, in an oak tree report dated July 13, 2010 and prepared by Craig Crotty, Certified Consulting Arborist. Based on the oak tree report, the four trees, previously pruned, need proper restoration pruning to encourage better sprout re-growth, make proper cuts and remove stubs or ripped branch ends. The report also states the additional 14 trees would benefit from regular maintenance pruning by crown cleaning, light thinning and reduction pruning where necessary, subject to the following conditions:

1. 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 Condition #6 and the attached County Forester's letter dated February 21, 2012. The affidavit shall be filed by **December 15, 2012**.
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. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein. The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.
5. This grant shall expire unless used within 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.
6. 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) shall be deposited with the Department of Regional Planning. Inspections shall be unannounced and may be coordinated with the County Forester.

7. 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. The permittee shall comply with all conditions and requirements contained in the County of Los Angeles Forester and Fire Warden, Forestry Division, letter dated February 21, 2012 (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 two to one (2:1) for any tree specified that dies as a result of the past non-permitted encroachment (trimming/pruning).
11. 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.
12. 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.

Attachment: County Forester's Letter dated **February 21, 2012**.



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

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

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

February 21, 2012

Maria Masis, Regional Planner
Department of Regional Planning
Zoning Permits Section
320 West Temple Street
Los Angeles, CA 90012

Dear Ms. Masis:

**OAK TREE PERMIT NUMBER 2011-00010,
PROJECT NUMBER R2011-00353
15208 BERNARD COURT, HACIENDA HEIGHTS**

We have reviewed the "Request for Oak Tree Permit #2011-00010." The project is located at 15208 Bernard Court in the unincorporated area of Hacienda Heights. 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 Craig Crotty, the consulting arborist, dated July 13, 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 \$200. Such fees shall be used to compensate the County Forester \$100 per inspection to cover expenses incurred while

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
LAWDALE
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

inspecting the project to determine the permittee's compliance with the conditions of approval. The above fees provide for two (2) 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.

RETROACTIVE OAK TREE ENCROACHMENT:

7. This grant acknowledges the past encroachment within the protected zone of four (4) trees of the Oak genus identified as trees numbered: 12, 13, 16, and 18 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 two to one (2:1) for any tree specified above that dies as a result of the past non-permitted encroachment.
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 lobata, 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.

Maria Masis, Regional Planner

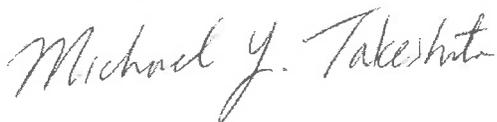
February 21, 2012

Page 4

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



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



OAK TREE PERMIT BURDEN OF PROOF

Please identify the number of oak trees proposed for:

Removal

Encroachment

To Remain

18 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.

As pruning will not endanger the health of the trees, there is no worry about endangering the health of any oak tree. No removal of any tree is required.

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.

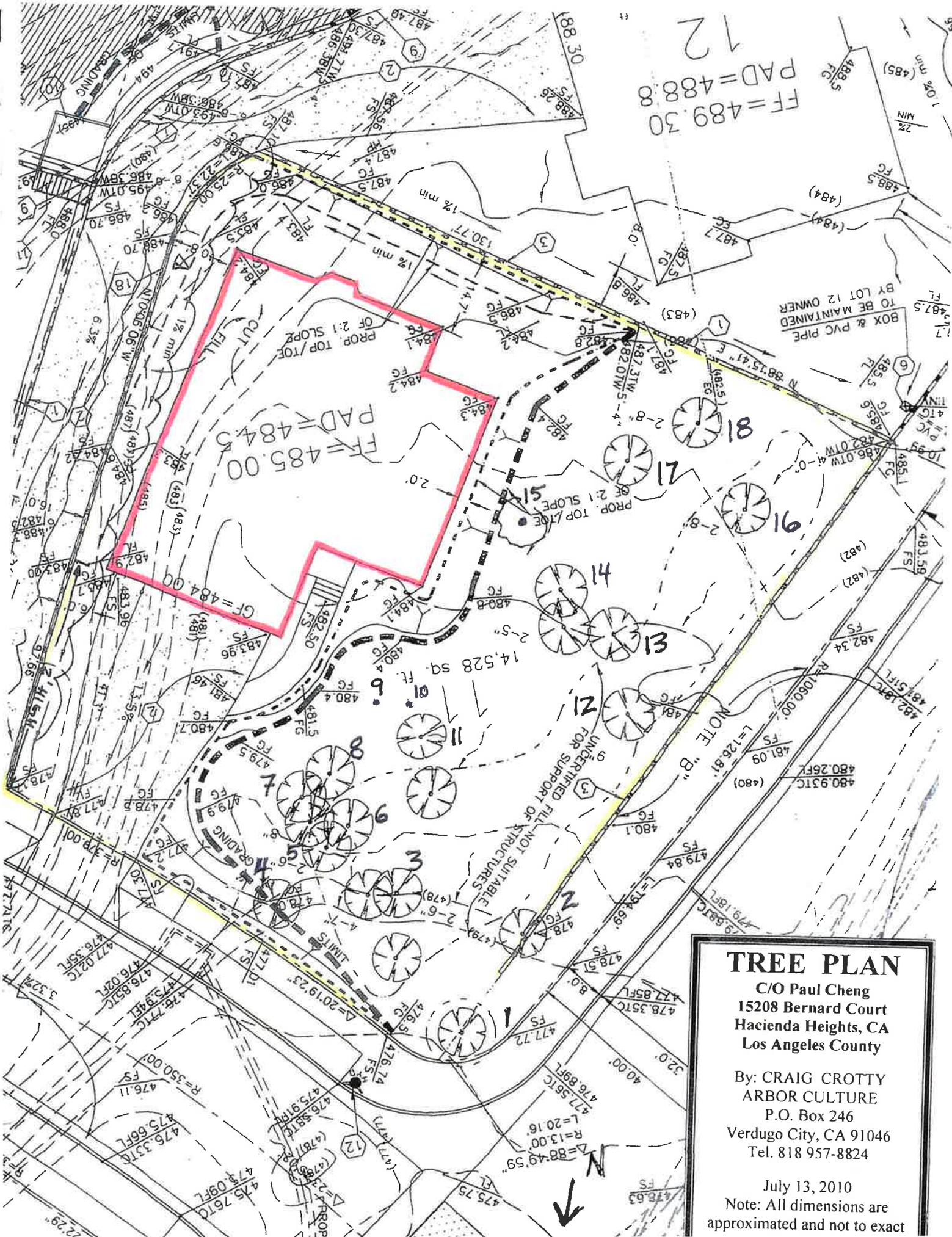
This is inapplicable to our situation. No removal of any tree is required.

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.

As pruning seeks to improve the health of a tree, the facts of our case align w/ qualification #4 of the box immediately above.

No removal of any tree is required.



TREE PLAN

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July 13, 2010
 Note: All dimensions are approximated and not to exact



Photo A looks south to the grove of Coast Live Oak trees.



Photo B looks east to the grove of Coast Live Oak trees. These trees form a continuous canopy. Four trees were heavily cut back.



Photo C looks north east and shows the area where four west facing trees were apparently cut back to provide more sunlight to landscape trees and plants beneath.



Photo D shows Oak #12 cut back on the right side.



Photo E shows poor cuts on Oak #12. Branches of 7, 6, 6, 6, 6 and 5 inches estimated diameter are removed. Restoration pruning is recommended.



Photo F shows re-growth at one of the Oak #12 branch cuts and continued cutting of sprout growth.



Photo G shows Oak #13. One 6 inch diameter branch and two 2 inch diameter branches are removed.



Photo H shows Oak #16 with 7, 6, 4, 4, 4, 4 & 3 inch branches removed.



**Photo I shows a closer view of a stubbed branch on Oak #16.
This branch may never regain its full size again.**



Photo J shows Oak #18. The lowest branch was cut back.



Photo K shows removed branches of 7, 3, and 2 inches estimated on Oak #18.

