



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

September 7, 2016

Stephen Kuhn
4381 Canyon Crest Road
Altadena, CA 91001

**REGARDING: PROJECT NO. R2014-02411-(5)
MINOR CUP NO. 201400014
OAK TREE PERMIT NO. 201500035
APN 5830-003-016**

The Regional Planning Commission, by its action of **September 7, 2016** has **APPROVED** the above-referenced project. Enclosed are the Commission'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 Regional Planning Commission's decision. The appeal period for this project will end at 5:00 p.m. on **September 21, 2016**. **Appeals must be delivered in person.**

Appeals:

To file an appeal, please contact:
Executive Office of the Board of Supervisors
Room 383, Kenneth Hahn Hall of Administration
500 West Temple Street, Los Angeles, CA 90012
(213) 974-1426

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.

In addition, any applicable CEQA fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. A Notice of Exemption, if applicable, may also be filed according to the instructions in the enclosed Affidavit of Acceptance.

For questions or for additional information, please contact Maria Masis of the Zoning Permits Section at (213) 974-6435, or by email at mmasis@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, AICP, Supervising Regional Planner
Zoning Permits East Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion), Notice of Determination (1 original, 1 copy)

c: Board of Supervisors; DPW (Building and Safety); Zoning Enforcement; Testifiers

MM

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02411-(5)
MINOR CONDITIONAL USE PERMIT NO. 201400014
OAK TREE PERMIT NO. 201500035**

1. The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly-noticed public hearing on September 7, 2016, in the matter of Project No. **R2014-02411-(5)**, consisting of Minor Conditional Use Permit No. 201400014 ("MCP") and Oak Tree Permit No. 201500035 ("OTP"). The MCP and OTP are referred to collectively as the "Project Permits."
2. The permittee, Stephen Kuhn ("permittee"), requests the Project Permits to authorize encroachments into the protected zone of nine oak trees and the removal of one oak tree in order to construct a new single-family residence with an attached two-car garage ("Project") on a vacant parcel of land located at Assessor Parcel Number 5830-003-016 on Canyon Crest Road in the unincorporated community of Altadena ("Project Site").
3. The MCP is a request to construct a single-family residence in the hillside management area of the Altadena Community Standards District ("CSD") in the R-1-10000 (Single-Family Residence - 10,000 Square Feet Minimum Required Lot Area) pursuant to Los Angeles County Code ("County Code") section 22.44.127.
4. The OTP is a request to remove one oak tree and encroach within the protected zone of nine other oak trees in order to construct the single-family residence pursuant to County Code section 22.56.2060.
5. The Project Site is 1.04 acres in size and consists of one legal lot. The Project Site is irregular in shape with steep topography and is currently vacant. The property contains both east-facing and west-facing slopes that are bisected by a stream located approximately 150 feet northwest of the proposed building pad. This area is abundant with oak woodland and also contains Millard Canyon. There is also a drainage course on the subject property.
6. The Project Site is located in the Altadena Zoned District and is currently zoned R-1-10000 (Single-Family Residence – 10,000 Square Feet Minimum Required Lot Area).
7. The Project Site is located within the N-Nonurban land use category of the Altadena Community Plan Land Use Policy Map.
8. Surrounding Zoning within a 500-foot radius includes:
 - North: R-1-10000
 - South: R-1-10000 and City of Pasadena
 - East: R-1-10000
 - West: City of Pasadena

9. Surrounding land uses within a 500-foot radius include:

North: Single-family residences
South: Vacant land and single-family residences
East: Single-family residences
West: Vacant land

10. The Project Site was rezoned in 1950 to R-1-10000 by Ordinance No 5541. Certificate of Compliance No. 201400129 was recorded on the subject property in 2014.

11. The site plan for the Project depicts Canyon Crest to the east of the site with a driveway leading from Canyon Crest to an attached two-car garage facing north. Above the garage is a proposed loft space that looks out onto Canyon Crest Road and below the garage is the main residence level containing two bedrooms, two bathrooms, a kitchen, and a living room with a cantilevered deck facing west. There is a lower level below the kitchen and living room where an office is proposed. The residence is proposed to be two stories in height with an additional cellar level. The tallest point of the residence is located in the southwestern corner of the building and is depicted with a height of 34 feet and 10 and one half inches. The project includes 15 cubic yards of cut and 15 cubic yards of fill which will be balanced on the site and all work will be done by hand implements at the recommendation of the arborist (Oak Tree Report dated August 2, 2014).

12. In October of 2015, prior to the Commission's public hearing on the Project, the applicant presented the project to the Altadena Town Council. The applicant also held an informal question/answer meeting at the project site in 2015 for the surrounding neighbors and provided a website for more information related to the project. The Altadena Town Council also reviewed the project on March 15, 2016 and submitted a letter recommending approval of the project with an added condition requiring that all construction staging and vehicles be maintained on the subject property.

13. The County Department of Public Works ("Public Works") recommends approval of this Project and has recommended conditions of approval, which are included in the Project's conditions. The County Fire Department ("Fire Department") recommends approval of this Project because the Project will provide adequate fire access, water flow, and fire suppression technology. The Forestry Division of the Fire Department also provided a separate list of recommended conditions that will be included as part of the permit.

14. Prior to the Commission's public hearing on the Project, an Initial Study was prepared for the Project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County. Based on the Initial Study, staff from Regional Planning determined that a Negative Declaration was the appropriate environmental document for the Project because the

Initial Study concluded that there was no substantial evidence that the Project would result in a significant impact on the environment.

15. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
16. Staff received comments from the applicant, the arborist that prepared the oak tree report, and thirty members of the public. The public comments included 20 letters identifying concerns with the project, nine letters in favor of the project, and one letter with "little objective reason to oppose the project." Staff also received a letter from the Altadena Town Council which recommends approval of the project with a condition requiring that all staging and construction vehicle parking to be contained on the project site.
17. A duly noticed public hearing was held on April 5, 2016 before the Hearing Officer. Staff responded to the Hearing Officer with clarification that an initial oak tree report was submitted by the applicant's arborist and an additional comment letter was received from a separate third-party arborist at the request of the neighbor to the north of the site. The applicant and architect presented testimony in favor of the project and responded to questions from the Hearing Officer. The applicant confirmed that the staging area for construction would be on-site and does not require additional grading. Five additional members of the public provided testimony and reiterated concerns addressed in letters that were received prior to the hearing related to: inconsistency with the intent of the Altadena Community Standards District, potential significant impacts to the oak woodland, compliance with the California Environmental Quality Act, inconsistency of project design with the surrounding community, and loss of canyon views.

One of the speakers was the third-party consultant, Ms. Rebecca Latta, who had concerns with the oak tree report. She questioned when impacts to an oak tree would constitute a removal rather than an encroachment and mentioned that the project had changed since the arborist report. One of her concerns was related to the impact to the oak trees from re-compaction of soils. The applicant provided a rebuttal and clarified that no condition fill would be used and no compaction is necessary; this is commonly used for slab-on-grade foundations. The Hearing Officer confirmed with staff that some of the public comments were routed through County Counsel to make sure that we are making the correct recommendation for the Initial Study.

The Hearing Officer said that he is familiar with Altadena and recently visited the project site. During his site visit, he noticed that the project is located near other houses. The Hearing Officer expressed appreciation for the efforts and detail given to the design of the project in order to avoid some of the environmental impacts and indicated that the correct assessment has been made by staff related to the height and number of stories of the structure. He also mentioned the neighbors' concerns related to inconsistencies of the project with the character of the neighborhood, but also acknowledged that the Altadena Town Council submitted a recommendation of

approval for the project. The Hearing Officer read the written concerns submitted for the project that included Ms. Latta's comments on the oak tree report. The Hearing Officer continued the public hearing to April 19, 2016 in order to provide additional time for the applicant to meet with interested members of the community and discuss alternative designs as well as to allow for the applicant's arborist to respond to the concerns raised by Ms. Latta.

18. A duly noticed public hearing was held on April 19, 2016 before the Hearing Officer. During the presentation, staff noted that materials were submitted prior to this hearing that included a response by the project arborist that addresses the concerns raised by Ms. Latta. The applicant met with members of the community prior to the hearing and provided responses to the alternative designs that were suggested. The Hearing Officer questioned a discrepancy in the response by the arborist under Item No. 9 on Page 8 of the response where it was quoted that approximately eight percent of the root zone of Oak Tree No. 1 will be encroached upon for the driveway, but then later in the paragraph, that figure is changes to approximately six percent of the root zone. The applicant preferred to allow the arborist to address this discrepancy, but indicated that this was a minor error and that both figures seem relatively small. Then, the Hearing Officer requested information on the how the construction would be monitored. The applicant responded by stating that the arborist would be monitoring the oaks during construction activities. Staff identified recommended conditions of approval from the Forester, included in the draft conditions, which require three inspections by the Forester as well as a requirement to retain an arborist to monitor the trees during impacts to the oak trees as well as for the duration of the permit. Staff also indicated that Regional Planning will conduct one inspection following the removal of the tree. The Hearing Officer asked staff for clarification on whether any part of the project is located in a Significant Ecological Area ("SEA"). Staff responded by stating that there was no SEA on the subject property at the time that the project applications were submitted to the Department of Regional Planning. Subsequently, a conceptual SEA was mapped on the site, but is not located within the project footprint.

The County Biologist, Joe Decruyenaere, responded to questions from the Hearing Officer including clarifying that the project is located in oak woodland, but that the condition of the oak woodland where the project activity is proposed is highly disturbed; the grade has been altered and it's been used as parking for many years. When determining if a project has a potentially significant impact on the oak woodland, the County Biologist looks at deficiencies that are not addressed by conditions of the oak tree permit. The oak tree permit requires replacement of trees that are included for removal as part of the project at a ratio of 2:1 and also requires follow-up monitoring to ensure that the remaining trees survive. If oak trees that are proposed for encroachment do die, they will also be required to be replaced at the 2:1 ratio. Mr. Decruyenaere specified that the draft conditions of approval include these provisions and as such, he determined that those conditions of the permit are sufficient to recover from any losses to trees and woodland values. Based on this evaluation, it was determined that the overall impact to the oak woodland would be less than significant

and no Oak Woodland Management Plan would be required because the standard conditions of the oak tree permit are sufficient.

Seven members of the public provided testimony stating concerns with the project including the loss of open space, inconsistency with the Altadena Community Standards District, the need for an Oak Woodland Management Plan, confusion with the height determination, inconsistency with the character of the community, and inaccurate information provided in the application materials.

The Hearing Officer requested that staff provide clarification on how the height was reviewed for the project. Staff indicated that height is determined by measuring the vertical distance from the grade to the top of the structure. The Hearing Officer also requested that staff clarify how the cellar area was defined and why there were some earlier communications determining that the project was four stories in height. Staff clarified that there was a previous planner assigned to the case who sent a correction letter identifying the proposed structure as having four stories. The applicant provided a rebuttal to this determination, but that assigned planner was no longer working for the department when the rebuttal was received. Current staff reviewed the rebuttal and concurred with the response. The rebuttal is included as an attachment to the staff analysis. The terms "grade" and "cellar" are defined in the rebuttal and the calculations include the total area of the lowest level as well as the area below grade in order to prove that there is more area below grade than above grade for the lowest level of the residence. Therefore, it meets the definition of cellar and the project is in compliance with the development standards.

After the applicant's rebuttal, the Hearing Officer noted that the lot has many constraints, but the applicant designed the project to avoid many environmental impacts and has been responsive to the concerns raised by members of the public. The Hearing Officer determined that the responses by the project arborist have satisfactorily addressed the issues. Furthermore, he stated that the project is well within the confines of the regulations. Lastly, the Hearing Officer stated that the conditions of approval are sufficient in addressing the possible impacts created by the project. The Hearing Officer closed the public hearing, adopted the negative declaration, and approved the minor conditional use permit and oak tree permit.

19. On May 2, 2016, Randall Baer, on behalf of the Canyon Crest Conservancy, appealed the Hearing Officer's decision.
20. A duly noticed public hearing was held on September 7, 2016 before the Regional Planning Commission. All Commissioners were present. The appellant, Mr. Randall Baer, his consulting arborist Ms. Rebecca Latta, and attorney Mr. Mitchell Tsai, testified in opposition to the project stating concerns mainly regarding the size and bulk of the proposed residence, impacts to biological resources and non-compliance with the Altadena CSD. The applicant, Mr. Stephen Kuhn, and his wife Ms. Verma Vandana testified in favor of the proposal and rebutted the statements made by the appellant. Four additional persons spoke against the project; one person spoke in favor of the project.

21. Pursuant to section 22.56.2180 of the County Code, the Commission, in approving an application for an oak tree permit, shall impose such conditions as are deemed necessary to insure that the permit will be in accord with the findings required in section 22.56.2100. In response to concerns raised by members of the public regarding the oak trees located near the proposed development, Condition No. 25 has been revised to require an additional five years of monitoring by the County Forester. These inspections are supplemental to those required by the County Forester in the conditions of approval from said agency. These additional years of inspection have been added in consultation with the County Biologist and the County Forester.
22. The Commission finds that the Project is consistent with the goals and policies of the Altadena Community Plan ("Community Plan"), a component of the General Plan, based on the following. The Nonurban land use designation is intended for rural residential uses and therefore, the proposed single-family residence is consistent with the allowed uses of the underlying land use category. The Community Plan contains policies to ensure compatibility of development with the surrounding area. The Community Plan seeks to "promote the provision of an adequate supply of housing by location, type and price" (Land Use, Page I-24). The addition of single-family residence within an existing residential community will be compatible with the surrounding uses and will provide additional housing in the area.
23. The Commission finds that the Project is consistent with the R-1-10000 zoning classification because single-family residences are listed as a permitted use in the R-1 zone pursuant to section 22.20.070.
24. The proposed single-family residence is compatible with the surrounding uses as it is located in a developed residential community. The residence will function similarly to other residences in the area and will produce similar levels of utility usage and traffic patterns. Therefore, the Commission finds that the Project will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.
25. The Commission finds that the proposed single-family residence will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site. The project has been designed to follow the slope of the terrain and blend in with the canopies of the surrounding oak woodland. The earth-tone color scheme of the building will further disguise the building from the neighboring sites.
26. The Commission finds that the single-family residence will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. The subject property is zoned for a residential use and therefore, the impacts of the use have been anticipated. The proposed building will feature current construction techniques for high fire resistance and seismic/slope stability. Furthermore, the project has been reviewed by the Fire Department and the Department of Public Works to ensure consistency with the Fire and Building Codes.

27. In addition to designing the residence to avoid and/or reduce impacts to the existing oak trees on site, the project will comply with all development standards required for properties in the Altadena Community Standards District and the R-1 zone. Less than three percent of the property will be developed with the single-family residence structure. Additionally, two parking spaces will be included as part of this project and most of the existing oak trees will be preserved. Therefore, the Commission finds that the site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
28. The Project Site is accessible from Canyon Crest Road, the main access road for the Meadows community to the north, and is zoned for a low-density residential development. Furthermore, Canyon Crest Road intersects Lincoln Avenue, a proposed Class III Bike Path (Master Plan of Bikeways) and an existing Secondary Highway (Master Plan of Highways). As the addition of one new residence is not anticipated to create a significant impact on traffic along Canyon Crest Road, the Commission finds that the site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate.
29. The applicant has obtained will serve letters from both the Lincoln Avenue Water Company and Pasadena Water and Power. The Department of Public Works will review the proposed connection to the existing sewer line. The proposed extension will be adequately sized to accommodate all future upstream discharge tributary to this sewer. Therefore, the Commission finds that the site is adequately served by other public or private service facilities as are required.
30. Based on a review by the Department of Public Works of the geotechnical report, dated April 17, 2014 and prepared by Irvine Geotechnical Inc., it was concluded that ground rupture hazard is minimal at best; construction techniques and additional reinforcement allow resistance to ground shaking; and "...the proposed improvements will not be subject to geologic and geotechnical hazards associated with settlement, slippage, landsliding, expansive soils, liquefaction, and chemical attack. Also, construction of the project will not have an adverse effect on the existing structures or offsite properties" provided that the recommendations contained in the report are included in the design and are implemented in the field (Source: Geotechnical Report, Page 12). The project is not expected to result in substantial soil erosion or be located on a geologic unit of soil or expansive soil that is unstable or would become unstable as a result of the project. The project is located in a Very High Fire Hazard Severity Zone; however, the Los Angeles County Fire Department is requiring standard sprinkler systems and fuel modification standards for the project site. In addition, all projects in the County are required to have adequate fire flow and water pressure, or upgrade the system to meet the required standards of the Fire Department. Therefore, with these measures in place, the proposed project is not expected to expose people or structures to a significant risk of loss, injury, or death involving fires in high fire hazard areas. Therefore, the Commission finds that the Project is located and

designed as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard.

31. The Initial Study evaluated the potential project impacts on natural, biotic, cultural, scenic and open space resources. As is mentioned in the Initial Study, the project is not sited adjacent to any designated riding or hiking trails, designated scenic highways, significant ridgelines, or other scenic resources and therefore, impacts are expected to be Less Than Significant. The Initial Study concluded that there was no substantial evidence that the Project would result in a significant impact on the environment. Therefore, the Commission finds that the proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area.
32. The Commission finds that the construction of the single-family residence will be accomplished without endangering the health of the remaining trees subject to Part 16 of Chapter 22.56 on the subject property. The County Forester and the consulting arborist provided recommendations to the applicant to protect the remaining oak trees during the time of construction. All work within the protected zones of the oak trees will be done using hand tools only. Equipment, materials and vehicles will not be stored, parked or operated within the protected zone of an oak tree, except on the existing, graded pad that exists on the property. All work conducted within the protected zone of oak trees will be performed in the presence of a qualified oak tree consultant.
33. The Commission finds that the removal 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. All oak trees will remain except for Oak Tree No. 6 as identified on the Exhibit "A" site plan and in the Oak Tree Report. The one tree that will be removed is located within the area where the building will be constructed. Furthermore, the Department of Public Works will review and approve the drainage plan for this project.
34. The project site is located in oak woodland. The applicant has explored alternative designs for the project, but they would require the removal of additional oak trees. The Project is designed around the oak trees and the terrain of the site. Therefore, the Commission finds that the removal of the oak tree proposed is necessary as continued existence at present location frustrates the planned improvement or proposed use of the subject property to the extent that placement of such tree precludes the reasonable and efficient use of such property for a use otherwise authorized.
35. The purpose of the oak tree permit is to recognize oak trees as significant historical, aesthetic and ecological resources, and as one of the most picturesque trees in Los Angeles County and to create favorable conditions for the preservation and propagation of oak trees, particularly heritage oak trees, for the benefit of current and future residents of Los Angeles County. The oak tree that is being removed was identified in the Oak Tree Report as having major asymmetry, leaning south within the drainage area, and being shaded out. The arborist gave the tree a "C" grade for

aesthetics and also indicated that it is not a heritage oak tree. As most of the oak trees on the Project Site will be preserved, the Commission finds that the 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.

36. The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and the Altadena Library. On July 21, 2016, a total of 149 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 17 notices to those on the courtesy mailing list for the Altadena Zoned District and to any additional interested parties.
37. The Commission finds that the permittee is subject to payment of the California Department of Fish and Wildlife fees related to the Project's effect on wildlife resources pursuant to section 711.4 of the California Fish and Game Code.
38. After consideration of the Negative Declaration, together with the comments received during the public review process, the Commission finds on the basis of the whole record before it that there is no substantial evidence that the Project as conditioned will have a significant effect on the environment, and further finds that the Negative Declaration reflects the independent judgment and analysis of the Commission.
39. The location of the documents and other materials constituting the record of proceedings upon which the Commission'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, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits North Section, Department of Regional Planning.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION
CONCLUDES THAT:**

Regarding the Minor Conditional Use Permit:

- A. The proposed use will be consistent with the adopted general plan for the area.
- B. The requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.
- C. The requested use at the location proposed will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.
- D. The requested use at the location proposed will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

- E. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- F. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate.
- G. The proposed site is adequately served by other public or private service facilities as are required.
- H. The proposed project is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard.
- I. The proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area.

Regarding the Oak Tree Permit:

- J. The proposed construction of 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.
- K. The removal 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.
- L. The removal of the oak tree proposed is necessary as continued existence at present location frustrates the planned improvement or proposed use of the subject property to the extent that placement of such tree precludes the reasonable and efficient use of such property for a use otherwise authorized.
- M. The 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.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Certifies that the Negative Declaration for the Project was completed in compliance with CEQA and the State and County Guidelines related thereto; certifies that it independently reviewed and considered the Negative Declaration and that the Negative Declaration reflects the independent judgment and analysis of the Commission as to the environmental consequences of the Project; determined that on the basis of the whole record before the Commission that there is no substantial

evidence that the Project will have a significant effect on the environment; and adopts the Negative Declaration; and

2. Denies the appeal and approves Minor Conditional Use Permit No. 201400014 and Oak Tree Permit No. 201400035, subject to the attached conditions.

ACTION DATE: 9/7/2016

VOTE: 5-0

Concurring: Smith, Louie, Shell, Pedersen, Modugno

Dissenting: 0

Abstaining: 0

Absent: 0

c: Each Commissioner, Zoning Enforcement, Building and Safety

MM
9/7/16

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02411-(5)
MINOR CONDITIONAL USE PERMIT NO. 201400014
OAK TREE PERMIT NO. 201400035**

PROJECT DESCRIPTION

The project is for the construction of a new single-family residence on a hillside property in the Altadena Community Standards District and includes encroachments into the protected zone of nine oak trees and one oak tree removal subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7 and until all required monies have been paid pursuant to Condition No. 9. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 8 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
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 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
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 make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense,

including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses 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 \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. 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 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 fund provides for **one** inspection. The required inspection shall be unannounced.

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.

10. Within five (5) working days from the day after the appeal period ends **September 21, 2016**, the permittee shall remit processing fees at the County Registrar-Recorder/County Clerk Office, 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 Wildlife 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 **\$2,285.25** (\$2,210.25 for a Negative Declaration or 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.
11. 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 ("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, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal

decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **November 7, 2016**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS – OAK TREE PERMIT

19. The permittee shall comply with all conditions and requirements contained in the County of Los Angeles Forester and Fire Warden, Forestry Division, letter dated December 3, 2014 (attached hereto), to the satisfaction of said Division, except as otherwise required by the Forestry Division.
 - a. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for each tree removed.
20. The permittee shall plant one healthy acorn of the same species of oak (*Quercus* sp.) as the tree removed for each mitigation tree planted. The acorns shall be planted at the same time as and within the watering zone of each mitigation tree.
21. All replacement trees shall be planted on native undisturbed soil and shall be the same species of oak (*Quercus* sp.) as the removed tree. The location of the replacement tree shall be in the vicinity of other oak trees of the same species. 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 zones.
22. When replacement trees are planted on disturbed soil or are not in the vicinity of the same species of oak (*Quercus* sp.) as the removed tree, planting shall incorporate a mycorrhizal product, either as amendment or in the first two irrigations or watering of planted trees (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 zones.

PROJECT SITE SPECIFIC CONDITIONS

23. This grant shall authorize the construction of a single-family residence in a hillside area within the Altadena Community Standards District. This grant also authorizes the removal of Oak Tree No. 6 and encroachments into the protected zone of Oak Tree Nos. 1-5 and 7-10 as identified on the Exhibit "A" and described in the Oak Tree Report dated August 2, 2014 and prepared by Land Design Consultants, Inc.
24. The trunk of Oak Tree No. 6, as identified on the Exhibit "A," shall not be removed.
25. The permittee shall deposit with the County of Los Angeles Fire Department the sum of **\$500.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate County of Los Angeles Forester and Fire Warden, Forestry Division ("County Forester") for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **five** annual inspections. These inspections will commence following the completion of the required inspections listed in the attached County Forester Letter dated December 3, 2014. 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 the County Forester for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$100.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.
26. The roof of the residence shall not be made of reflective, glossy, polished and/or roll-formed type metal roofing.
27. The exterior siding of the residence shall not be made of reflective, glossy, polished and/or roll-formed type metal siding.
28. All construction equipment parking and staging areas shall be located on the subject property.
29. The permittee shall comply with all conditions set forth in the attached County Public Works Department letter dated August 12, 2015.
30. The permittee shall comply with all conditions set forth in the attached County Fire Department letter dated February 3, 2015.
31. The permittee shall comply with all conditions set forth in the attached County Forester letter dated December 3, 2014.

PROJECT NO. R2014-02411-(5)
MINOR CONDITIONAL USE PERMIT NO. 201400014
OAK TREE PERMIT NO. 201400035

CONDITIONS OF APPROVAL
PAGE 6 OF 6

Attachments:

Public Works Department Letter dated August 12, 2015
Fire Department Letter dated February 3, 2015
Forester Letter dated December 3, 2014
Oak Trees: Care and Maintenance Guide (applicant only)



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

GAIL FARBER, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

August 12, 2015

IN REPLY PLEASE

REFER TO FILE: LD-2

TO: Maria Masis
Zoning Permits East Area
Department of Regional Planning

Attention Jeantine Nazar

FROM: Art Vander Vis
Land Development Division
Department of Public Works

MINOR CONDITIONAL USE PERMIT (MCUP) NO. 201400014
PROJECT NO. R2014-02411
ASSESSOR'S MAP BOOK NO. 5830, PAGE 3, PARCEL NO. 16
ALTADENA

- Public Works recommends approval of this MCUP.
- Public Works does **NOT** recommend approval of this MCUP.

The proposed project is to allow the construction of a new 2-story, single-family residence with an attached garage on an existing vacant lot within the Altadena Community Standards District (CSD). The Altadena CSD requires obtaining a MCUP for any development within a hillside management area as provided in Section 22.44.127.C.2.b. The project location contains areas with natural slopes of 25 percent or more, and therefore, it is considered to be in a hillside management area; consequently, it is required to obtain a MCUP per the section provided above. Part of the project also requires encroachment within the protected zone of nine oak trees and removal of one oak tree. The proposed grading for this project includes 15 cubic yards of cut and 15 cubic yards of fill, to be balanced on-site.

Upon approval of the MCUP, we recommend the following conditions:

1. Road

- 1.1 Permission is granted to waive the 10 feet of additional road right-of-way dedication on Canyon Crest Road since the existing topography constraints and development patterns along Canyon Crest Road would prevent any future road widening.

- 1.2 Execute a drainage covenant for the maintenance of any parkway drains/curb drains that are installed as part of the project.

For questions regarding the road conditions, please contact Teni Mardirosian of Public Works' Land Development Division at (626) 458-4910 or tmardirosian@dpw.lacounty.gov.

2. Drainage/Grading

- 2.1 Submit a hydrology/Low-Impact Development (LID) study to Public Works' Building and Safety Division, San Gabriel Valley District office, for review and approval prior to issuance of any grading permits. The study shall show the extent of drainage impacts including contributory drainage from adjoining properties. LID standards can be found in the LID Standard Manual at <http://dpw.lacounty.gov/idd/web/>.
- 2.2 Submit a grading and drainage plan for review and approval that complies with an approved hydrology/LID study. The grading plans must show and call out the construction of all drainage devices and details, paved driveways, elevation and drainage of all pads, and the water quality devices, as applicable. The applicant is required to show and call out all existing and proposed easements on the grading plan and obtain the easement holder approvals.
- 2.3 Dedicate a 10-foot easement for the existing on-site sewer siphon to the satisfaction of Public Works. A processing fee will be required.
- 2.4 Obtain soil/geology approval of the grading plan by Public Works' Geotechnical and Materials Engineering Division.
- 2.5 Execute an agreement that addresses the maintenance of any privately maintained drainage devices that are constructed on-site.

For questions regarding the grading conditions, please contact Ms. Mardirosian at (626) 458-4910 or tmardirosian@dpw.lacounty.gov.

3. Sewer

- 3.1 Extend the public sewer mainline to provide sewer service for the proposed single-family house. A Sewer Area Study will be required to adequately size the proposed extension. The proposed pipe will need to accommodate future upstream discharges.

For questions regarding the sewer condition, please contact Massoud Esfahani of Land Development Division at (626) 458-4921 or mesfahan@dpw.lacounty.gov.

4. Water

- 4.1 Comply with all requirements stipulated by the local water purveyor. The attached Will Serve letter issued by Pasadena Water and Power will expire on June 5, 2016. It shall be the sole responsibility of the applicant to renew the aforementioned Will Serve letter upon expiration and abide by all requirements of the water purveyor.

For questions regarding the water condition, please contact Tony Khalkhali of Land Development Division at (626) 458-4921 or tkhalkh@dpw.lacounty.gov.

5. Building and Safety

- 5.1 Submit building and grading plans to Public Works' Building and Safety Division San Gabriel Valley District office, for review and approval. The project shall also be designed based on seismic design provisions for hillside buildings found in Los Angeles County Code Title 26 when constructed on or into slopes steeper than 33 percent.

For questions regarding building and safety condition, please contact Clint Lee of Building and Safety Division at (626) 458-3154 or clee@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ms. Mardirosian at (626) 458-4910 or tmardirosian@dpw.lacounty.gov.

TM:tb



PASADENA WATER AND POWER

June 5, 2015

Mr. Stephen Kuhn
4381 Canyon Crest Rd
Altadena, CA 91001

Subject: Will Serve Letter for Assessor Parcel Number 5830-003-016 located in Canyon Crest Rd, Altadena, CA 91001

Dear Mr. Kuhn:

Pasadena Water and Power (PWP) can serve water to parcel 5830-003-016 located in Canyon Crest Rd, Altadena, California 91001. The parcel is currently outside PWP's service area, but may be served from an 8-inch cast iron water main in Canyon Crest Rd that was installed under work order 4235 in 1948. The end of this water main is located approximately 34 feet north of fire hydrant 207-2. To serve the property, this water main will need to be extended.

Fire hydrant 207-2 is located approximately 10 feet north of the north end of Florecita Drive at Canyon Crest Road. There is no current fire flow information for this fire hydrant. The water pressure at this site is 36 psi.

If you have any questions or need additional information, please call Linette Vasquez, Senior Utility Service Planner, at (626)744-7064.

Sincerely,

Richard Thompson
Utility Services Planning Supervisor
Pasadena Water and Power



COUNTY OF LOS ANGELES FIRE DEPARTMENT FIRE PREVENTION DIVISION

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-02411

MAP DATE: November 20, 2014

LOCATION: APN: 5830-003-016, South of 3589 Canyon Crest Road, Altadena

REVISED CONDITIONS – Supersedes Fire Dept. Comments Dated 12/03/14

THE FIRE DEPARTMENT RECOMMENDS CLEARANCE OF THIS PROJECT TO PROCEED TO PUBLIC HEARING AS PRESENTLY SUBMITTED WITH THE FOLLOWING CONDITIONS OF APPROVAL.

CONDITIONS OF APPROVAL – ACCESS

1. Fire Department vehicular access roads must be installed and maintained in a serviceable manner prior to and during the time of construction. Fire Code 501.4
2. All fire lanes shall be clear of all encroachments, and shall be maintained in accordance with the Title 32, County of Los Angeles Fire Code.
3. The Fire Apparatus Access Roads and designated fire lanes shall be measured from flow line to flow line.
4. Provide a minimum unobstructed width of 20 feet, exclusive of shoulders and an unobstructed vertical clearance “clear to sky” Fire Department vehicular access to within 150 feet of all portions of the exterior walls of the first story of the building, as measured by an approved route around the exterior of the building. Fire Code 503.1.1 & 503.2.1
 - Exception: A minimum vertical clearance of 13 feet 6 inches may be allowed for protected tree species adjacent to access roads.
5. The dimensions of the approved Fire Apparatus Access Roads shall be maintained as originally approved by the fire code official. Fire Code 503.2.2.1
6. A minimum 5 foot wide approved firefighter access walkway leading from the fire department access road to all required openings in the building's exterior walls shall be provided for firefighting and rescue purposes. Fire Code 504.1

Reviewed by: Wally Collins

Date: February 3, 2015



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-02411

MAP DATE: November 20, 2014

LOCATION: APN: 5830-003-016, South of 3589 Canyon Crest Road, Altadena

7. Approved building address numbers, building numbers or approved building identification shall be provided and maintained so as to be plainly visible and legible from the street fronting the property. The numbers shall contrast with their background, be Arabic numerals or alphabet letters, and be a minimum of 4 inches high with a minimum stroke width of 0.5 inch. Fire Code 505.1

CONDITIONS OF APPROVAL – WATER STSTEM

1. All fire hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal, and shall be installed in accordance with the County of Los Angeles Fire Department Regulation 8.
2. All required PUBLIC fire hydrants shall be installed, tested and accepted prior to beginning construction. Fire Code 501.4
3. The required fire for the public fire hydrants for single family residential homes less than a total square footage of 3600 feet is 1250 gpm at 20 psi residual pressure for 2 hours with one public fire hydrant flowing. Any single family residential home 3601 square feet or greater shall comply too Table B105.1 of the Fire Code in Appendix B.
 - The fire flow is adequate per the fire flow test by Pasadena Water & Power dated 12/09/14.

CONDITIONS OF APPROVAL – FUEL MODIFICATION:

1. This property is located within the area described by the Fire Department as the Very High Fire Hazard Severity Zone. A "Preliminary Fuel Modification Plan" shall be submitted and approved prior to public hearing. For details, please contact the Department's Fuel Modification Unit which is located at Fire Station 32, 605 North Angeleno Avenue in the City of Azusa CA 91702-2904. They may be reached at (626) 969-5205.

Reviewed by: Wally Collins

Date: February 3, 2015



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Land Development Unit
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4243, Fax (323) 890-9783

PROJECT: R2014-02411

MAP DATE: November 20, 2014

LOCATION: APN: 5830-003-016, South of 3589 Canyon Crest Road, Altadena

- The Preliminary Fuel Modification Plan has been approved by the Fuel Modification Unit on 12/29/14.

For any questions regarding the report, please contact FPEA Wally Collins at (323) 890-4243 or at Wally.Collins@fire.lacounty.gov.



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

December 3, 2014

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

Dear Ms. Nazar:

OAK TREE PERMIT NUMBER 2014-00035
PROJECT NUMBER R2014-02411
4381 CANYON CREST ROAD, ALTADENA

We have reviewed the "Request for Oak Tree Permit #2014-00035." The project is located at 4381 Canyon Crest Road in the unincorporated area of Altadena. 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 Land Design Consultants, the consulting arborist, dated August 2, 2014.

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

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

AGOURA HILLS	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA MIRADA	MALIBU	POMONA	SIGNAL HILL
ARTESIA	CARSON	DUARTE	HUNTINGTON PARK	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH EL MONTE
AZUSA	CERRITOS	EL MONTE	INDUSTRY	LAKELWOOD	NORWALK	ROLLING HILLS	SOUTH GATE
BALDWIN PARK	CLAREMONT	GARDENA	INGLEWOOD	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	TEMPLE CITY
BELL	COMMERCE	GLENDORA	IRVINDALE	LAWNDALE	PALOS VERDES ESTATES	ROSEMead	WALNUT
BELL GARDENS	COVINA	HAWAIIAN GARDENS	LA CANADA FLINTRIDGE	LOMITA	PARAMOUNT	SAN DIMAS	WEST HOLLYWOOD
BELLFLOWER	CUDAHY	HAWTHORNE	LA HABRA	LYNWOOD	PICO RIVERA	SANTA CLARITA	WESTLAKE VILLAGE
BRADBURY							WHITTIER

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 of construction and 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 drip line 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) of the Oak genus (*Quercus agrifolia*) identified as Tree Number 6 on the applicant's site plan and Oak Tree Report. This grant includes encroachment within the protected zone of eight (8) trees of the Oak genus identified as 1, 2, 3, 4, 5, 7, 8, & 9 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 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 each tree removed for a total of two (2) mitigation 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.

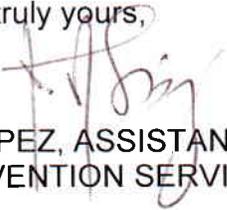
NON-PERMITTED ACTIONS AND VIOLATIONS:

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 drip line 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.

To schedule an inspection with a County Forester, please contact the Environmental Review Unit at (818) 890-5719.

If you have any additional questions, please contact this office at (818) 890-5758.

Very truly yours,



J. LOPEZ, ASSISTANT CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

Jl:jl

Enclosure